AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

federal register

TUESDAY, JULY 9, 1974
WASHINGTON, D.C.
Volume 39 ■ Number 132
Pages 25213–25301



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This list includes only rules that were published in the FEDERAL REGISTER after October 1, 1972.

page no. and date

HEW/FDA—Color additives; cosmetic use; exempt from certification.
16884; 5–10–74

federal register

Area Code 202 Phone 523-5240

Published daily, Monday through Friday (no publication on Saturdays, Sundays, or on official Federal holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C., Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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rules and regulations

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

Title 7—Agriculture

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

PART 947—IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUNTIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Handling Regulation

This amendment reduces the minimum size requirement for Oregon-California potatoes. This should permit orderly marketing by increasing the supply available consistent with market conditions.

Findings. (a) Pursuant to Marketing Agreement No. 114 and Order No. 947, both as amended (7 CFR Part 947), regulating the handling of Irish potatoes grown in the production area defined therein, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Oregon-California Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to handling regulation hereinafter set forth, will tend to effectuate the declared policy of the act.

The amendment will reduce the minimum size requirements for marketing order potatoes from 2 inches in diameter or 4 ounces weight to 1⅞ inches in diameter. The size reduction will promote orderly marketing by increasing the volume of production area potatoes available for fresh market shipment, consistent with current and indicated market conditions.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) to maximize benefits to producers, this regulation should apply to as many shipments as possible during the effective period, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of production area potatoes shipped to the fresh market.

Paragraph (b) of Handling Regulation (38 FR 19009 and 39 FR 2596) is amended to read as follows:

§ 947.332 Handling regulation.

* * * * *

(b) *Size requirements.* All varieties—1⅞ inches minimum diameter: *Provided,* That potatoes for export may be 1½ inches minimum diameter.

* * * * *

Dated July 2, 1974, to become effective upon issuance.

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

[FR Doc.74-15590 Filed 7-8-74;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1974-Crop Barley Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1974-Crop Barley Loan and Purchase Program

On August 29, 1973, the U.S. Department of Agriculture announced loan rates for the 1974 crop of barley on a national average of 90 cents per bushel. And on May 10, 1974, the Department announced that beginning with the 1974-crop barley, storage deductions would no longer be made from the loan value of the commodity for unpaid storage. Instead, in order for a producer to obtain a warehouse storage loan on barley, the warehouse receipt must indicate that storage has been paid or otherwise provided for through the loan maturity date. Since storage prepayment is required, § 1421.76, "Warehouse Charges", is hereby deleted and § 1421.77, "Loan and Purchase Rates", is renumbered § 1421.76.

In view of the need for early announcement of the 1974 Feed Grain Program and inasmuch as barley is currently being harvested in many parts of the barley-producing area, compliance with the notice of proposed rulemaking procedure would be impracticable and contrary to the public interest. Therefore, this supplement is issued without following such procedure.

Support rates, at the county level for 1974-crop barley, reflect adjustments necessary to reflect consideration for historical feed barley prices received by farmers by States and districts.

The general regulations governing Price Support for the 1970 and Subsequent Crops, published at 35 FR 7363 and 7781, and any amendments thereto, and the 1970 and Subsequent Crops Barley Loan and Purchase Program Regulations, published at 35 FR 11166 and 11902, and any amendments to such regulations are further supplemented for the 1974 crop of barley. The material previously appearing in these §§ 1421.72 through 1421.77 shall remain in full force and effect as to the crops to which it is applicable.

Sec.
1421.72 Purpose.
1421.73 Compliance requirements.
1421.74 Availability.
1421.75 Maturity of loans.
1421.76 Loan and purchase rates.

AUTHORITY: Sec. 4, 62 Stat. 1070, as amended, 15 U.S.C. 714. Interpret or apply sec. 5, 62 Stat. 1072, 15 U.S.C. 714c; secs. 105, 401, 63 Stat. 1051, as amended; 7 U.S.C. 1421, 1441.

§ 1421.72 Purpose.

This supplement contains additional program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops, the 1970 and Subsequent Crops Barley Loan and Purchase Program Regulations, and any amendments thereto, apply to loans on and purchases of the 1974 crop of barley.

§ 1421.73 Compliance requirements.

A producer shall be eligible for a loan or purchase with respect to the barley being tendered if the producer files an intention to participate in the 1974 Feed Grain Program, appearing in the regulations published in Part 775 of this title pertaining to the Feed Grain Program for crop years 1974 through 1977 and any amendments thereto, on the farm on which such barley was produced if such farm is in an area in which the Feed Grain Program is in effect.

§ 1421.74 Availability.

A producer desiring to participate in the program through loans must request a loan on his 1974 crop of eligible barley on or before April 30, 1975, in Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming and by March 31, 1975, in all other States. To sell eligible barley to CCC a producer must execute and deliver to the appropriate county ASCS office, on or before May 31, 1975, in the States named in this section and on or before April 30, 1975,

in all other States, a Purchase Agreement (Form CCC-614) indicating the approximate quantity of 1974 crop barley he will sell to CCC.

§ 1421.75 Maturity of loans.

Loans mature on demand but not later than: May 31, 1975, on barley stored in the States of Alaska, Idaho, Minnesota, Montana, North Dakota, South Dakota, Oregon, Washington, Wisconsin, and Wyoming and on April 30, 1975, in all other States.

§ 1421.76 Loan rates and discounts.

(a) Basic loan rates (counties). Basic county rates (marketing area for Alaska) for loan and settlement purposes for barley (except mixed barley) grading U.S. No. 2 or better are established as follows:

COUNTY LOAN AND PURCHASE RATES FOR BARLEY GRADING NO. 2 OR BETTER, EXCEPT MIXED BARLEY

ALABAMA

All counties	$0.90

ALASKA

County	Rate per bushel	County	Rate per bushel
Delta*	$1.54	Kenai-Sold*	$1.66
Fairbanks*	1.53	Palmer*	1.72
Glenallen*	1.63	Talkeetna*	1.72
Homer*	1.59		

ARIZONA

All counties	$1.08

ARKANSAS

All counties	$0.90

CALIFORNIA

Alameda	$1.26	Plumas	$1.09
Alpine	1.09	Riverside	1.21
Amador	1.22	Sacramento	1.26
Butte	1.17	San Benito	1.18
Calaveras	1.22	San Bernadino	1.22
Clusa	1.21	San Diego	1.26
Contra Costa	1.23	San Francisco	1.26
El Dorado	1.21	San Joaquin	1.26
Fresno	1.20	San Luis Obispo	1.18
Glenn	1.18	San Mateo	1.23
Homboldt	1.06	Santa Barbara	1.17
Imperial	1.20	Santa Clara	1.22
Inyo	1.05	Santa Cruz	1.19
Kern	1.21	Shasta	1.06
Kings	1.19	Sierra	1.04
Lake	1.16	Siskiyou	1.04
Lassen	1.06	Solano	1.23
Los Angeles	1.26	Sonoma	1.21
Madera	1.22	Stanislaus	1.24
Marin	1.23	Sutter	1.20
Mariposa	1.20	Tehama	1.17
Mendocino	1.10	Tulare	1.18
Merced	1.22	Tuolumne	1.20
Modoc	1.04	Ventura	1.21
Monterey	1.18	Yolo	1.23
Napa	1.21	Yuba	1.20
Orange	1.26		
Placer	1.19		

COLORADO

All counties	$0.94

CONNECTICUT

All counties	$0.90

DELAWARE

All counties	$0.90

FLORIDA

All counties	$0.92

GEORGIA

All counties	$0.92

IDAHO

County	Rate per bushel	County	Rate per bushel
Ada	$.95	Gem	$0.95
Adams	.95	Gooding	.95
Bannock	.94	Idaho	.99
Bear Lake	.92	Jefferson	.91
Benewah	1.02	Jerome	.95
Bingham	.94	Kootenai	1.02
Blaine	.95	Latah	1.02
Boise	.95	Lemhi	.91
Bonner	.98	Lewis	1.01
Bonneville	.92	Lincoln	.95
Boundary	.97	Madison	.92
Butte	.94	Minidoka	.97
Camas	.95	Nez Perce	1.02
Canyon	.95	Oneida	.95
Caribou	.92	Owyhee	.95
Cassia	.94	Payette	.95
Clark	.91	Power	.94
Clearwater	1.01	Shoshone	.90
Custer	.95	Teton	.92
Elmore	.95	Twin Falls	.98
Franklin	.96	Valley	.95
Fremont	.92	Washington	.95

ILLINOIS

Alexander	$0.96	St. Clair	$0.95
Cook	.91	All other counties	.86
Madison	.95		

INDIANA

All counties	$0.86

IOWA

Pottawattamie	$0.93	All other counties	$0.89

KANSAS

Wyandotte	$0.93	All other counties	$0.89

KENTUCKY

All counties	$0.87

LOUISIANA

Parish	Rate per bushel	Parish	Rate per bushel
East Baton Rouge	$1.09	St. Charles	$1.09
Jefferson	1.09	West Baton Rouge	1.09
Orleans	1.09	All other counties	.92

MAINE

County	Rate per bushel
All counties	$0.90

MARYLAND

County	Rate per bushel	County	Rate per bushel
Baltimore City	$1.08	All other counties	$0.90

MASSACHUSETTS

All counties	$0.90

MICHIGAN

All counties	$0.82

MINNESOTA

Aitkin	$0.93	Dakota	$0.97
Anoka	.96	Dodge	.96
Becker	.84	Douglas	.88
Beltrami	.86	Faribault	.95
Benton	.93	Fillmore	.93
Big Stone	.88	Freeborn	.96
Blue Earth	.96	Goodhue	.96
Brown	.94	Grant	.86
Carlton	.97	Hennepin	.97
Carver	.97	Houston	.92
Cass	.89	Hubbard	.86
Chippewa	.93	Isanti	.95
Chisago	.96	Itasch	.92
Clay	.83	Jackson	.93
Clearwater	.83	Kanabec	.94
Cottonwood	.93	Kandiyohi	.93
Crow Wing	.89	Kittson	.78

MINNESOTA—Continued

County	Rate per bushel	County	Rate per bushel
Koochiching	$0.90	Red Lake	$0.82
Lac qui Parle	.92	Redwood	.94
Lake of the Woods	.89	Renville	.93
Le Sueur	.97	Rice	.97
Lincoln	.89	Rock	.88
Lyon	.92	Roseau	.80
McLeod	.96	St. Louis	.97
Mahnomen	.82	Scott	.97
Marshall	.81	Sherburne	.96
Martin	.95	Sibley	.96
Meeker	.94	Stearns	.93
Mille Lacs	.94	Steele	.97
Morrison	.91	Stevens	.88
Mower	.95	Swift	.92
Murray	.92	Todd	.88
Nicollet	.96	Traverse	.86
Nobles	.92	Wabasha	.96
Norman	.83	Wadena	.87
Olmsted	.96	Waseca	.97
Otter Tail	.85	Washington	.97
Pennington	.82	Watonwan	.95
Pine	.97	Wilkin	.85
Pipestone	.89	Winona	.94
Polk	.82	Wright	.97
Pope	.91	Yellow Medicine	.91
Ramsey	.97		

MISSISSIPPI

All counties	$0.90

MISSOURI

Buchanan	$0.93	St. Louis	$0.95
Clay	.93	All other counties	.91
Jackson	.93		

MONTANA

Beaverhead	$0.84	McCone	$0.74
Big Horn	.80	Madison	.90
Blaine	.75	Meagher	.84
Broadwater	.87	Mineral	.92
Carbon	.80	Missoula	.92
Carter	.72	Musselshell	.79
Cascade	.83	Park	.88
Chouteau	.79	Petroleum	.77
Custer	.74	Phillips	.72
Daniels	.71	Pondera	.81
Dawson	.74	Powder River	.74
Deer Lodge	.90	Powell	.90
Fallon	.72	Prairie	.74
Fergus	.81	Ravalli	.88
Flathead	.95	Richland	.71
Gallatin	.90	Roosevelt	.71
Garfield	.75	Rosebud	.75
Glacier	.82	Sanders	.92
Golden Valley	.80	Sheridan	.70
Granite	.88	Silver Bow	.90
Hill	.78	Stillwater	.80
Jefferson	.90	Sweet Grass	.83
Judith Basin	.80	Teton	.81
Lake	.88	Toole	.81
Lewis and Clark	.81	Treasure	.75
Liberty	.80	Valley	.72
Lincoln	.95	Wheatland	.81
		Wibaux	.72
		Yellowstone	.80

NEBRASKA

Douglas	$0.93	All other counties	$0.85

NEVADA

All counties	$1.03

NEW HAMPSHIRE

All counties	$0.90

NEW JERSEY

All counties	$0.90

NEW MEXICO

All counties	$0.98

NEW YORK

Albany	$1.08	All other counties	$0.90
New York City	1.08		

NORTH CAROLINA

County	Rate per bushel
All counties	$0.93

NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	$0.72	McLean	$0.73
Barnes	.80	Mercer	.72
Benson	.75	Morton	.72
Billings	.70	Mountrail	.70
Bottineau	.71	Nelson	.77
Bowman	.70	Oliver	.73
Burke	.70	Pembina	.77
Burleigh	.75	Pierce	.74
Cass	.83	Ramsey	.76
Cavalier	.75	Ransom	.80
Dickey	.79	Renville	.70
Divide	.70	Richland	.83
Dunn	.70	Rolette	.72
Eddy	.76	Sargent	.83
Emmons	.72	Sheridan	.74
Foster	.77	Sioux	.72
Golden Valley	.70	Slope	.70
Grand Forks	.80	Stark	.70
Grant	.70	Steele	.80
Griggs	.79	Stutsman	.80
Hettinger	.70	Towner	.73
Kidder	.75	Traill	.80
La Moure	.78	Walsh	.78
Logan	.75	Ward	.71
McHenry	.73	Wells	.76
McIntosh	.76	Williams	.70
McKenzie	.69		

OHIO

All counties	$0.84

OKLAHOMA

All counties	$0.92

OREGON

County	Rate per bushel	County	Rate per bushel
Baker	$1.00	Lake	$0.96
Benton	1.05	Lane	1.04
Clackamas	1.09	Lincoln	1.04
Clatsop	1.15	Linn	1.06
Columbia	1.15	Malheur	.94
Coos	.96	Marion	1.07
Crook	1.04	Morrow	1.08
Curry	.94	Multnomah	1.15
Deschutes	1.04	Polk	1.07
Douglas	.98	Sherman	1.10
Gilliam	1.09	Tillamook	1.10
Grant	1.04	Umatilla	1.05
Harney	.91	Union	1.03
Hood River	1.11	Wallowa	1.00
Jackson	.97	Wasco	1.11
Jefferson	1.07	Washington	1.11
Josephine	.97	Wheeler	1.06
Klamath	.97	Yamhill	1.09

PENNSYLVANIA

Philadelphia	$1.08	All other counties	$0.90

RHODE ISLAND

All counties	$0.90

SOUTH CAROLINA

Charleston	$1.08	All other counties	$0.93

SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	$0.80	Day	$0.84
Beadle	.83	Deuel	.89
Bennett	.73	Dewey	.75
Bon Homme	.83	Douglas	.81
Brookings	.87	Edmunds	.80
Brown	.82	Fall River	.67
Brule	.78	Faulk	.81
Buffalo	.80	Grant	.89
Butte	.70	Gregory	.80
Campbell	.76	Haakon	.73
Charles Mix	.81	Hamlin	.86
Clark	.82	Hand	.80
Clay	.84	Hanson	.80
Codington	.86	Harding	.70
Corson	.73	Hughes	.79
Custer	.70	Hutchinson	.81
Davison	.80	Hyde	.80

SOUTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Jackson	$0.73	Perkins	$0.71
Jerauld	.80	Potter	.80
Jones	.78	Roberts	.87
Kingsbury	.86	Sanborn	.80
Lake	.85	Shannon	.72
Lawrence	.67	Spink	.82
Lincoln	.84	Stanley	.78
Lyman	.78	Sully	.80
McCook	.80	Todd	.77
McPherson	.80	Tripp	.78
Marshall	.81	Turner	.84
Meade	.70	Union	.85
Mellette	.77	Walworth	.77
Miner	.81	Washabaugh	.78
Minnehaha	.84	Yankton	.84
Moody	.85	Ziebach	.72
Pennington	.72		

TENNESSEE

Shelby	$0.96	All other counties	$0.90

TEXAS

Chambers	$1.11	Nueces	$1.11
Galveston	1.11	San Patricio	1.11
Harris	1.11	All other counties	.95
Jefferson	1.11		

UTAH

All counties	$0.98

VERMONT

All counties	$0.90

VIRGINIA

Chesapeake (Norfolk)	$1.08	All other counties	$0.90

WASHINGTON

County	Rate per bushel	County	Rate per bushel
Adams	$1.05	Lewis	1.09
Asotin	1.05	Lincoln	1.04
Benton	1.07	Mason	1.02
Chelan	1.09	Okanogan	1.03
Clallam	.95	Pacific	1.04
Clark	1.15	Pend Oreille	.98
Columbia	1.06	Pierce	1.15
Cowlitz	1.15	San Juan	1.03
Douglas	1.04	Skagit	1.03
Ferry	1.00	Skamania	1.10
Franklin	1.06	Snohomish	1.08
Garfield	1.06	Spokane	1.02
Grant	1.05	Stevens	.99
Grays Harbor	1.04	Thurston	1.09
Island	1.08	Wahkiakum	1.12
Jefferson	1.00	Walla Walla	1.06
King	1.15	Whatcom	1.01
Kitsap	1.08	Whitman	1.04
Kittitas	1.07	Yakima	1.06
Klickitat	1.08		

WEST VIRGINIA

All counties	$0.90

WISCONSIN

Douglas	$0.97	All other counties	$08.7

WYOMING

All counties	$0.92

(b) *Discounts.* The basic county rate shall be adjusted as applicable by discounts as follows:

	Discount (cents per bushel)
Reason: Class—Mixed Barley	2
Grade:	
U.S. No. 3	3
U.S. No. 4	6
U.S. No. 5	15
Total damage (percent): [1]	
10.1–11	1
11.1–12	2
12.1–13	3
13.1–14	4
14.1–15	5
15.1–16	6
16.1–17	7
17.1–18	8
18.1–19	9
19.1 and above	10
Garlicky	10
Weed Control Law (where required by § 1421.25)	10

[1] Not applicable to barley of the class Western Barley.

Other factors. Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the barley, such as (but not limited to) thin barley, moisture, foreign material, test weight, heat damage, musty, sour, smutty, stained, weevily, ergoty, and bleached. Such discounts will be established not later than the time delivery of barley to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to the loan maturity date.

NOTE.—Discounts are cumulative except only one grade discount shall be applied. The discounts for total damage in excess of 10 percent are in addition to the discount of 15 cents for barley grading U.S. No. 5. For the purpose of applying discounts, factors which cause barley of the subclass Malting Barley or Blue Malting Barley to have a lower numerical grade than if the barley were graded under a different subclass shall be disregarded.

Effective date: July 9, 1974.

Signed at Washington, D.C., on July 1, 1974.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.74-15598 Filed 7-8-74;8:45 am]

[CCC Grain Price Support Regulations—1974 Crop Oats Supplement Amendment 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1974 Crop Oats Loan and Purchase Program

The regulations issued by the Commodity Credit Corporation (CCC) published in the FEDERAL REGISTER at 39 FR 11076, containing the provisions for loans and purchases applicable to the 1974 crop of oats, are amended as follows:

Section 1421.273, "Deductions for Storage Charges", is deleted for 1974 and subsequent crops oats. Storage charges on all oats tendered to CCC as collateral for warehouse storage loans or for purchase must be prepaid or otherwise provided for by the producer through the loan maturity date.

Because 1974 crop oats are currently being harvested in some parts of the oat-producing area, it is determined that compliance with the notice of proposed rulemaking procedure would be impracticable and contrary to the public interest. Therefore, this amendment is being issued without following such proposed rulemaking procedure.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, 15 U.S.C. 714c; secs. 105, 401, 63 Stat. 1051, as amended, 7 U.S.C. 1421, 1441.)

Effective date: July 9, 1974.

Signed at Washington, D.C., on July 1, 1974.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.74-15597 Filed 7-8-74;8:45 am]

[CCC Grain Price Support Regulations—1974 Crop Rye Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1974 Crop Rye Loan and Purchase Program

On August 29, 1973, the U.S. Department of Agriculture announced loan rates for the 1974 crop of rye on a national average of 89 cents per bushel. And on May 10, 1974, the Department announced that beginning with 1974 crop rye, storage deductions would no longer be made from the loan value of the commodity for unpaid storage. Instead, in order for a producer to obtain a warehouse storage loan on rye, the warehouse receipt must indicate that storage has been paid or otherwise provided for through the loan maturity date. Since storage prepayment is required, § 1421.353, "Warehouse Charges", is hereby deleted and § 1421.354, "Loan and Purchase Rates", is renumbered § 1421.353. In view of the need for an early announcement of the 1974 Feed Grain Program and inasmuch as rye is currently being harvested in parts of the rye-producing area, and that the provisions of this supplement are needed to carry out the loan program more effectively, it is determined that compliance with the notice of proposed rulemaking procedure would be impracticable and contrary to the public interest.

Support rates, at the county level, for the 1974-crop rye reflect adjustments, necessary to reflect changes in rail freight rate structure and historical prices received by farmers by State and districts.

The General Regulations Governing Price Support for the 1970 and Subsequent Crops (35 FR 7363 and 7781) and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations (35 FR 10355), and any amendments to such regulations, are further supplemented for the 1974 crop of rye. The material previously appearing in these §§ 1421.350 through 1421.354 shall remain in full force and effect as to the crops to which it is applicable.

Sec.
1421.350 Purpose.
1421.351 Availability.
1421.352 Maturity of loans.
1421.353 Loan and purchase rates.

AUTHORITY: The provisions of the subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, 15 U.S.C. 714c; secs. 105, 401, 63 Stat. 1051, as amended, 7 U.S.C. 1421, 1441.

§ 1421.350 Purpose.

This supplement contains program provisions which, together with the provisions of the General Regulations Governing Price Support for the 1970 and Subsequent Crops and the 1970 and Subsequent Crops Rye Loan and Purchase Program regulations, and any amendments thereto, apply to loans and purchases with respect to the 1974 crop of rye.

§ 1421.351 Availability.

A producer desiring a 1974 crop rye loan must request such loan on his eligible rye on or before March 31, 1975. To sell eligible rye to CCC, a producer must execute and deliver to the appropriate county ASCS office, on or before April 30, 1975, a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1974 crop rye he will sell to CCC.

§ 1421.352 Maturity of loans.

Unless demand is made earlier, all loans on rye will mature on April 30, 1975.

§ 1421.353 Loan and purchase rates.

(a) *Basic loan and purchase rates (counties).* Basic rates per bushed for loan and settlement purposes for rye are established for rye grading U.S. No. 2 or better, or U.S. No. 3 on the factor of test weight only and are as follows:

County	*Rate per bushel*
ALABAMA	
All counties	$1.09
ARIZONA	
All counties	$0.99
ARKANSAS	
All counties	$1.06
CALIFORNIA	
Alameda	$1.16
Los Angeles	1.16
Sacramento	1.16
San Diego	1.16
San Francisco	$1.16
San Joaquin	1.16
All other counties	1.03
COLORADO	
All counties	$0.85
CONNECTICUT	
All counties	$1.00
DELAWARE	
All counties	$1.05
FLORIDA	
All counties	$1.16
GEORGIA	
All counties	$1.16
IDAHO	
All counties	$0.99
ILLINOIS	
Cook	$1.07
St. Clair	1.07
All other counties	$1.01
INDIANA	
All counties	$0.97
IOWA	
Pottawattamie	$0.94
Woodbury	.94
All other counties	$0.90
KANSAS	
Wyandotte	$0.94
All other counties	$0.84
KENTUCKY	
All counties	$1.06
LOUISIANA	
East Baton Rouge	$1.18
Jefferson	1.18
Orleans	1.18
St. Charles	1.18
West Baton Rouge	$1.18
All other counties	.99
MAINE	
All counties	$1.00
MARYLAND	
Baltimore City	$1.16
All other counties	$1.05
MASSACHUSETTS	
All counties	$1.00
MICHIGAN	
All counties	$0.87
MINNESOTA	
Aitkin	$0.95
Anoka	.96
Becker	.89
Beltrami	.91
Benton	.96
Big Stone	.90
Blue Earth	.95
Brown	.95
Carlton	.97
Carver	.97
Cass	.95
Chippewa	.95
Chisago	.96
Clay	.87
Clearwater	.90
Cottonwood	.94
Crow Wing	.95
Dakota	.97
Dodge	.96
Douglas	.97
Faribault	.94
Fillmore	.91
Freeborn	.95
Goodhue	.96
Grant	.92
Hennepin	.97
Houston	.90
Hubbard	.91
Isanti	.96
Itasca	.96
Jackson	.93
Kanabec	.95
Kandiyohi	.95
Kittson	.80
Koochiching	.91
Lac qui Parle	.91
Lake of the Woods	.84
Le Sueur	.97
Lincoln	.90
Lyon	.92
McLeod	.96
Mahnomen	.87
Marshall	.85
Martin	$0.93
Meeker	.96
Mille Lacs	.96
Morrison	.95
Mower	.95
Murray	.90
Nicollet	.96
Nobles	.93
Norman	.87
Olmsted	.95
Otter Tail	.90
Pennington	.86
Pine	.94
Pipestone	.89
Polk	.86
Pope	.95
Ramsey	.97
Red Lake	.86
Redwood	.95
Renville	.95
Rice	.97
Rock	.90
Roseau	.81
St. Louis	.97
Scott	.97
Sherburne	.96
Sibley	.96
Stearns	.96
Steele	.96
Stevens	.93
Swift	.94
Todd	.95
Traverse	.89
Wabasha	.96
Wadena	.91
Waseca	.96
Washington	.97
Watonwan	.95
Wilkin	.89
Winona	.95
Wright	.96
Yellow Medicine	.93
MISSISSIPPI	
All counties	$1.08
MISSOURI	
St. Louis	$1.07
All other counties	$0.94
MONTANA	
All counties	$0.75

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	$0.89	Jefferson	$0.92
Antelope	.92	Johnson	.93
Arthur	.80	Kearney	.87
Banner	.73	Keith	.77
Blaine	.86	Keyapaha	.85
Boone	.92	Kimball	.72
Box Butte	.77	Knox	.92
Boyd	.89	Lancaster	.94
Brown	.88	Lincoln	.82
Buffalo	.88	Logan	.84
Burt	.94	Loup	.87
Butler	.94	McPherson	.82
Cass	.94	Madison	.93
Cedar	.91	Merrick	.91
Chase	.77	Morrill	.74
Cherry	.81	Nance	.91
Cheyenne	.75	Nemaha	.94
Clay	.90	Nuckolls	.89
Colfax	.94	Otoe	.94
Cuming	.94	Pawnee	.93
Custer	.86	Perkins	.78
Dakota	.93	Phelps	.86
Dawes	.74	Pierce	.93
Dawson	.86	Platte	.93
Deuel	.76	Polk	.93
Dixon	.92	Red Willow	.82
Dodge	.94	Richardson	.93
Douglas	.94	Rock	.85
Dundy	.78	Saline	.92
Fillmore	.92	Sarpy	.94
Franklin	.86	Saunders	.94
Frontier	.84	Scotts Bluff	.73
Furnas	.84	Seward	.94
Gage	.93	Sheridan	.78
Garden	.78	Sherman	.89
Garfield	.87	Sioux	.73
Gosper	.85	Stanton	.94
Grant	.80	Thayer	.92
Greeley	.92	Thomas	.83
Hall	.91	Thurston	.94
Hamilton	.92	Valley	.87
Harlan	.86	Washington	.94
Hayes	.80	Wayne	.93
Hitchcock	.81	Webster	.87
Holt	.90	Wheeler	.91
Hooker	.82	York	.93
Howard	.91		

NEVADA

All counties	$0.89

NEW HAMPSHIRE

All counties	$1.00

NEW JERSEY

All counties	$1.02

NEW MEXICO

All counties	$0.89

NEW YORK

Albany	$1.16	All other counties	$1.00
New York City	1.16		

NORTH CAROLINA

All counties	$1.16

NORTH DAKOTA

Adams	$0.70	Foster	$0.77
Barnes	.82	Golden Valley	.67
Benson	.73	Grand Forks	.82
Billings	.68	Grant	.72
Bottineau	.69	Griggs	.80
Bowman	.70	Hettinger	.70
Burke	.66	Kidder	.76
Burleigh	.76	La Moure	.82
Cass	.86	Logan	.78
Cavalier	.74	McHenry	.69
Dickey	.83	McIntosh	.78
Divide	.65	McKenzie	.64
Dunn	.69	McLean	.69
Eddy	.77	Mercer	.71
Emmons	.75	Morton	$0.73
Mountrail	.66	Nelson	.79
Oliver	.71	Pembina	.79
Pierce	.70	Ramsey	.74
Ransom	.85	Renville	.66
Richland	.87	Rolette	.70
Sargent	.87	Sheridan	$0.71
Sioux	.74	Slope	.70
Stark	.70	Steele	.84
Stutsman	.79	Towner	.72
Traill	.83	Walsh	.81
Ward	.67	Wells	.75
Williams	.65		

OHIO

All counties	$0.95

OKLAHOMA

All counties	$0.92

OREGON

Clatsop	$1.17	All other counties	$1.08
Multonomah	1.17		

PENNSYLVANIA

Philadelphia	$1.16	All other counties	$1.00

RHODE ISLAND

All counties	$1.00

SOUTH CAROLINA

Charleston	$1.16	All other counties	$1.16

SOUTH DAKOTA

Aurora	$0.82	Jackson	$0.75
Beadle	.84	Jerauld	.81
Bennett	.79	Jones	.79
Bon Homme	.85	Kingsbury	.85
Brookings	.88	Lake	.85
Brown	.83	Lawrence	.67
Brule	.80	Lincoln	.86
Buffalo	.81	Lyman	.80
Butte	.68	McCook	.82
Campbell	.77	McPherson	.80
Charles Mix	.84	Marshall	.85
Clark	.85	Meade	.71
Clay	.87	Mellette	.80
Codington	.87	Miner	.82
Corson	.73	Minnehaha	.86
Custer	.70	Moody	.88
Davison	.82	Pennington	.72
Day	.85	Perkins	.71
Deuel	.90	Potter	.81
Dewey	.75	Roberts	.88
Douglas	.84	Sanborn	.81
Edmunds	.81	Shannon	.74
Fall River	.66	Spink	.85
Faulk	.83	Stanley	.79
Grant	.89	Sully	.81
Gregory	.83	Todd	.80
Haakon	.74	Tripp	.82
Hamlin	.87	Turner	.86
Hand	.81	Union	.89
Hanson	.82	Walworth	.79
Harding	.69	Washabaugh	.75
Hughes	.81	Yankton	.87
Hutchinson	.84	Ziebach	.73
Hyde	.81		

TENNESSEE

Shelby	$1.09	All other counties	$1.09

TEXAS

Galveston	$1.18	Nueces	$1.18
Harris	1.18	San Patricio	1.18
Jefferson	1.18	All other counties	.97

UTAH

All counties	$0.84

VERMONT

All counties	$1.00

VIRGINIA

Chesapeake (Norfolk)	$1.16	All other counties	$1.08

WASHINGTON

Clark	$1.17	Pierce	$1.17
Cowlitz	1.17	All other counties	1.08
King	1.17		

WEST VIRGINIA

All counties	$1.02

WISCONSIN

Milwaukee	$1.07	All other counties	$0.97

WYOMING

All counties	$0.84

(b) *Discounts.* (1) The basic rates shall be adjusted by discounts as follows: Rye containing more than three-tenths of 1 percent ergot (ergoty rye containing in excess of 1 percent is not eligible for warehouse-storage loans).

Ergot content (percent):	Discount (cents per bushel)
0.31–0.40	2
0.41–0.50	4
0.51–0.60	6
0.61–0.70	8
0.71–0.80	10
0.81–0.90	12
0.91–1.00	14

Rye grading No. 4 on the factor of test weight only:

Test weight (pounds):	Discount (cents per bushel)
51.0–51.9	5
50.0–50.9	10
49.0–49.9	15

Rye grading No. 3 on account of being "thin":

"Thin" rye (percent):	Discount (cents per bushel)
15.1–17.0	1
17.1–19.0	2
19.1–21.0	3
21.1–23.0	4
23.1–25.0	5

Rye grading No. 4 on account of being "thin."

(2) The discounts shall be five cents per bushel plus one cent for each two percent of "thin" rye or fraction thereof, in excess of 25 percent.

	Discount (cents per bushel)
Weed control discount (where required by § 1421.25)	10

(3) Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of rye such as (but not limited to) moisture weevily, ergoty, stones, musty, sour, and heating. Such discounts will be established approximately 1 months prior to the loan maturity date for rye and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes

in market conditions. Producers may obtain schedules of such factors and discounts and adjustments thereof at county ASCS offices approximately 1 month prior to the loan maturity date or as soon thereafter as practicable.

Effective date: July 9, 1974.

Signed at Washington, D.C., July 1, 1974.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc.74-15599 Filed 7-8-74;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 90—EXTRAORDINARY EMERGENCY REGULATIONS

Revocation of Extraordinary Emergency Regulations Relating to Certain Intrastate Activities Concerning Poultry and Other Birds in California

Effective November 10, 1972 (37 FR 24336), an extraordinary emergency was declared to exist because of outbreaks of exotic Newcastle disease in California, which threatened the poultry of the United States and burdened interstate and foreign commerce. This declaration was based on the fact that adequate measures to control outbreaks of the disease were not being taken by the State of California which would enable the identification of poultry and other birds affected with or exposed to such disease. Exotic Newcastle disease has since been eradicated from the State of California, and consequently the need for the authority provided by the extraordinary emergency declaration no longer exists.

PART 90 [REVOKED]

Therefore, Part 90, Subchapter C, Chapter I of Title 9, Code of Federal Regulations is hereby revoked and the heading of Subchapter C is amended to read as set forth in the caption.

However, the potential dissemination of exotic Newcastle disease within the United States still constitutes a real danger to producers, shippers, slaughterers, and others concerned with the poultry industry and to the national economy, and because of the existence of exotic Newcastle disease in the State of Texas and in the Commonwealth of Puerto Rico, the emergency which was declared on March 14, 1972 (37 FR 5649), because of the existence of exotic Newcastle disease in the United States remains in effect. (Secs. 2, 3, 5, and 11, 76 Stat. 129, 130, 132; 76 Stat. 663; (21 U.S.C. 134a, 134b, 134d, 134f; 7 U.S.C. 450))

Effective date. The foregoing amendment shall become effective July 3, 1974.

The amendment relieves certain restrictions no longer deemed necessary to prevent the spread of exotic Newcastle disease, and must be made effectively immediately to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of July 1974.

J. PHIL CAMPBELL,
Acting Secretary of Agriculture.

[FR Doc.74-15592 Filed 7-8-74;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY OFFICE

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Revision of Subparts E, J, and K

A notice of proposed rulemaking containing clarifications and revisions to subparts E, J, and K of Part 211 was issued on May 16, 1974 (39 FR 17916, May 21, 1974). Comments were invited from interested persons by June 4, 1974. In response, more than 60 comments were received by FEA. The amendment published herewith reflects FEA's consideration of those comments and incorporates certain of the changes suggested therein. The major changes from the proposed rulemaking are discussed below.

SUBPART B—DEFINITIONS

The definition of energy production has been amended to clarify the fact that gasoline blending and manufacturing is not within the scope of the term "energy production". In addition, the definition of "petrochemicals" has been modified to include both organic chemicals as defined in the specified section of the Oil Import Regulations as well as analogous organic chemicals similarly derived.

The terms "gasoline blending and manufacturing" and "supplier" were defined separately under each of the three subparts as originally proposed. Since the definitions are essentially the same, these definitions are now included in the general definitions section of subpart B.

SUBPART E—BUTANE AND NATURAL GASOLINE

Definition of butane. The definition of butane is changed to include mixtures 10 percent by weight or less of propane and the butane content of other mixtures in which either or both butane isomers constitute greater than 10 percent of the mixture by weight.

Natural gasoline. In its proposed rulemaking EPA invited comments as to whether the allocation of natural gasoline was within the scope of FEA's authority under the Emergency Petroleum Allocation Act of 1973. In this connection, FEA expressed its view that it did possess this authority. Certain of the comments received on this issue indicated that FEA does not have such authority, although others generally supported FEA's view.

Upon consideration of all the comments and a further review of the legislative history of the Act, FEA has concluded that it does have the authority to regulate natural gasoline. FEA considers natural gasoline to be a gasoline included within the defined term "refined petroleum product" in the Act. In this regard, FEA does not view "refined" to be limited to processing at a refinery, but as including refining or separation from the natural gas stream. In support of this position, propane and butane, both components of the natural gas stream, are included within the definition of refined petroleum product in the Act. FEA considers natural gasoline to be included within the scope of "gasoline" in that natural gasoline has historically been used as a fuel for internal combustion engines and is also a major blending component of gasoline. In addition, failure by FEA to regulate natural gasoline would not be consistent with FEA's regulatory authority as contemplated by the Act. The necessity for exercising this authority is also fully established in the comments received which indicate that severe shortages of natural gasoline have occurred in the small and independent sectors of the refining industry.

Modified allocation levels. For the reasons set forth in the Notice of Proposed Rulemaking issued June 14, 1974 (39 FR 21058, June 18, 1974), FEA believes that the use of modified allocation levels when a supplier's allocation fraction is greater than 1.0 is unduly complex. Provisions as to modified allocation levels throughout the Regulations will accordingly be revoked shortly. Therefore, proposed § 211.94 is not included in Subpart E. The similar proposed provision in Subpart K (§ 211.204) is also not included.

Peak shaving for gas utilities. FEA is aware that there is concern that the amounts of butane and propane which gas utilities may acquire and use for peak shaving as specified in subparts D and E are insufficient. FEA will be issuing a proposed rulemaking shortly to amend the relevant sections of these two subparts to provide for a greater use and acquisition of butane and propane for peak shaving. The amendment to subpart E issued at this time, however, reflects the limitations currently in force in subpart D.

Method of allocation. The provisions of § 211.96(a) relating to method of allocation have been made substantially consistent with the provisions of § 211.86 (a) in subpart D. In addition, § 211.96(e) now specifies amounts of butane that may be held in storage.

SUBPART J—NAPHTHAS AND GAS OILS

Naphthas. Subpart J provides for the allocation of naphthas as defined therein. Certain components of naphthas, such as hexane, toluene and mixed xylenes, and special naphthas (solvents) are subject to allocation under the provisions of subpart K.

Definition of chemical processing. Chemical processing constituted an allocation level only in subpart K of the proposed rulemaking; in the accompanying revisions this use constitutes an allocation level in both subparts J and K. Chemical processing as defined means the use of an allocated product in the manufacture of any chemicals (including petrochemicals) for purposes other than as feedstock or use solely as fuel.

Definition of special naphthas (solvents). Allocation of naphthas used as solvents are better handled as other products under subpart K. Therefore, these naphthas are defined in both subparts J and K and excluded from subpart J and specifically included in subpart K.

Definition of gas oils. The definition of gas oils is altered to eliminate an upper limit on the boiling range and to include specifically heavy aromatic gas oil used as carbon black feedstock.

Reporting requirements. Section 211.186(b) has been modified to provide that both § 211.223 and § 211.225 of subpart L are applicable to subpart J. The corresponding provision of subpart K has been similarly conformed.

SUBPART K—OTHER PRODUCTS

Scope. Section 211.201(a) has been modified to refer to lubricants, greases and lubricating base stock oils separately (rather than as included within the term "refined lubricating oils"), to make it clear that separate allocation fractions are to be calculated for each category of product under subpart K. The defined term "refined lubricating oils" has accordingly been eliminated.

Small purchasers. The maximum purchase volumes for small firms which will receive 100 percent of their current requirements of other products have been reduced from the amounts set forth in the proposed rulemaking to 2,000 gallons of lubricants, 1,000 pounds of greases or 2,000 gallons of any remaining other product. This change was made to more accurately reflect the purchase volumes of small businesses as to which the calculation of allocation levels would be impractical.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275, E.O. 11790, 39 FR 23185)

In consideration of the foregoing Chapter II of Title 10 of The Code of Federal Regulations is revised as set forth herein, effective immediately.

Issued in Washington, D.C., July 2, 1974.

ROBERT E. MONTGOMERY, Jr.,
Acting General Counsel,
Federal Energy Administration.

1. The table of sections to Part 211 is revised to read as follows:

* * * * *

Subpart E—Butane and Natural Gasoline

211.91 Scope.
211.92 Definitions.
211.93 Allocation levels.
211.95 Supplier/purchaser relationships.
211.96 Method of allocation.
211.97 Procedures and reporting requirements.

* * * * *

Subpart J—Naphthas and Gas Oils

211.181 Scope.
211.182 Definitions.
211.183 Allocation levels.
211.184 Supplier/purchaser relationships.
211.185 Method of allocation.
211.186 Procedures and reporting requirements.

Subpart K—Other Products

211.201 Scope.
211.202 Definitions.
211.203 Allocation levels.
211.205 Supplier/purchaser relationships.
211.206 Method of allocation.
211.207 Procedures and reporting requirements.

* * * * *

2. Section 211.51 is amended to add a definition of "gasoline blending and manufacturing" and is revised in the definitions of "energy production," "petrochemicals" and "supplier" to read as follows:

§ 211.51 General definitions.

* * * * *

"Energy production" means the exploration, drilling, mining, refining, processing, production and distribution of coal, natural gas, geothermal energy, petroleum or petroleum products, shale oil, nuclear fuels and electrical energy. It also includes the construction of facilities and equipment used in energy production, such as pipelines, mining equipment and similar capital goods. Excluded from this definition are synthetic natural gas manufacturing, electrical generation whose power source is petroleum based and gasoline blending and manufacturing.

* * * * *

"Gasoline blending and manufacturing" means the use of an allocated product in a process in which the product is either physically mixed or chemically converted to produce aviation or motor gasoline, or components thereof.

* * * * *

"Petrochemicals" are the organic chemicals defined as petrochemicals in section 25A of Oil Import Regulation 1 (Revision 5), 32A CFR 0I Reg. 1.25A), plus any other analogous organic chemicals similarly derived.

* * * * *

"Supplier" means any firm or any part or subsidiary of any firm other than the Department of Defense which presently, during the base period, or during any period between the base period and the present supplies, sells, transfers or otherwise furnishes (as by consignment) any allocated product or crude oil to wholesale purchasers or end-users, including, but not limited to, refiners, natural gas processing plants or fractionating plants, importers, resellers, jobbers, and retailers.

* * * * *

3. Subpart E of Part 211 is revised to read as follows:

Subpart E—Butane and Natural Gasoline

§ 211.91 Scope.

(a) This subpart applies to the mandatory allocation of isobutane, normal butane, natural gasoline and certain mixtures containing butane produced in or imported into the United States, except bottled butane.

(b) This subpart does not provide for a State setaside.

§ 211.92 Definitions.

For purposes of this subpart—

"Base period" means each calendar quarter during the period April 1, 1972, through March 31, 1973 which corresponds to the present calendar quarter.

"Butane" means the chemical C_4H_{10} in its commercial forms, including both normal butane and isobutane, their mixtures and mixtures of butane and propane containing ten (10) percent by weight or less of propane. Included within the definition of butane is the butane content of other mixtures in which either or both butane isomers constitute greater than ten (10) percent of the mixture by weight.

"Bottled butane" means butane bottled in cylinders with a capacity of one hundred (100) pounds or less; *Provided,* That the cylinders are not manifolded at the time of sale.

"Merchant storage facility" means any facility which is utilized to store butane for firms other than the owner or operator of such a facility.

"Natural gasoline" means those liquid hydrocarbon mixtures containing substantial quantities of pentanes and heavier hydrocarbons, which have been extracted from natural gas.

"Plant protection fuel" means the use of butane in the minimum volume required to prevent physical harm to plant facilities or danger to plant personnel. This includes the protection of such material and equipment which would otherwise be damaged, but does not include sufficient quantities of butane required to maintain plant production. Butane may not be considered plant protection fuel if an alternate fuel is available and technically feasible for substitution.

"Process fuel" means butane used to convert a substance from one form to another such as in applications requiring precise temperature controls or precise flame characteristics. Butane may not be considered process fuel if an alternate fuel is available and technically feasible for substitution.

"Standby volumes" means those volumes of butane used by an industry as a temporary substitute for another product (such as natural gas) in times of shortage or curtailment of the other product. Volumes of butane which are used as a temporary substitute for a process fuel or plant protection fuel are not considered standby volumes for purposes of this subpart.

"Where no substitute for butane is available" means those circumstances in which no alternate fuel is available or in

which a firm has historically relied upon butane as its sole fuel source.

§ 211.93 Allocation levels.

(a) *General.* The allocation levels in this paragraph only apply to allocations made by suppliers to wholesale purchaser-consumers and end-users. Except as otherwise provided in this subpart, suppliers shall allocate to all purchasers to which the allocation levels apply in accordance with the provisions of § 211.10. End-users and wholesale purchaser-consumers which are entitled to purchase butane or natural gasoline under an allocation level not subject to an allocation fraction shall receive first priority and be supplied sufficient amounts to meet one hundred (100) percent of their allocation requirements. End-users and wholesale purchaser-consumers which are entitled to purchase butane or natural gasoline under an allocation level subject to reduction by application of an allocation fraction shall receive second priority.

(b) *Allocation levels not subject to an allocation fraction.* (1) One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production; and

(2) Department of Defense use as specified in § 211.26.

(c) *Allocation levels subject to an allocation fraction.* (1) One hundred (100) percent of current requirements (as reduced by the application of an allocation fraction) for the following uses:

(i) Emergency services;

(ii) Energy production;

(iii) Sanitation services;

(iv) Telecommunications services;

(v) Passenger transportation services;

(vi) Medical and nursing buildings;

(vii) Aviation ground support vehicles and equipment;

(viii) Start-up, testing and flame stability of electrical utility plants; and

(ix) Petrochemical feedstock use.

(2) One hundred (100) percent of base period use for:

(i) Synthetic natural gas plant feedstock use;

(ii) Industrial use as a process or plant protection fuel or where no substitute for butane is available;

(iii) Governmental use; and

(iv) *Peak shaving for gas utilities.* The use of butane for peak shaving by gas utilities during any consecutive twelve month period beginning after January 1, 1974, is limited to the volume of butane equal to one hundred (100) percent of that volume which a gas utility contracted for or purchased for delivery during the period April 1, 1972 through March 31, 1973, regardless of whether that volume was used during the period. Butane shall not be used for peak shaving as long as the gas utility continues service during such peak shaving usage to interruptible industrial customers (other than for process fuel plant protection fuel, or raw material) or to any non-residential customer who can use a fuel other than natural gas, propane or butane.

(3) Ninety-five (95) percent of base period use for all residential use.

(4) Ninety (90) percent of base period use for the following uses:

(i) Commercial use (the maximum volume which may be obtained for this use, however, is 210,000 gallons per year);

(ii) Standby volumes or any other industrial use;

(iii) Transportation services other than passenger transportation services or aviation ground support vehicles, for vehicles equipped to use butane as of December 27, 1973;

(iv) Gasoline blending and manufacturing use; and

(v) Schools.

§ 211.95 Supplier/purchaser relationships.

Supplier/purchaser relationships shall be as set forth in § 211.9–13, unless otherwise specified in this subpart.

§ 211.96 Method of allocation.

(a) *General.* Except as otherwise specifically provided by this subpart, the allocation of butane and natural gasoline shall be as specified in § 211.10. Adjustments to a wholesale purchaser's base period volume specified in § 211.13 shall apply to this subpart, except that wholesale purchaser-consumers using butane or natural gasoline for industrial use or petrochemical feedstock use may not receive increased supplies of butane or natural gasoline on the basis of an adjustment for unusual growth under § 211.13(b) until such adjustment has been approved by FEA. Wholesale purchaser-consumers of butane or natural gasoline for such uses as have received adjustments for unusual growth shall submit by September 1, 1974 to FEA the proposed adjustment and the basis therefor. FEA may require the wholesale purchaser-consumers to submit additional information to justify the adjustment. FEA may approve, deny or modify the adjustment. New wholesale purchasers and end-users are subject to the requirements of § 211.12.

(b) The provisions of § 211.12(e)(1) concerning mutual arrangements between new wholesale purchaser-consumers and suppliers shall not apply to this subpart. New wholesale purchaser-consumers must apply to the National FEA for an assignment pursuant to § 211.12(e)(3) in order to establish a supplier/purchaser relationship and a base period volume.

(c) Operators of storage facilities, including merchant storage facilities, shall not release for shipment to gas utilities any quantity of butane which, when taken together with other amounts of butane supplied to that utility for a period corresponding to a base period, exceeds the quantity of butane which may be supplied under the allocation level for gas utilities in § 211.93(c)(2)(iv).

(d) Suppliers with two or more distribution subsystems or regions independent of one another may calculate separate allocation fractions for each such area provided that the supplier notifies the FEA by certified mail of the use of multiple allocation fractions and fully justifies such practices at least fifteen days prior to distributing any supplies pursuant to multiple allocation fractions. The FEA may disallow the use of multiple allocation fractions to the extent that it determines that such a practice contravenes the intent of this part.

(e) Suppliers and wholesale purchasers (except gas utilities and industrial users) shall be permitted to accumulate an inventory of butane during the summer in quantities which are normal and reasonable for seasonal usage in accordance with their normal business practices. Inventories controlled by gas utilities and industrial users (including petrochemical producers) shall be limited to:

(1) One hundred (100) percent of the allocation entitlement specified in § 211.93 for gas utilities.

(2) One hundred twenty (120) percent of the volumes used for all industrial uses (including standby volumes) during the period April 1, 1972 through March 31, 1973; *Provided, however,* That an industrial firm may not use such inventories to exceed its allocation entitlement specified in §211.93.

As long as a firm controls greater than the above mentioned inventories, it shall not accept an allocation from a supplier until its inventories are reduced to conform to the limits imposed in this paragraph.

§ 211.97 Procedures and reporting requirements.

(a) All owners of storage facilities, including merchant storage facilities (or operators thereof), with a capacity in excess of 500,000 gallons which store butane, shall report to the Administrator, FEA, Washington, D.C. 20461, the total volume, locations, and ownership of butane storage including that owned by the storage owner or operator of affiliated companies, and that held in transit. If it is not possible to report each separate account of "in transit" storage, then the total volume shall be reported. The same information shall be reported as of the end of each month on form FEA #103B and filed within fifteen (15) days after the close of that month. All owners of butane in merchant storage facilities shall file form FEA #101A with the operator of the storage facility. These reports shall be kept on file by the storage operator, and are subject to FEA audit.

(b) All matters pertaining to the allocation of butane and natural gasoline shall be addressed to the Administrator, FEA, Washington, D.C. 20461, unless otherwise provided.

(c) The general reporting requirements contained in §§ 211.222 and 211.224 shall not apply to this subpart. The reporting requirements of § 211.225 shall, however, apply to this subpart. The information required to be maintained on FEA forms by § 211.223 may be maintained by suppliers in accordance with that firm's customary recordkeeping practices.

(d) Suppliers and importers shall report in accordance with forms and instructions to be issued by the FEA for reporting under § 211.87(e).

4. Subpart J of Part 211 is revised to read as follows:

Subpart J—Naphthas and Gas Oils

§ 211.181 Scope.

(a) This subpart applies to the mandatory allocation of certain naphthas and gas oils produced in or imported into the United States.

(b) This subpart does not provide for a State set-aside.

§ 211.182 Definitions.

For purposes of this subpart—

"Base Period" means each calendar quarter of 1973 which corresponds to the current calendar quarter.

"Gas oils" means petroleum fractions made up predominantly of material which boils at or above 430° F., including heavy aromatic gas oil used as carbon black feedstock, but excluding process oils and refined lubricating oils.

"Naphthas" mean petroleum fractions made up predominantly of hydrocarbons whose boiling points fall within the temperature range of 85° to 430° F. This definition does not include specific hydrocarbon constitutents such as hexane or special naphthas (solvents).

"Special naphthas (solvents)" means all finished products within the gasoline range, specially refined to specified flash point and boiling range, for use as paint thinners, cleaner's naphthas, and solvents, but not to be marketed as motor gasoline, aviation gasoline, or used as petrochemical or synthetic natural gas plant feedstocks.

§ 211.183 Allocation levels.

(a) *General.* The allocation levels in this paragraph apply only to allocations made by suppliers to wholesale purchaser-consumers and end-users. Suppliers shall first allocate one hundred (100) percent of the allocation requirements of all their purchasers entitled to an allocation under this part without application of an allocation fraction. Suppliers may then dispose of the remainder of their total supply at their discretion. The allocation levels listed below are not arranged in sequence of priority. Suppliers shall distribute available supplies of naphthas and gas oils to all classifications of purchasers listed in the following allocation levels without regard to order of listing.

(b) *Allocation levels (not subject to an allocation fraction).* (1) One hundred (100) percent of current requirements for the following uses:

(i) Agricultural production;

(ii) Department of Defense use as specified in § 211.26; and

(iii) Petrochemical feedstock use.

(2) One hundred (100) percent of base period use for synthetic natural gas plant feedstock use.

(3) Ninety (90) percent of base period use for the following uses:

(i) Gasoline blending and manufacturing; and

(ii) All other uses.

§ 211.184 Supplier/purchaser relationships.

Supplier/purchaser relationships shall be as set forth in § 211.9–13, unless otherwise specified in this subpart.

§ 211.185 Method of allocation.

(a) The provisions of § 211.10 shall not apply to this subpart.

(b) Suppliers shall supply one hundred (100) percent of their purchasers' allocation requirements without application of an allocation fraction.

(c) New wholesale purchasers and end-users are subject to the requirements of § 211.12.

(d) Any supplier which experiences a hardship as a result of its supply obligation under this subpart may apply to the National Office of FEA for an assignment of additional suppliers, the designation of an allocation fraction which may be applied to its purchaser's allocation requirements, or the reassignment of its purchasers.

(e) In order to remedy supply imbalances which may exist, the National FEA may order the transfer of supplies of naphthas or gas oils from any firm which controls naphthas or gas oils and may assign to any such firm new purchasers of naphthas or gas oils.

§ 211.186 Procedures and reporting requirements.

(a) All refiners and importers shall report in accordance with forms and procedures to be issued by FEA.

(b) The provisions contained in subpart L of this part shall not apply to this subpart except §§ 211.223 and 211.225.

(c) All matters pertaining to the allocation of naphthas and gas oils shall be filed with the National Office of FEA.

5. Subpart K of Part 211 is revised to read as follows:

Subpart K—Other Products

§ 211.201 Scope.

(a) This subpart applies to the mandatory allocation of those allocated products which are not subject to allocation under Subparts D through J of this part, including benzene, toluene, mixed xylenes, hexane, lubricants, greases, special naphthas (solvents), lubricating base stock oils and process oils produced in or imported into the United States.

(b) This subpart does not provide for a State set-aside.

§ 211.202 Definitions.

For purposes of this subpart—

"Base period" means the calendar quarter of 1973 which corresponds to the current quarter.

"Chemical processing" means the use of an allocated product in the manufacture of any chemical (including petrochemicals) for purposes other than as feedstock or use solely as fuel.

"Greases" means lubricating greases which are solid semi-fluid products comprising a dispersion of a thickening agent in a liquid lubricant.

"Lubricant base stock oils" means those refined petroleum products which are primary components used in the compounding and blending of lubricants and greases including but not limited to bright stocks, solvent neutrals, coastal oils, pale oils and red oils.

"Lubricants" means all grades of lubricating oils which have been blended with the necessary lubricant additives so as to produce a lubricating oil composition in a form that is designed to be used for lubricating purposes in industrial, commercial and automotive use without further modification, wherein said lubricating oils are comprised of greater than ten (10) percent of refined petroleum products by weight.

"Other products" means allocated products which are not subject to allocation under subparts D through J of this part, including benzene, toluene, mixed xylenes, hexane, lubricants, greases, special naphthas (solvents), lubricant base stock oils and process oils.

"Special naphthas (solvents)" means all finished products within the gasoline range, specially refined to specified flash point and boiling range, for use as paint thinners, cleaner's naphthas, and solvents, but not to be marketed as motor gasoline, aviation gasoline, or used as petrochemical or synthetic natural gas plant feedstocks.

"Wholesale purchaser-consumer" means any firm that is an ultimate consumer which, as part of its normal business practices, purchases or obtains an allocated product from a supplier and receives delivery of that product into storage substantially under the control of that firm at a fixed location and purchased or obtained more than 20,000 gallons of lubricants, 10,000 pounds of greases or 55,000 gallons of any other product subject to this subpart in any completed calendar year subsequent to 1971.

§ 211.203 Allocation levels.

(a) *General.* The allocation levels listed in this section only apply to allocations made by suppliers to wholesale purchaser-consumers and end-users. Suppliers shall allocate to all purchasers to which the allocation levels apply in accordance with the provisions of § 211.10. End-users and wholesale purchaser-consumers which are entitled to purchase other products under an allocation level not subject to an allocation fraction shall receive first priority and be supplied sufficient amounts to meet one hundred (100) percent of their allocation requirements. End-users and wholesale purchaser-consumers which are entitled to purchase other products under an allocation level subject to reduction by application of an allocation fraction shall receive second priority.

(b) *Allocation levels not subject to an allocation fraction.* One hundred (100) percent of current requirements for the following uses:

(1) Agricultural production; and

(2) Department of Defense use as specified in § 211.26.

(c) *Allocation levels subject to an allocation fraction.* (1) One hundred (100) percent of current requirements (as reduced by the application of an allocation fraction) for the following uses:

(i) Emergency services;
(ii) Energy production;
(iii) Sanitation services;
(iv) Passenger transportation services;
(v) Telecommunications services;
(vi) Cargo, freight and mail hauling;
(vii) Chemical processing; and
(viii) Petrochemical feedstock use.

(2) One hundred (100) percent of base period use for:

(i) Industrial use;
(ii) Synthetic natural gas plant feedstock use; and
(iii) Blending and compounding of lubricants.

(3) Ninety (90) percent of base period use for:

(i) Gasoline blending and manufacturing; and
(ii) All other uses.

§ 211.205 Supplier/purchaser relationships.

Supplier/purchaser relationship shall be as set forth in § 211.9–13, unless otherwise specified in this subpart.

§ 211.206 Method of allocation.

(a) *General.* Except as provided in paragraph (b) below, the allocation of other products shall be as specified in § 211.10. New wholesale purchasers and end-users are subject to the requirements of § 211.12.

(b) Firms which purchase lubricants, greases, or other products, whether for resale or for their own end-use, in containers with a capacity of 55 gallons or less, and which have not purchased more than 2,000 gallons of lubricants, 1,000 pounds of greases or 2,000 gallons of any remaining other product in any completed calendar year subsequent to 1972 shall be entitled to receive a volume of lubricants and greases equal to one hundred (100) percent of their current requirements without being subject to an allocation fraction. The maximum volume which any such firm may obtain pursuant to this paragraph is 2,000 gallons of lubricants, 1,000 pounds of greases or 2,000 gallons of any remaining other product.

§ 211.207 Procedures and reporting requirements.

(a) All documents to be filed by wholesale purchasers pertaining to the allocation of other products shall be addressed to the Administrator, FEA, Washington, D.C. 20461.

(b) All petitions by end-users for an adjustment or assignment of a base period volume of any other product shall be filed with the appropriate State Office in accordance with subpart I of part 205 of this chapter.

(c) The provisions contained in subpart L of this part shall not apply to this subpart except §§ 211.223 and 211.225.

(d) All suppliers of products subject to this subpart shall report to the National FEA in accordance with forms and instructions to be issued by FEA.

[FR Doc.74–15544 Filed 7–3–74;11:27 am]

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation of Unleaded Gasoline

Section 211.108 of the Mandatory Petroleum Allocation Regulations concerning the allocation of unleaded gasoline is amended to revoke paragraph § 211.108(c)(3)(iii). This paragraph provided that the volume of motor gasoline to be disposed of by a supplier pursuant to § 211.10(g) would have the same proportion of unleaded gasoline as in the supplier's allocable supply of motor gasoline. The paragraph was inadvertently included in § 211.108(c)(3) previously issued by FEA. FEA is satisfied that the provisions of § 211.10(g) will adequately allow FEA to redirect excess supplies of unleaded gasoline whenever necessary and that the more complex distribution of excess product as provided in § 211.108(c)(3)(iii) is not required.

Because the purpose of this amendment is to provide immediate guidance and information with respect to the Mandatory Petroleum Allocation Regulations and to correct an inadvertent error in the regulations, the Federal Energy Administration finds that normal rulemaking procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93–159; Federal Energy Administration of 1974, Pub. L. 93–275; E.O. 11790, (39 FR 23185))

In consideration of the foregoing, Chapter II of Title 10 of the Code of Federal Regulations is revised in § 211.108 by revoking paragraph (c)(3)(iii), effective immediately.

Issued in Washington, D.C. on July 3, 1974.

ROBERT E. MONTGOMERY, Jr.,
Acting General Counsel,
Federal Energy Administration.

[FR Doc.74–15629 Filed 7–8–74;8:45 am]

[Ruling 1974–22]

APPENDIX—RULINGS

Supplier/Purchaser Relationships Applying to the Department of the Interior

Facts: Under the terms of a lease in effect on December 1, 1973, between Firm A and the Department of the Interior, Firm A undertook to extract crude oil from property under the control of the Department of the Interior. Under the terms of the lease, Firm A is entitled to part of any crude oil produced and the Department of the Interior is entitled to the remainder, which is "royalty oil." The Department of the Interior agreed under the lease to sell its royalty oil to Firm A subject to Interior's right under certain conditions to direct that the royalty oil be sold to other firms. On December 1, 1973 Firm A was receiving the royalty oil under the terms of the lease. Subsequent to December 1, 1973, the Department of the Interior directed Firm A to sell the royalty oil to Firm B.

Issue: Under the supplier/purchaser relationship provisions of 10 CFR 211.63 may the Department of the Interior direct that the royalty oil be sold to Firm B?

Ruling: The mandatory allocation regulations in Part 211 provide no exemption for the Federal government. Therefore, the Department of the Interior is fully subject to all the provisions in that part. Section 211.63(a) provides that "all supplier/purchaser relationships in effect under contracts for sales, purchases, and exchanges of domestic crude oil on December 1, 1973, shall remain in effect for the duration of this program * * *"

If the Department of the Interior is permitted to direct the sale of its royalty oil to Firm B, the supplier/purchaser relationship existing on December 1, 1973 between Firm A and the Department of the Interior with respect to the royalty oil would be terminated. Accordingly, the Department of the Interior's direction to transfer the royalty oil from Firm A to Firm B will not be given effect, except to the extent that the supplier/purchaser relationship is terminated pursuant to § 211.63(a) (1) or (3). Section 211.63 (a)(1) allows both parties to mutually terminate a relationship, and § 211.63 (a)(3) provides that § 211.63(a) does not apply to the seller of any crude oil if the present purchaser, after notice by the seller, refuses to meet any bona fide offer made by another purchaser to buy that crude oil at a lawful price above the price paid by the present purchaser.

This ruling would not be changed if the Department of the Interior had directed Firm A prior to December 1, 1973 to sell the royalty oil to Firm B at a time subsequent to December 1, 1973. Under such circumstances the supplier/purchaser relationship between Firm A and the Department of the Interior would have still existed on December 1, 1973.

ROBERT E. MONTGOMERY, Jr.,
Acting General Counsel,
Federal Energy Administration.

JULY 3, 1974.

[FR Doc.74–15607 Filed 7–8–74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 10492; Amdt. SFAR 26–6]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Approval of Import Aircraft Engines, Propellers, Materials, Parts, and Appliances; Continuation

The purpose of this amendment is to continue in effect the provisions of currently effective Special Federal Aviation Regulations No. 26 (SFAR 26), as amended by Amendments SFAR 26–1, 26–2, 26–3, 26–4, and 26–5 until January 1, 1975.

SFAR 26 provides for approvals on a selective basis, of aircraft engines, propellers, materials, parts, and appliances manufactured in a foreign country with which the United States has an agreement for the acceptance of powered aircraft for export and import. SFAR 26 was adopted to provide these approvals on

an interim basis pending appropriate amendments to those bilateral agreements where such amendments are in the mutual interest of the United States and the foreign country involved. The originally established termination date of March 1, 1972, for SFAR 26 was extended by Amendment SFAR 26–1 to September 1, 1972, by Amendment SFAR 26–2 to January 1, 1973, by Amendment SFAR 26–3 to July 1, 1973, by Amendment SFAR 26–4 to January 1, 1974, and further extended by Amendment SFAR 26–5 to July 1, 1974.

At the present time the United States has entered into new bilateral agreements with the United Kingdom, Sweden, Belgium, Netherlands, Italy, Germany, and France, and the United States is continuing to negotiate amendments to the bilateral agreements which exist with a number of other foreign countries. However, the FAA is advised that the continuing negotiations will not be concluded by the July 1, 1974, termination date of SFAR 26. The reasons which justified the adoption of SFAR 26 still exist, and, in view of the pending negotiations, the FAA believes that it is in the public interest to extend the termination date of SFAR 26 from July 1, 1974 to January 1, 1975.

Since this amendment continues in effect the provisions of a currently effective Special Federal Aviation Regulation and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary and it may be made effective in less than 30 days.

This amendment is made under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, effective July 1, 1974, the last paragraph of Special Federal Aviation Regulation No. 26, published in the FEDERAL REGISTER (35 FR 12748) on August 12, 1970, as amended by Amendments SFAR 26–1, SFAR 26–2, SFAR 26–3, SFAR 26–4, and SFAR 26–5, published in the FEDERAL REGISTER (37 FR 4325, 37 FR 16789, 37 FR 26276, 38 FR 17491, and 38 FR 35441) on March 2, 1972, August 19, 1972, December 22, 1972, July 2, 1973, and December 28, 1973, respectively, is further amended by striking out the words "July 1, 1974," and inserting the words "January 1, 1975," in place thereof.

Issued in Washington, D.C., on June 28, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.74–15542 Filed 7–8–74;8:45 am]

[Airspace Docket No. 74–SO–45]

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

Realignment of VOR Federal Airway

On May 8, 1974, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (39 FR 16365) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign V–66 between Brookwood, Ala., and LaGrange, Ga.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., September 12, 1974, as hereinafter set forth.

§ 71.123 (39 FR 307) is amended as follows:

In V–66:

"Brookwood, Ala.; INT Brookwood 083° and LaGrange, Ga., 294° radials; LaGrange;" is deleted and "Brookwood, Ala.; LaGrange, Ga.;" is substituted therefor.

This amendment is made under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 USC 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 USC 1655(c)).

Issued in Washington, D.C., on July 2, 1974.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74–15543 Filed 7–8–74;8:45 am]

CHAPTER V—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

PART 1204—ADMINISTRATIVE AUTHORITY AND POLICY

Execution of Certificates of Full Faith and Credit

Paragraph (b) of § 1204.505 is amended to read as follows:

§ 1204.505 Delegation of authority to execute certificates of full faith and credit.

* * * * *

(b) *Delegation of authority.* The following NASA Headquarters officials are delegated authority to execute certificates of full faith and credit (Office of the Administrator section of NASA Form 955) certifying the signatures and authority of employees of the National Aeronautics and Space Administration, whenever such certification is required to authenticate copies of official records for possible admission in evidence in judicial proceedings pursuant to 28 U.S.C. 1733 or any other statute:

(1) General Counsel;

(2) Deputy General Counsel;

(3) Assistant General Counsels.

(42 U.S.C. 2473(b)(1))

Effective date. The provisions of § 1204.505(b) are effective July 9, 1974.

Signed at Washington, D.C., on June 25, 1974.

GEORGE M. LOW,
Acting Administrator.

[FR Doc.74–15633 Filed 7–8–74;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER C—DRUGS

PART 135—NEW ANIMAL DRUGS

Use of Terms Such as "Tonic", "Tone", "Toner", or "Conditioner" in the Labeling of Preparations Intended for Use In or On Animals

In the FEDERAL REGISTER of October 6, 1972 (37 FR 21174), the Commissioner of Food and Drugs published a proposed regulation (§ 135.112, renumbered § 135.114) concerning the use of terms such as "tonic," "tone," "toner," or "conditioner" in the labeling of preparations intended for use in or on animals. The proposed regulation expressed the Food and Drug Administration's position that the unqualified use of these terms in labeling represents a drug use for articles so labeled, and that such articles are misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act in that such labeling does not provide adequate directions and indications for use.

Twenty-six responses to the proposal were received. While most comments did not oppose the intent of the proposed regulation, some reflected a misunderstanding that the Commissioner was proposing to prohibit all use of these terms in labeling of articles intended for use in or on animals.

The intent of the proposal was to set forth the Food and Drug Administration's position that the unqualified use of such terms misrepresents to the consumer the nature of the intended effect or purpose of the article.

Many of the comments received recognized that unqualified use of the terms "tone", "tonic", and "toner" implies a therapeutic or prophylactic effect. However, it was generally expressed that there are circumstances where the term "conditioner" clearly does not imply a therapeutic or prophylactic effect but relates instead to a nutritional aspect of an article. Examples given included "dry cow conditioner" and other prebreeding feeds which are generally not medicated. Other references given were taken from recognized publications on health and nutrition of horses and other livestock. The examples given were for the purpose of showing that the term "conditioner" is meaningful to husbandmen and practitioners in the livestock industry for food as well as drug purposes.

Each of the examples submitted included appropriate qualification of the term used so that it would be classified as a food and was thus in accord with the proposed regulation.

Several comments cited definitions included in standard dictionaries as a basis for their opposition to the proposed regulation.

The regulation was proposed taking into consideration the definitions of the terms carried in standard dictionaries as well as their common meaning in the field, and the final regulation as set forth below is in accord with these definitions.

Some comments misinterpreted the proposal to apply only to articles for internal use in animals.

The regulation has been revised to reflect clearly that articles intended for use in or on animals are covered by the regulation.

These terms may be used in labels and labeling only when appropriately qualified. The nature of the qualification of the term "conditioner" may render an article either a food or a drug. Articles with labels or labeling bearing the terms "tonic", "tone", and "toner" are rendered drugs and must be labeled accordingly. An article so qualified as to be represented as a drug must be the subject of an approved new animal drug application unless the use of the article under the conditions set forth in its labeling is generally recognized as safe and effective among experts qualified by scientific training and experience to evaluate the safety and effectiveness of animal drugs. Where a question of appropriate qualification arises, the Food and Drug Administration, upon request, will provide an advisory opinion.

Accordingly, having considered the comments received and other relevant information, the Commissioner concludes that proposed § 135.114 should be adopted with modifications as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 402, 403, 502(f), 512, 701(a), 52 Stat. 1046, 1051, 1055, 82 Stat. 343–351; 21 U.S.C. 342, 343, 352(f), 360b, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135 is amended in Subpart B by adding a new section as follows:

§ 135.114 Use of terms such as "tonic", "tone", "toner" or "conditioner" in the labeling of preparations intended for use in or on animals.

(a) The use of terms such as "tonic", "tone", "toner", and similar terms in the labeling of a product intended for use in or on animals implies that such product is capable of a therapeutic effect(s) and causes such a product to be a drug within the meaning of section 201(g) of the Federal Food, Drug, and Cosmetic Act. The unqualified use of such terms in a product's labeling fails to provide adequate directions and indications for use of such product and causes it to be misbranded within the meaning of section 502(a) and (f)(1) of the act. The terms "tonic", "tone", "toner", and similar terms may be used in labeling only when appropriately qualified so as to fully inform the user regarding the intended use(s) of the product.

(b) The unqualified use of the term "conditioner" and similar terms in the labeling of a product intended for use in or on animals implies that such product is capable of a therapeutic effect(s) and causes such a product to be a drug within the meaning of section 201(g) of the act. The unqualified use of such terms in a product's labeling fails to provide adequate directions and indications for use of such product and causes it to be misbranded within the meaning of section 502(a) and (f)(1) of the act. The term "conditioner" and similar terms may be used in labeling only when appropriately qualified so as to fully inform the user regarding the intended use(s) of the product. A product labeled as a "conditioner" or with a similar term can be either a food or drug depending upon the manner in which the term is qualified in the labeling to reflect the product's intended use.

(c) An article so qualified as to be represented as a drug must be the subject of an approved new animal drug application unless the use of the article under the conditions set forth in its labeling is generally recognized as safe and effective among experts qualified by scientific training and experience to evaluate the safety and effectiveness of animal drugs.

Effective date. This order shall be effective September 9, 1974.

(Secs. 402, 403, 502(f), 512, 701(a), 52 Stat. 1046, 1051, 1055, 82 Stat. 343–351; (21 U.S.C. 342, 343, 352(f), 360b, 371(a)))

Dated: July 1, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–15605 Filed 7–8–74;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER I—FEDERAL PROCUREMENT REGULATIONS

[FPR Amdt. 130]

PART 1–18—PROCUREMENT OF CONSTRUCTION

Redetermination of Construction Contract Prices

This amendment of the Federal Procurement Regulations rescinds § 1–18.310, Redetermination of construction contract prices. The Cost of Living Council delegated authority to the General Services Administration (with authority to redelegate) and to the Department of Defense to prescribe regulations providing for the redetermination of construction contract prices pursuant to the Economic Stabilization Act of 1970, and Executive Order 11695, as amended. The Economic Stabilization Act of 1970, as amended, and the rules and regulations of the Cost of Living Council expired on April 30, 1974, and Executive Order 11781, May 1, 1974, provided for the termination of the Economic Stabilization Program on June 30, 1974. It is therefore appropriate to rescind § 1–18.310 of the Federal Procurement Regulations, effective June 30, 1974.

The table of contents for Part 1–18 is changed by deleting §§ 1–18.310 through 1–18.310–5.

Subpart 1–18.3—Negotiations

Sections 1–18.310 through 1–18.310–5 are deleted in their entirety.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 485(c)))

Effective date. This amendment is effective June 30, 1974.

Dated: June 28, 1974.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.74–15584 Filed 7–8–74;8:45 am]

CHAPTER 105—GENERAL SERVICES ADMINISTRATION

General Services Administration Property Management Regulations

This regulation establishes the General Services Administration Property Management Regulations (GSPMR) which implement and supplement the Federal Property Management Regulations (FPMR) and implement certain regulations prescribed by other agencies. The GSPMR include policies and procedures which, together with the FPMR, other regulations, and various GSA orders govern the management of property and records and certain related activities within GSA. The GSPMR will be issued by the Administrator of General Services in Chapter 105 of Title 41 of the Code of Federal Regulations (CFR) and will be published in the FEDERAL REGISTER when appropriate and of interest to other agencies or the public.

Part 105–1 contains introductory material on the scope, content, applicability, numbering, and method of issuance. Parts 105–2 through 105–49 are reserved for GSPMR that implement regulations in the corresponding parts of Chapter 101. This results in grouping by subject without establishment of subchapters. Numbers 50 and above for sections, subparts, and parts (e.g., 105–1.109–50, 105–1.50, and 105–50) are used or reserved for GSPMR that supplement the FPMR and implement certain regulations of other agencies. Numbers are assigned to these sections, subparts, and parts so as to accomplish a similar subject area grouping. Regulations on advisory committee management are recodified from Part 105–64 to Part 105–54 for appropriate subject area grouping. Other current regulations retain their present part numbers.

The table of Parts of Chapter 105 is revised as follows:

Part	
105–1	Introduction.
105–50	Provision of special or technical services to State and local units of Government.
105–54	Advisory committee management.
105–60	Public availability of agency records and informational materials.
105–61	Public use of records, donated historical materials, and facilities in the National Archives and Records Service.
105–62	Document security and declassification.
105–65	National Historical Publications Commission. (Reserved)
105–66	National Archives Trust Fund Board. (Reserved)
105–735	Standards of conduct.

Chapter 105 is amended to include new and redesignated parts as follows:

PART 105–1—INTRODUCTION

Sec.
105–1.000–50 Scope of part.

Subpart 105–1.1—Regulations System

105–1.100 Scope of subpart.
105–1.101 General Services Administration Property Management Regulations.
105–1.101–50 Exclusions.
105–1.102 Relationship of GSPMR to FPMR.
105–1.104 Publication of GSPMR.
105–1.106 Applicability.
105–1.109 Numbering.
105–1.109–50 General plan.
105–1.109–51 Arrangement.
105–1.109–52 Cross-references.
105–1.110 Deviation.
105–1.150 Citation.

Subparts 105–1.2 through 105–1.49 (Reserved)

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

PART 105–1—INTRODUCTION

§ 105–1.000–50 Scope of part.

This part describes the method by which the General Services Administration (GSA) implements and supplements the Federal Property Management Regulations (FPMR) and implements certain regulations prescribed by other agencies. It contains procedures that implement and supplement Part 101–1 of the FPMR.

Subpart 105–1.1—Regulations System

§ 105–1.100 Scope of subpart.

This subpart establishes the General Services Administration Property Management Regulations (GSPMR) and provides certain introductory material.

§ 105–1.101 General Services Administration Property Management Regulations.

The General Services Administration Property Management Regulations (GSPMR) include the GSA property management policies and procedures which, together with the Federal Property Management Regulations, certain regulations prescribed by other agencies, and various GSA orders govern the management of property and records and certain related activities of GSA. They may contain policies and procedures of interest to other agencies and the general public and are prescribed by the Administrator of General Services in this Chapter 105.

§ 105–1.101–50 Exclusions.

(a) Certain GSA property management and related policies and procedures which come within the scope of this Chapter 105 nevertheless may be excluded therefrom when there is justification. These exclusions may include the following categories:

(1) Subject matter that bears a security classification;

(2) Policies and procedures that are expected to be effective for a period of less than 6 months;

(3) Policies and procedures that are effective on an experimental basis for a reasonable period;

(4) Policies and procedures pertaining to other functions of GSA as well as property management functions and there is need to make the issuance available simultaneously to all GSA employees involved; and

(5) Where speed of issuance is essential, numerous changes are required in Chapter 105, and all necessary changes cannot be made promptly.

(b) Property management policies and procedures issued in other than the FPMR system format under (a) (4) and (5), above, shall be codified into Chapter 105 at the earliest practicable date, but in any event not later than 6 months from date of issuance.

§ 105–1.102 Relationship of GSPMR to FPMR.

(a) GSPMR implement and supplement the FPMR and implement certain other regulations. They are part of the General Services Administration Regulations System. Material published in the FPMR (which has Governmentwide applicability) becomes effective throughout GSA upon the effective date of the particular FPMR material. In general, the FPMR that are implemented and supplemented shall not be repeated, paraphrased, or otherwise restated in Chapter 105.

(b) Implementing is the process of expanding upon the FPMR or other Government-wide regulations. Supplementing is the process of prescribing material for which there is no counterpart in the Government-wide regulations.

(c) GSPMR may deviate from the regulations that are implemented when a deviation (see § 105–1.110) is authorized in and explicitly referenced to such regulations. Where Chapter 105 contains no material implementing the FPMR, the FPMR shall govern.

§ 105–1.104 Publication of GSPMR.

(a) Most GSPMR are published in the FEDERAL REGISTER. This practice helps to ensure that interested business concerns, other agencies, and the public are apprised of GSA policies and procedures pertaining to property and records management and certain related activities.

(b) Most GSPMR are published in cumulative form in Chapter 105 of Title 41 of the Code of Federal Regulations. The FEDERAL REGISTER and Title 41 of the Code of Federal Regulations may be purchased from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

§ 105–1.106 Applicability.

Chapter 105 applies to the management of property and records and to certain other programs and activities of GSA. Unless otherwise specified, Chapter 105 applies to activities outside as well as within the United States.

§ 105–1.109 Numbering.

§ 105–1.109–50 General plan.

Chapter 105 is divided into parts, subparts, and further subdivisions as necessary.

§ 105–1.109–51 Arrangement.

(a) Parts 105–2 through 105–49 are used for GSPMR that implement regulations in the corresponding parts of Chapter 101. This practice results in comparable grouping by subject area without establishment of subchapters.

(b) Parts 105–50 and above are used for GSPMR that supplement regulations in the FPMR and implement regulations of other agencies. Part numbers are assigned so as to accomplish a similar subject area grouping. Regulations on advisory committee management are recodified as Part 105–54 to place them in the appropriate subject area category. Regulations on standards of conduct remain in Part 105–735 because the number 735 identifies regulations of the U.S. Civil Service Commission and various civil agencies on this subject.

§ 105–1.109–52 Cross-references.

(a) Within Chapter 105, cross-references to the FPMR shall be made in the same manner as used within the FPMR. Illustrations of cross-references to the FPMR are:

(1) Part 101–3
(2) Subpart 101–3.1
(3) § 101–3.413–5

(b) Within Chapter 105, cross-references to parts, subparts, sections, and subsections of Chapter 105 shall be made in a manner generally similar to that used in making cross-references to the FPMR. For example, this paragraph would be referenced as § 105–1.109–52(b).

§ 105–1.110 Deviation.

(a) The term "deviation" as used in this Chapter 105 is defined in the same manner as described in § 1–1.009–1.

(b) To maintain uniformity to the greatest extent feasible, deviation from the FPMR to the GSPMR shall be kept to a minimum and controlled. Approval of any deviation from the FPMR or Chapter 105 shall be made only by the Administrator. In each instance, the authorizing document shall disclose the nature of the deviation and the reasons for such special action, and a copy of the document shall be furnished to the Paperwork Management Division (BRA), OAD. Deviations may be extended but otherwise will expire 12 months from the date of approval, unless sooner rescinded without prejudice to any action thereunder.

(c) Requests for deviations shall be supported by statements adequate to disclose fully the nature of the deviation and the need therefore. Requests shall be submitted to the Administrator through the Office of Administration.

§ 105–1.150 Citation.

(a) In formal documents, such as legal briefs, citations of Chapter 105 material shall include a citation to Title 41 of the Code of Federal Regulations or other titles as appropriate; e.g., 41 CFR 105–1.150.

(b) Any section of Chapter 105, for purpose of brevity, may be informally identified as "GSPMR" followed by the section number. For example, this paragraph would be identified as "GSPMR 105–1.150(b)."

Subparts 105–1.2—105–1.49 (Reserved)

PART 105–54—ADVISORY COMMITTEE MANAGEMENT

The regulations now codified as Part 105–64 are recodified as Part 105–54.

Effective date. These regulations are effective July 9, 1974.

Dated: June 28, 1974.

ARTHUR F. SAMPSON,
Administrator of General Services.

[FR Doc.74–15586 Filed 7–8–74;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER B—PRACTICE AND PROCEDURE

[Ex Parte No. 293 (Sub-No. 2)]

PART 1125—STANDARDS FOR DETERMINING RAIL SERVICE CONTINUATION SUBSIDIES

Correction

On July 1, 1974, regulations adopted by the Rail Services Planning Office of the Interstate Commerce Commission were published in the FEDERAL REGISTER. Certain material in the preamble of the regulations was inadvertently omitted. The following should be inserted after the word "certain" in the 14th line of the second paragraph of the first column at 39 FR 24294:

"* * * other data, on a prorated basis between the branch and the remainder of the railroad system."

The standard proposed for determining the value of properties was the net liquidation value, that is, the current market value of the branch property less the costs related to dismantling and disposal. A provision for arbitration of disputes was included.

The standard proposed for determining the reasonable rate of return on the value of the properties was a variable rate of return based on recent experience in the sale of railroad equipment trust certificates.

On May 31, 1974, (39 FR 19362), the Office issued a supplemental notice of proposed rulemaking to propose certain alternatives to, and changes in, the notice as originally issued.

More than 350 States, other public bodies, companies, organizations, and individuals filed comments in response to the original notice and more than 40 comments were received following publication of the supplemental notice.

The Office has carefully analyzed and considered all of the comments received, many of which suggested alternative standards for applying some or all of the phrases which the Act requires the Office to define. The regulation, as adopted, contains several substantive and editorial changes based on those comments.

REVENUE ATTRIBUTABLE TO RAIL PROPERTIES

Almost all of the comments received favored the determination of attributable revenues on the basis of actual revenues assigned to the branch. Some of the comments particularly those of some State regulatory agencies, suggested the adoption of * * *."

[SEAL] ROBERT L. OSWALD,
Secretary.

July 2, 1974.

[FR Doc.74–15625 Filed 7–8–74;8:45 am]

proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rulemaking prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
[7 CFR Part 924]

FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

Approval of Expenses, Fixing of Rate of Assessment for the 1974–75 Fiscal Period and Carryover of Unexpended Assessment Funds

This notice invites written comment relative to the proposed expenses of $16,275 and rate of assessment of $0.80 per ton of prunes to support the activities of the Washington-Oregon Fresh Prune Marketing Committee for the 1974–75 season under Marketing Order No. 924. It is also proposed that unexpended assessment income from 1973–74 be carried over as a committee reserve.

Consideration is being given to the following proposals submitted by the Washington-Oregon Fresh Prune Marketing Committee, established under the marketing agreement and Order No. 924 (7 CFR Part 924) regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

(1) Expenses that are reasonable and likely to be incurred by said committee, during the period April 1, 1974, through March 31, 1975, will amount to $16,275.

(2) That there be fixed, at $0.80 per ton of fresh prunes, the rate of assessment payable by each handler in accordance with § 924.41 of the aforesaid marketing agreement and order.

(3) Unexpended assessment funds in excess of expenses incurred during the fiscal year ended March 31, 1974, be carried over as a reserve in accordance with § 924.42 of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 29, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: July 3, 1974.

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

[FR Doc.74–15591 Filed 7–8–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
[21 CFR Parts 610, 640, and 660]
BIOLOGICAL PRODUCTS

Test for Hepatitis Associated (Australia) Antigen; Notice of Proposed Rule Making

Since July 1, 1972, § 273.755 (now § 610.40 (21 CFR 610.40)) has required that each donation of human blood, plasma, or serum to be used in preparing a biological product be tested for the presence of hepatitis associated (Australia) antigen, hereafter referred to as hepatitis B antigen (HBAg).

Those units found to be positive for HBAg cannot be used for manufacturing injectable biological products and donors who have tested positive may not serve as donors for any such product (21 CFR 610.41). These requirements are based on established scientific evidence that detection of HBAg, a component of hepatitis B virus, is a valid indication that the blood contains this infectious virus. The transmission of hepatitis virus in blood therapy constitutes a significant public health risk and is estimated to result in approximately 3,000 deaths and 20,000 cases of overt illness in this country each year.

Since effective testing for HBAg depends upon the use of well standardized reagents, the regulations specify that only federally licensed reagents, namely, Hepatitis Associated Antibody (Anti-Australia Antigen), may be used for such testing. A number of such reagents have been licensed since January 30, 1971, when the initial standards for Hepatitis Associated Antibody (Anti-Australia Antigen) were published in the FEDERAL REGISTER.

As in any rapidly developing area of research, there has been a continuing evolution of methodology of HBAg detection. The relative sensitivity of currently available test methods is based upon their ability to detect HBAg-positive samples in the Bureau of Biologies Reference Panel of antigen-positive sera, each of which contains varying amounts of antigen. In common terminology, a first generation test is one which is capable of detecting those antigen-positive sera designated "A" in the Reference Panel; a second generation test can detect those antigen-positive sera designated "A" and "B"; and a third generation test detects all antigen-positive sera "A," "B," and "C."

Initial determinations of HBAg utilized agar gel diffusion (AGD) tests and are referred to as the first generation of sensitivity. Thereafter, tests having a second generation of sensitivity were developed. The most generally applicable of those techniques is counterelectrophoresis (CEP) which is five to ten times more sensitive than AGD.

Studies have shown that blood containing the least amount of HBAg detectable by CEP was infectious for man, and that nearly twice the number of units of blood containing HBAg could be detected by CEP than by AGD. Consequently, on August 9, 1972, the Director, Bureau of Biologics, Food and Drug Administration, advised licensed blood banks that the requirement for testing all donations of blood, plasma, or serum for HBAg could be satisfied only by the use of a procedure having at least the sensitivity of CEP (a second generation test). At that time, the Director noted that on July 28, 1972, the FDA had licensed the first reagent for use in HBAg detection having a third generation of sensitivity, namely Hepatitis Associated Antibody (Anti-Australia Antigen) labeled with ^{125}Iodine (radioactive iodine) for use in a radioimmunoassay (RIA) procedure. Blood banks were encouraged to begin to develop experience with this new procedure and other procedures capable of third generation sensitivity as reagents for use in such methods became generally available.

Data published in early 1973, and verified by many laboratories, revealed a significant problem with nonspecific false-positive results obtained when the RIA method was used for large scale screening of blood for the presence of HBAg. Subsequently, several modifications were made in the RIA test system to help alleviate this problem and also to shorten the time required to obtain test results from a minimum of 18 to 24

hours to a minimum of 3 to 4 hours. In addition, in November 1973, the necessary confirmatory reagents, to assure the specificity of the test, became available for the RIA method.

In April 1974, Hepatitis Associated Antibody (Anti-Australia Antigen) for use in another method of third generation sensitivity, the reversed passive hemagglutination test (RPHA), was licensed by the Bureau of Biologics and has become available for use. Dilution studies of HBAg positive sera have established that the RPHA method has a sensitivity approaching that of RIA. The RPHA method can provide initial test results within approximately 2 hours. As with the RIA method, nonspecific false-positive results are also inherent in the RPHA method and therefore confirmatory reagents are necessary to determine whether initial, nonspecific reactive sera are truly reactive for hepatitis B antigen. These reagents have been available since the basic antibody has been licensed.

Since August 1972, scientists in the Bureau of Biologics have met with representatives of major blood banking organizations and other interested parties and have held four working conferences, co-sponsored by the National Institute of Allergy and Infectious Diseases and the National Heart and Lung Institute, to review all available scientific data pertinent to the application of third generation testing on a routine basis in blood banks. This currently available scientific data appear to warrant the following conclusions:

1. Hepatitis B antigen testing with methods of third generation sensitivity, using licensed reagents, provides an increased sensitivity of 10 to 100 times that of second generation test methods based on dilution studies of HBAg positive sera, and detects additional antigen-positive samples in the Reference Panel.

2. Use of detection methods with third generation sensitivity identifies nearly twice the number of HBAg positive units as CEP in some American donor populations and essentially eliminates the problem of failure to detect units which are weakly reactive by CEP.

3. Because of the occurrence of nonspecific false-positive results, it is essential to include steps for confirming the specificity of initially reactive sera as an integral part of third generation testing.

4. The level of HBAg detected by a method with third generation sensitivity is significant as a cause of infection with hepatitis virus.

Moreover, in August 1972, the Bureau of Biologics began a program designed to evaluate the proficiency of HBAg testing in blood banks on a continuing basis. The results of this program indicate that insufficient proficiency of laboratory personnel with the CEP method is a major problem. In proficiency evaluations conducted by the Bureau of Biologics to date, about 15 percent of the blood banks failed to detect one or more of the moderately to strongly reactive (hepatitis-positive) samples using a CEP method. About 90 percent of the blood banks missed one or more of the weakly reactive samples which were consistently detectable by CEP at the Bureau of Biologics using each of the licensed CEP reagents. Where samples were detectable by CEP, they were also routinely detectable by blood banks using the RIA method. In addition, proficiency appears to vary greatly among blood banks. Thus, it appears that a significant number of units of blood containing small amounts of HBAg which are capable of detection by CEP are not in fact being identified by many blood banks using this method. These detection failures result in many hepatitis B virus infections which are preventable by proficient CEP methodology as well as by third generation sensitivity testing.

The matter of proficiency becomes even more important because of inherent differences in the nature of second and third generation methods. Poor CEP proficiency may result in false negative results, i.e., failure to detect HBAg which is actually present. On the other hand, the more sensitive third generation methods (RIA and RPHA) tend to give some false positive results, i.e., detecting HBAg that is not in fact in the blood. Thus, a change from tests of second generation sensitivity to tests of third generation sensitivity would be expected to significantly increase test sensitivity, and would assure that errors of laboratory proficiency would not be suffered by a recipient of hepatitis positive blood. In addition, greater HBAg sensitivity would result in the elimination of larger numbers of donors who are HBAg carriers and whose blood can transmit hepatitis virus and produce post-transfusion hepatitis.

The Commissioner has concluded that the most sensitive tests available to detect the presence of hepatitis B antigen in blood and blood components must be utilized to safeguard public health. To implement this objective, the Commissioner hereby proposes to amend § 610.40 to require that each donation of human blood, plasma, or serum to be used in preparing a biological product shall be tested for hepatitis B antigen by a method of at least third generation sensitivity. Also at this time, the Commissioner proposes to change all references to "hepatitis associated (Australia) antigen" in Parts 610, 640, and 660 to "hepatitis B antigen," a term which is now most commonly used. The Commissioner also proposes to delete from § 610.40(a) the phrase "or for such material collected prior to the effective date of this order, upon removal from storage by the manufacturer," because it is assumed that all such products collected prior to the effective dat of § 610.40 have been expended.

The Commissioner is aware that third generation sensitivity capabilities cannot be achieved instantaneously. Therefore, during the comment-period of this proposal, the Commissioner will survey the availability of materials necessary for third generation testing and the final order will provide for an appropriate effective date and appropriate license amendments to allow rapid but orderly compliance with the new requirements.

Pertinent background data and information on which the Commissioner relies in proposing this regulation are on public display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 6–86, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, pursuant to provisions of the Public Health Service Act (sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Chapter I of Title 21, Code of Federal Regulations be amended as follows:

PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

1. In Part 610 by revising §§ 610.40 and 610.41 to read as follows:

§ 610.40 Test for hepatitis B antigen.

(a) *General.* Each donation of human blood, plasma, or serum to be used in preparing a biological product shall be tested for the presence of hepatitis B antigen. Such test shall be performed on blood, plasma, or serum taken from the donor at the time of donation. Only Hepatitis Associated Antibody (Anti-Australia Antigen) licensed under this subchapter shall be used in performing the test, and the test method(s) used shall be that for which the antibody product is specifically designed to be effective as recommended by the manufacturer in the package enclosure. The test method used to detect the presence of hepatitis B antigen shall be of sufficient sensitivity to detect all sera labeled A, (A), B, (B) and C in the Reference Hepatitis B Antigen Panel distributed by the Bureau of Biologics.

(b) *Restrictions on use*—(1) *Injectable biological products.* Blood, plasma, or serum that is reactive when tested for hepatitis B antigen shall not be used in manufacturing injectable biological products.

(2) *In vitro diagnostic biological products.* Blood, plasma, or serum that is reactive when tested for hepatitis B antigen may be used in manufacturing in vitro diagnostic biological products, provided that the package label of the biological products prepared from such blood, plasma, or serum conspicuously indicates that the product was prepared from material that was reactive when tested for hepatitis B antigen and may transmit viral hepatitis.

§ 610.41 History of hepatitis B antigen.

A person testing positive, or known to have previously tested positive, for hepatitis B antigen may not serve as a donor of human blood, plasma, or serum to be used in preparing any injectable biological product, except that a person known to have previously tested positive for hepatitis B antigen may serve as a source of hepatitis associated antibody when such antibody is required for the manufacture of a licensed biological product provided that the blood of such person meets the requirements of § 610.40 at the time of donation.

PART 640—ADDITIONAL STANDARDS FOR HUMAN BLOOD AND BLOOD PRODUCTS

2. In Part 640:

a. By revising § 640.2(f) to read as follows:

§ 640.2 **General requirements.**

* * * * *

(f) *Issue prior to determination of test results.* Notwithstanding the provisions of § 610.1 of this chapter, blood may be issued by the licensee on the request of a physician, hospital, or other medical facility before results of all tests prescribed in § 640.5 and the test for hepatitis B antigen prescribed in § 610.40 of this chapter have been determined where such issue is essential to allow time for transportation to assure arrival of the blood by the time when needed for transfusion of such blood provided (1) the blood is shipped directly to such physician or medical facility, (2) the records of the licensee contain a full explanation of the need for such issue, (3) the label on each container of such blood bears the information required by § 640.7(e), (4) the label does not bear results of tests other than those made on pilot samples of the blood to be shipped, taken at the time of its collection, and (5) the label does not bear the name or any other identification of the intended recipient.

b. By revising § 640.7(b) to read as follows:

§ 640.7 **Labeling.**

* * * * *

(b) *Serological test and test for hepatitis B antigen.* Indication of the method used for serological test for syphilis and the test for hepatitis B antigen, and the results.

* * * * *

c. By revising § 640.51(c) (7) to read as follows:

§ 640.51 **General requirements.**

* * * * *

(c) * * *

(7) Indication of test method for hepatitis B antigen used and the result.

PART 660—ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS

3. In Part 660:

a. By revising § 660.1(b) to read as follows:

§ 660.1 **Hepatitis Associated Antibody (Anti-Australia Antigen).**

* * * * *

(b) *Source.* The source of this product shall be plasma or blood, obtained aseptically from animals immunized with hepatitis B antigen which have met the applicable requirements of § 600.11 of this chapter or from human donors whose blood is positive for hepatitis associated antibody.

b. By revising §§ 660.3 and 660.4 to read as follows:

§ 660.3 **Reference panel.**

A Reference Hepatitis B Antigen Panel shall be obtained from the Bureau of Biologics and shall be used for determining the potency and specificity of Hepatities Associated Antibody (Anti-Australia Antigen).

§ 660.4 **Potency test.**

To be satisfactory for release each filling of Hepatitis Associated Antibody (Anti-Australia Antigen) shall be tested against the Reference Hepatitis B Antigen Panel and shall be sufficiently potent to be able to detect the antigen in the appropriate sera of the reference panel by all test methods recommended by the manufacturer in the package enclosure.

Interested persons may, on or before September 9, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6–86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Date: July 5, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–15737 Filed 7–8–74;8:45 am]

Social Security Administration

[20 CFR Part 405]

[Reg. No. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Principles of Reimbursement for Provider Costs and for Services by Hospital-Based Physicians; Appeals by Providers; Extension of Comment Period

This notice extends the period for comments provided in the notice published May 28, 1974 (39 FR 18467), in which comments were solicited on proposed amendments to Part 405 (Regulations No. 5) relating to determining the reasonable costs for therapy services furnished under arrangements with providers of services, clinics, rehabilitation agencies, and public health agencies.

Comment on the proposed regulations was invited on or before June 27, 1974. Several concerned organizations have requested additional time to submit comments. The time period for comment is hereby extended to July 27, 1974.

Comments on the proposed regulations of the Social Security Administration (20 CFR Part 405) should be submitted in writing, in triplicate, to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before July 27, 1974.

Copies of all comments received will be available for public inspection during regular business hours at the Washington Inquiries Section Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, Room 4146, 330 Independence Avenue, SW., Washington, D.C. 20201.

(Catalog of Federal Domestic Assistance Program Nos. 13.800, Health Insurance for the Aged—Hospital Insurance; and 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated: July 2, 1974.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: July 5, 1974.

CASPER W. WEINBERGER,
Secretary of Health, Education, and Welfare.

[FR Doc.74–15751 Filed 7–8–74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

[49 CFR Parts 172, 173]

[Docket No. HM–118; Notice No. 74–9]

EXPANDABLE POLYSTYRENE RESIN AND THE DEFINITION OF A FLAMMABLE SOLID

Notice of Proposed Rule Making

The Hazardous Materials Regulations Board ("the Board") of the Deparment of Transportation proposes to (1) amend Part 172 of the Hazardous Materials Regulations to specify that expandable polystyrene containing either a flammable liquid or flammable gas is classed as a flammable solid and (2) amend the definition of a flammable solid in § 173.150.

By letter dated January 8, 1954, the Chief Inspector, Bureau of Explosives, Association of American Railroads, expressed his view that expandable polystyrene is not classed as a "dangerous article under the I.C.C. Regulations; since it does not fall within the scope of any of the definitions contained therein." He went on to state that, "Any hazard which the material might have will be minimized by the use of tight containers, and any containers which will satisfactorily prevent the escape of vapors under normal conditions will be acceptable."

The Board agrees with the letter statement expressed above. However, the Board believes the statement is also applicable to thousands of other materials presently subject to the Department's regulations. Also, the statement had no binding effect since the Chief Inspector had stated earlier that it was his view that the material was not classed as a "dangerous article." The situation here is the same as that mentioned in the preamble of the Notice to Docket HM–102 (37 FR 11898) stating that a material must be classed as a hazardous material before it may be made the object of regulatory requirements.

The opinion of the Chief Inspector was not challenged until 1973 when the Department took the position that the expandable polystyrene shipped by one manufacturer was classed as a flammable solid, n.o.s. That particular manufacturer has petitioned the Board for a special permit for certain packaging waivers. Since receipt of the petition, the Board has been contacted by several manufacturers of expandable polystyrene

presenting different views on how the material should be handled under the regulations. The Board believes this matter should be handled by a public rule making procedure being fully aware that millions of pounds of this material are shipped annually and that the definition set forth in § 173.150, when literally construed, may not address the potential hazard of expandable polystyrene.

According to information available to the Board, pentane is the most common glowing (expanding) agent in the expandable polystyrene shipped at the present time. Pentane has a flash point of minus 40°F. or lower, is flammable when mixed with air at 1.5 to 7.8 percent by volume, and is 2½ times heavier than air. The percentage of pentane in expandable polystyrene is usually 5 to 8 percent by weight. Open burning tests have been conducted on expandable polystyrene, and the Board takes no issue with the conclusion that the material does not burn so vigorously and persistently as to create a serious transportation hazard. However, the Board does believe the material poses a potential hazard in transportation due to the possible emission of pentane (or other flammable material) vapors into confined areas. The Board believes the material should be classed as a flammable solid so that the potential hazard will be communicated by labeling and placarding, and appropriate packagings specified.

By letter dated April 12, 1974, the Assistant General Counsel to the Society of the Plastics Industry, Inc. (SPI) stated the following:

> Initially, we wish to observe that any regulation adopted by the Department with respect to this material should be limited to *expandable* polystyrene resin. The designation "expandable" signifies that resin into which pentane has been introduced, the presence of which generates the interest of the Department of Transportation in regulating this commodity. Additionally, "resin" is preferable to "beads" for purposes of identification in the Department's regulations.
>
> As we discussed, the members of SPI have transported hundreds of millions of pounds of expandable polystyrene resins during a period of more than a decade without incurring a single reported incident of fire or explosion. Any danger which does exist is the result of the accumulation of pentane gas which bleeds from the resins and leaks from the container into an enclosed environment which lacks ventilation. Any such danger can thus be alleviated by adequate venting during storage/transit or prior to unloading and further by a ban upon exposure to open flame or lighted cigarettes. Once any accumulated gas has thus been dissipated, the resin itself cannot be considered to be a flammable solid within the definition of 49 C.F.R. § 173.150. Identification of the resin as a flammable solid is thus a misnomer and further fails to adequately identify the hazard presented.
>
> It is the recommendation of SPI and its members that the Department of Transportation not require expandable polystyrene resin to be identified as a flammable solid but rather that a specific rule section be adopted which (1) prohibits transportation of this material in refrigerator-type equipment and (2) requires the shipper to provide warning identification labels to be applied to the transportation equipment advising of the requirement to ventilate that equipment for a period of ten minutes before unloading and further advising of a prohibition upon smoking or open flame in the vicinity of such equipment. Such notification will, we respectfully submit, give adequate warning of the minor hazard which may be presented by this commodity.

Concerning the first paragraph quoted above, the Board agrees to use the word "resin" in place of the word "beads" but is proposing that the word "polystyrene" appear first as the key word for alphabetical listing in § 172.5. Concerning the statement in the second quoted paragraph about the excellent experience in shipping this material to the present time, the Board has no information to the contrary and the accident experience, or lack of experience, involving this material (which is not presently the subject of the Department's incident reporting requirements) is not the basis for this rule making action.

Concerning the recommendation that expandable polystyrene resin not be classed as a flammable solid, the Board does not agree for the reason stated earlier in this preamble, a material must be classed as a hazardous material before it may be made the object of regulatory requirements. Further, the suggested prohibition against the use of refrigerated equipment raises the question as to what other types of semi-airtight equipment should be considered or whether ventilation equipment should be specified and what type of criteria utilized. Furthermore, if this approach is followed, it may be necessary to examine the criteria pertaining to the transportation of all materials capable of emission of flammable vapors. The Board believes such an undertaking would be considerable in scope and length. The Board also takes the same view pertaining to special markings to be applied to transport vehicles. If such markings are specified when expandable polystyrene resin is transported, perhaps they should also be considered for other materials if the present FLAMMABLE (for highway) DANGEROUS (for rail) placards, or those proposed in Docket HM-103 (39 FR 3164) are considered to be insufficient in communicating the potential hazards of flammable materials in transportation. The Board does not agree with the alternatives suggested by SPI at this time but will consider carefully all views presented before deciding on a future course of action.

The Board believes the definitions in the regulations for each of the classifications should be specified in quantitative terms when it is practicable and feasible to do so. Its efforts to date have not been easy (e.g., Docket HM-57 for corrosive materials). However, there are situations when exclusive reliance upon quantitative definitions could preclude the regulation of materials, such as polystyrene resin, that should be made the subject of safety requirements. If the Board is to carry out its assigned responsibilities in an adequate manner, there should be sufficient flexibility provided in its regulations to enable the Department to regulate materials that pose a potential hazard in transportation. Therefore, the Board is proposing to amend § 173.150 by adding a reference to § 172.5 in order to classify as flammable solid materials that present potential hazards associated with other substances in the flammable solid class. Additions to the list in § 172.5 would be made in accordance with the rulemaking procedures specified in 49 CFR Part 170. This same procedure is presently used by the U.S. Coast Guard to identify materials as "Hazardous articles" under 46 CFR 146.27-1.

Concerning packaging, the Board will consider recommendations for packagings presently used that are not provided for in § 173.154.

With respect to the proposal made in Docket HM-112, Notice 73-9 (39 FR 3021) regarding § 172.101, under the description "polystyrene beads," that proposal remains effective insofar as it pertains to the Hazard Information Number assignment, the passenger-carrying rail car and aircraft limitations, and the vessel stowage requirements. Otherwise, that proposal is modified as presented in this notice.

In consideration of the foregoing, the Hazardous Materials Regulations Board proposes to amend Part 172 and Part 173 of 49 CFR as follows:

PART 172—LIST OF HAZARDOUS MATERIALS CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL MATERIALS SUBJECT TO PARTS 170-189 OF THIS SUBCHAPTER

In § 172.5 paragraph (a), the List of Hazardous Materials would be amended as follows:

§ 172.5 List of hazardous materials.

(a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
(*add*) Polystyrene resin, expandable, *containing a flammable liquid or gas.*	F.S	173.153, 173.154	F.S	25 lbs.

* * * * * * * * *

PART 173—SHIPPERS

In § 173.150, paragraph (a) would be amended to read as follows:

§ 173.150 Flammable solid; definition.

For the purposes of Parts 170-189 of this subchapter, a flammable solid is any material listed by specific name and classed as a flammable solid in § 172.5 of this subchapter, or is any other solid material (except a solid material classed as an explosive) which, under conditions incident to transportation, is liable to cause fires through friction, absorption

of moisture, spontaneous chemical changes, retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious transportation hazard. Examples: Certain metallic hydrides, metallic sodium and potassium, and certain oily fabrics, processed meals, and nitrocellulose products.

Interested persons are invited to give their views on these proposals. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations, Board, Department of Transportation, Washington, D.C. 20590. Communications received on or before September 24, 1974 will be considered before final action is taken on these proposals. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, room 6215, Trans Point Building, Second and V Streets, SW., Washington, D.C., both before and after the closing date for comments.

(Transportation of Explosives Act, (18 U.S.C. 831-835), section 6 of the Department of Transportation Act (49 U.S.C. 1655); Title VI and section 902(h) of the Federal Aviation Act of 1958, (49 U.S.C. 1421-1430, 1472 (h), and 1655(c)))

Issued in Washington, D.C. on July 2, 1974.

W. J. BURNS,
Director,
Office of Hazardous Materials.

[FR Doc.74-15588 Filed 7-8-74;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Parts 571, 581]

[Docket No. 74-11, Notice 2; Docket No. 73-19, Notice 3]

MOTOR VEHICLE SAFETY AND DAMAGE STANDARDS

Proposed Amendments to Bumper Requirements

The purpose of this notice is to propose amendments to Standard No. 215, *Exterior Protection*, and Part 581, the proposed front and rear end damageability standard, to permit the use of soft exterior surfaces. Modifications of Part 581 are also proposed that would allow a limited amount of damage during testing to a vehicle's exterior surfaces. In addition, the notice denies petitions submitted by Ford, General Motors, and American Motors to amend Standard No. 215 to delete or modify the requirements for low-corner impacts.

On August 3, 1973, the NHTSA published a notice proposing the establishment of a new bumper standard to be issued under the authority of Title I of the Motor Vehicle Information and Cost Savings Act, Public Law 92-513, 15 U.S.C. 1901-1991. Comments were submitted that expressed concern over the no-damage requirement contained in the proposal. The commenters particularly objected to the provisions prohibiting damage to exterior surfaces during pendulum impact testing and asserted that the lead time was insufficient to enable compliance with such a stringent performance level.

The NHTSA finds some merit in petitioners arguments. Tests conducted on 1973 and 1974 vehicles by NHTSA and other agencies have shown that localized damage to bumper surfaces at the points where initial contact is made by the barrier face or the pendulum impact device is common. Although this agency has determined that a no-damage level of performance can be attained, it also recognizes that the automobile industry may need more time in which to develop designs that will satisfy the requirement. It is therefore proposed that damage be allowed to the vehicle's exterior surfaces in the areas that make initial contact during testing with the barrier face or the impact ridge of the pendulum test device as well as the surface areas within one-half inch of these points of contact. This allowance will have no effect on the level of safety required of the bumper. The vehicle's exterior surfaces outside of these prescribed damage areas may exhibit no permanent deviations from their original contours or separations of surface material. Deviations of energy absorbers and other flexible components would be considered permanent where they had not recovered their original shape before the conclusion of the required 30-minute interval between test impacts.

The NHTSA will observe the development of exterior protection systems, with a view to possible upgrading of the performance requirements at a later date based on the need for and the indicated benefits of such action. Some of the possible areas of upgrading are higher impact speeds and protection from all damage from the test impacts.

General Motors (GM) submitted a petition for rulemaking dated December 22, 1972 and revised October 1, 1973 to amend Standard No. 215 by revising the pendulum test procedure to allow the use of soft-surfaced materials in bumpers and adjacent vehicle surfaces. GM asserted in its petition that permitting use of a soft-faced system would enable greater flexibility in bumper design while providing the necessary protection against vehicle damage in low-speed impacts.

The current pendulum test requirements are geared toward establishing a uniform bumper height in order that the full force of a collision will be absorbed on the vehicle bumper without additional damage to the vehicle's safety components. In keeping with this format the pendulum test requirements restrict the contact during testing to the impact ridge of the test device. Contact with Planes A and B of the test device is prohibited since those areas represent parts of the vehicle that house various safety components such as headlamps. Compliance with these provisions has necessitated the design and construction of bumpers that are rigid enough to impact another vehicle's bumper without touching the surrounding safety systems, yet flexible enough to resist damage. These bumper systems have added considerable weight to vehicles and have accounted for increased development, production, and operating costs.

Recognizing the importance of controlling the hostility of vehicle bumpers and thereby minimizing the potential damage from low-speed impacts, GM suggested a bumper design that would be capable of accomplishing this goal with lower weights and fewer design considerations than are present under the current bumper standard. The soft-face concept employs bumpers constructed out of yielding materials that when impacted by another vehicle spread their force over a large area. The advantages of such a system are that it is less hostile in impacts with other vehicles, it has a higher potential for damage resistability in low-speed collisions, it is lighter in weight than present bumpers (approaching the weight of pre-standard bumpers), and for comparable performance is probably less costly than the present hard-surfaced systems.

The bumper system suggested by GM continues to direct the primary force of the impact during a collision onto the bumper itself. It permits, however, forces of limited degree on the area above and below the bumper level. Based upon information provided by GM and other available data, the limits of force and pressure that could be absorbed in the area above and below the impact ridge without damaging safety components are 2,000 pounds and 200 psi respectively. Limiting contact with Planes A and B to within these force and pressure levels prescribes the degree of softness allowable for complying bumper systems and assures that the system will yield upon impact in such a way as to minimize damage to the other vehicle's components in low-speed impacts.

It is therefore proposed that contact with Planes A and B of the pendulum test device be permitted during the pendulum impact testing as long as the force and the pressure of the contact with these planes is within the prescribed limits. The forces and pressures would be tested by placing sensors in the surfaces of the device in Planes A and B. Since the forces measured may be sensitive to the characteristics of the measuring devices, a specification for these devices would be added as a new figure in the standard, based primarily on materials supplied by GM.

Petitions dated August 2, 1973, September 19, 1973, and December 22, 1972 were submitted by Ford, American Motors, and General Motors, respectively, requesting the deletion or modification of the corner impact requirements contained in Paragraph S7.2.2 of Standard No. 215. Petitioners alleged that the low-corner bumper requirements furnish little added protection at a very significant cost, and are geared to affect types of impacts that are infrequently incurred. The NHTSA disagrees with these contentions and has determined that the low-corner impact requirements of S7.2.2

provide necessary protection against frequently incurred and substantial damage.

Available data suggest that approximately 40 percent of all repaired impacts involved vehicle corner damage. A study conducted by the Insurance Institute for Highway Safety shows that over 50 percent of all unrepaired damage was located at the vehicle corners. A significant portion of this damage occurred as a result of bumpers overriding at low speed, oblique impact. Compliance with the low-corner impact requirements will have the effect of avoiding override in angle impacts where the corner of one vehicle makes contact anywhere along the front or rear of another vehicle, exposing safety-related components to potential damage. The requirement also provides minimum assurance of bumper-to-bumper contact, restricts the use of overly aggressive bumpers, and should eliminate the blade-type bumper wraparound which aggravates the overriding of bumpers. The NHTSA thus disagrees with petitioners' conclusion that the cost of complying with the low-corner impact requirement outweighs the benefits to be derived therefrom. Once the initial cost of redesign has been absorbed, the costs of continuous production of conforming bumpers will be reasonable when weighed against the reduction of damage that will be achieved.

The American Motors request that contact with Plane A of the test device be permitted during the low-corner impact procedure has been partially granted by the proposal in this notice to allow limited force and pressure on that portion of the pendulum face.

In a notice published March 4, 1974 the NHTSA proposed an amendment to Standard No. 215, *Exterior Protection*, to revise the longitudinal impact test procedure for cases where the distance between the corner test positions is less than 48 inches. The proposal would remove the current 48-inch minimum restriction on vehicle bumper design. It is proposed that Part 581 be modified in the same respect.

To clarify the conditions of the pendulum test, the language describing the impact are in S7.1.5 would be transferred to S6.2.1. This language requires any point on the impact line to remain in a vertical longitudinal plane, thus prohibiting any significant torsional motion of the pendulum test devise.

In consideration of the foregoing it is proposed that S5.3.6, S6.2.1, and S7.1.5 of Standard No. 215 (49 CFR 571.215) be amended as follows, effective on the date of publication:

§ 571.215 Standard No. 215; Exterior protection. (With amendments effective Sept. 1, 1974, and Sept. 1, 1975).

* * * * *

S5.3.6 The vehicle shall not touch the test device, except on the impact ridge shown in Figures 1 and 2, with a force that exceeds the following:

(a) 200 pounds when measured over any one square inch of the area of the surfaces of Planes A and B of the test device.

(b) 2,000 pounds total force on the combined surfaces of Planes A and B of the test device.

* * * * *

S6.2.1 The test device consists of a block with one side contoured as specified in Figure 1 and Figure 2 with the impact ridge made of hardened steel. The surfaces of the device in Planes A and B are instrumented to measure force and pressure as shown in Figure 3. From the point of release of the device until the onset of rebound, the suspension system holds Plane A vertical, with the arc described by any point on the impact line lying in a vertical longitudinal plane, and having a constant radius of not less than 11 feet.

* * * * *

S7.1.5 Move the test device away from the vehicle, then release it to impact the vehicle.

* * * * *

It is further proposed that the proposed new Part 581, Bumper Standard, (Docket No. 73–19, 38 FR 20899, August 3, 1973) be modified to read as follows, effective September 1, 1975:

PART 581—BUMPER STANDARD

S1. *Scope.* This standard establishes requirements for the impact resistance of vehicles in low speed front and rear collisions.

S2. *Purpose.* The purpose of this standard is to reduce physical damage to the front and rear ends of a passenger motor vehicle from low speed collisions.

S3. *Application.* This standard applies to passenger motor vehicles other than multipurpose passenger vehicles.

S4. *Definitions.* All terms defined in the Motor Vehicle Information and Cost Savings Act, Pub. L. 92–513, 15 U.S.C. 1901–1991, are used as defined therein.

S5. *Requirements.*

S5.1 *Vehicles manufactured on or after September 1, 1975.* Each vehicle manufactured on or after September 1, 1975, shall meet the damage criteria of S5.2.1 through S5.2.8 when impacted by a pendulum-type test device in accordance with the procedures of S7.1 and S7.2 followed by impacts into a fixed collision barrier that is perpendicular to the line of travel of the vehicle, while traveling longitudinally forward, then longitudinally rearward, under the conditions of S6., at the following impact speeds:

Longitudinal pendulum and barrier tests: 5 mph.

Corner pendulum tests: 3 mph.

S5.2 *Damage criteria.*

S5.2.1 Each lamp or reflective device, except license plate lamps, shall be free of cracks and shall comply with the applicable visibility requirements of S4.3.1.1 of Standard No. 108 (§ 571.108). The aim of each headlamp shall be adjustable to within the beam aim inspection limits specified in Table 2 of SAE Recommended Practice J559b, July 1970, measured with a mechanical aimer conforming to the requirements of SAE Standard J602a, July 1970.

S5.2.2 The vehicle's hood, trunk, and doors shall operate in the normal manner.

S5.2.3 The vehicle's fuel and cooling systems shall have no leaks or constricted fluid passages and all sealing devices and caps shall operate in the normal manner.

S5.2.4 The vehicle's exhaust system shall have no leaks or constrictions and shall operate in the normal manner.

S5.2.5 The vehicle's propulsion, suspension, steering, and braking systems shall remain in adjustment and shall operate in the normal manner.

S5.2.6 There shall be no breakage or release of fasteners or joints.

S5.2.7 The vehicle's exterior surfaces shall have no separations of paint, polymeric coatings, or other covering materials from the surface to which they are bonded, and no permanent deviations from their original contours or separations of surface material, except on areas where contact is made with the barrier face or the impact ridge of the pendulum test device and within one-half inch of those areas.

S5.2.8 The vehicle shall not touch the test device, except on the impact ridge shown in Figures 1 and 2, with a force that exceeds the following:

(a) 200 pounds measured over any one square inch of the area of the surfaces of Planes A and B of the test device.

(b) 2,000 pounds of total force on the combined surfaces of Planes A and B of the test device.

S6. *Conditions.* The vehicle shall meet the requirements of S5. under the following conditions.

S6.1 *General.*

S6.1.1 The vehicle is at unloaded vehicle weight.

S6.1.2 The front wheels are in the straight ahead position.

S6.1.3 Tires are inflated to the vericle manufacturer's recommended pressure for the specified loading condition.

S6.1.4 Brakes are disengaged and the transmisson is in neutral.

S6.1.5 Trailer hitches are removed from the vehicle.

S6.2 *Pendulum test conditions.* The following conditions apply to the pendulum test procedures of S7.1 and S7.2.

S6.2.1 The test device consists of a block with one side contoured as specified in Figure 1 and Figure 2 with the impact ridge made of A1S1 4130 steel hardened to 34 Rockwell "C" and with a surface roughness of 32 as specified by SAE Recommended Practices J449A, June 1963. The surfaces of the device in Planes A and B are instrumented to measure force and pressure as shown in Figure 3. From the point of release of the device until the onset of rebound, the suspension system holds Plane A vertical, with the arc described by any point on the impact line lying in a vertical longitudinal plane and having a constant radius of not less than 11 feet.

S6.2.2 With Plane A vertical, the impact line shown in Figures 1 and 2 is horizontal at the same height as the test device's center of percussion.

S6.2.3 The effective impacting mass of the test device is equal to the mass of the tested vehicle.

S6.2.4 When impacted by the test device, the vehicle is at rest on a level rigid concrete surface.

S6.3 *Barrier Test Condition.* At the onset of a barrier impact, the vehicle's engine is operating at idling speed in accordance with the manufacturer's specification. Vehicle systems that are not necessary to the movement of the vehicle are not operating during impact.

S7. *Test Procedures.*

S7.1 *Longitudinal impact test procedures.* Impact the vehicle's front surface and its rear surface three times each with the impact line at the height of 20 inches, and three times each with the impact line at any height between 20 inches and 16 inches, in accordance with the following procedures.

S7.1.1 For impacts at a height of 20 inches, place the test device shown in Figure 1 so that Plane A is vertical and the impact line is horizontal at the specified height.

S7.1.2 For impacts at a height between 20 inches and 16 inches, place the test device shown in Figure 2 so that Plane A is vertical and the impact line is horizontal at a height within the range.

S7.1.3 For each impact, position the test device so that the impact line is at least 2 inches apart in vertical direction from its position in any prior impact, unless the midpoint of the impact line with respect to the vehicle is to be more than 12 inches apart laterally from its position in any prior impact.

S7.1.4 For each impact, align the vehicle so that it touches, but does not move the test device, with the vehicle's longitudinal centerline perpendicular to the plane that includes Plane A of the test device and with the test device at any position inboard of the most outboard vehicle corner test position specified in S7.2. However, for vehicles whose corner test positions are less than 48 inches apart, place the device so that the midpoint of the impact line is at any position within 12 inches of the vehicle centerline (not necessarily entirely inboard of the vehicle corner test positions).

S7.1.5 Move the test device away from the vehicle, then release it to impact the vehicle.

S7.1.6 Perform the impacts at intervals of not less than 30 minutes.

S7.2 *Corner impact test procedure.* Impact a front corner and a rear corner of the vehicle once each with the impact line at a height of 20 inches and impact the other front corner and the other rear corner once each with the impact line at any height between 20 inches and 16 inches in accordance with the following procedure.

S7.2.1 For an impact at a height of 20 inches, place the test device shown in Figure 1 so that Plane A is vertical and the impact line is horizontal at the specified height.

S7.2.2 For an impact at a height between 20 inches and 16 inches, place the test device shown in Figure 2 so that Plane A is vertical and the impact line is horizontal at a height within the range.

S7.2.3 Align the vehicle so that a vehicle corner touches, but does not move, the lateral center of the test device with Plane A of the test device forming an angle of 60 degrees with a vertical longitudinal plane.

S7.2.4 Move the test device away from the vehicle, then release it so that Plane A remains vertical from release until the onset of rebound, and the arc described by any point on the impact line is constant, with a radius of not less than 11 feet, and lies in a vertical plane at an angle of 30° to the vertical plane through the vehicle's longitudinal centerline.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date. August 20, 1974.

Proposed effective date. The amendments to Standard No. 215, *Exterior Protection*, would be effective on the date of publication. The amendment allowing the use of soft exterior surfaces is permissive and constitutes a relaxation of the current bumper requirement. Therefore, no greater lead time is necessary to enable compliance. The other amendment to the standard is simply a clarification of an existing procedure and imposes no new requirement. The Part 581 Bumper Standard would be effective September 1, 1975.

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

Issued on July 1, 1974.

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

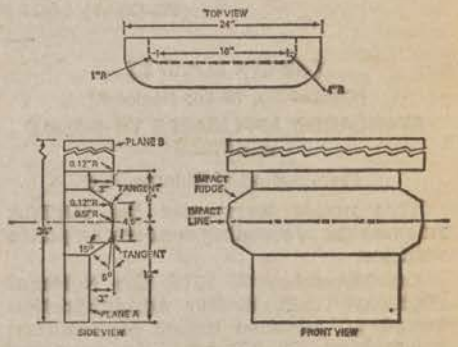


FIGURE 1

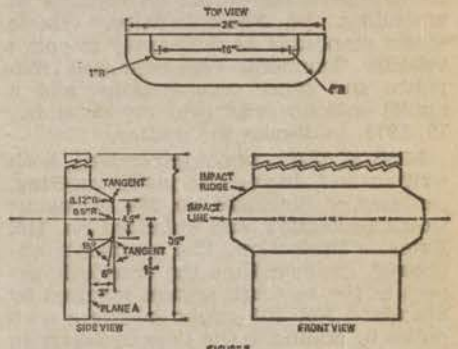


FIGURE 2

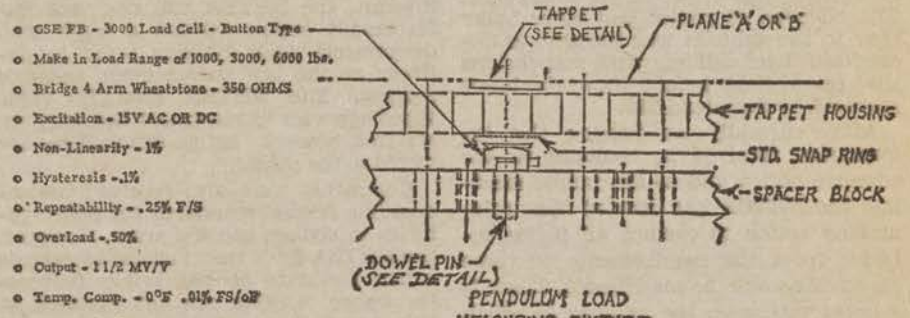
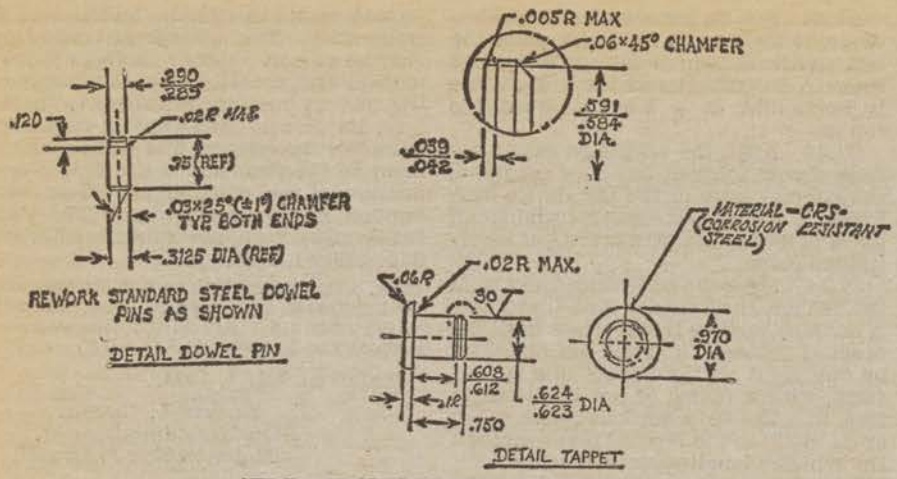


FIGURE 3



[FR Doc.74-15415 Filed 7-8-74;8:45 am]

[49 CFR Part 571]

[Docket No. 73-26; Notice 2]

STANDARDS APPLICABLE TO POLICE VEHICLES

Termination of Rulemaking

This notice terminates the NHTSA rulemaking proceeding concerning police vehicles.

On November 9, 1973, the National Highway Traffic Safety Administration issued an advance notice of proposed rulemaking (38 FR 31017) announcing its consideration of the advisability of amending the Federal motor vehicle safety standards as they apply to police vehicles. Comments were requested from police and other organizations, and a public meeting was held on December 10, 1973, to discuss the matter.

Most of the comments received, both written and during the public meeting, centered on Standard No. 208, Occupant Crash Protection, and Standard No. 215, Exterior Protection. The comments expressed concern that the interlock aspect of the seat belt system required by Standard No. 208 might interfere with police by adding to the time necessary to enter and start a car in an emergency. The addition of radios and other bulky gear to the vehicles was thought to necessitate their delivery with suspensions that raised their height above the levels required by Standard 215.

After carefully considering the information received in response to the advance notice and at the public meeting, the NHTSA has decided that rulemaking action to exempt all police vehicles from the requirements of these standards would be inadvisable. There is a great variety in the manner in which police vehicles are used. While in some police operations the belt-use-inducing systems—the interlock and the warning signals—may be a hindrance, in others they may not. Similarly, the amount of gear to be added to a police vehicle varies widely, as do the suspension requirements. In the case of some vehicles examined by NHTSA personnel, the variation in bumper height caused by the addition of various types of loads such as typical radio gear was found to be within the range effectively permitted by the standard.

An overriding factor in the decision is that the law permits a police unit, like any other user, to modify its vehicles at will after purchase. For example, the disconnection of current belt-use-inducing systems by trained personnel is a simple and inexpensive process that may be appropriate where it is found to be consistent with the intent of the standard to provide a higher overall level of safety. An estimated 70,000 police vehicles are resold to the general public annually, and the NHTSA considers it highly important that these vehicles conform to the safety standards to the extent feasible. Generally, police vehicles when resold are much more likely to conform to the standards, or can be more easily restored to conformity, if they conformed when delivered by their manufacturer.

Where, in the judgment of a law enforcement agency, interlock or warning systems to encourage belt usage in that agency's vehicles are not in the public interest, the NHTSA will not take enforcement action against a seller who disconnects such systems prior to delivery at the law enforcement agency's request. The NHTSA strongly urges these agencies to reconnect the warning systems, however, before the vehicles are resold to the public.

Comments were also received recommending special standards for police vehicles in sixteen specific areas. However, the NHTSA finds that Federal standards which mandate special safety features for police vehicles are not justified at this time. Some of the recommended features are already available as optional equipment and others can be obtained by special order from the manufacturers. Again, the great variety in the needs of police units tends to make impracticable the imposition of requirements for all such vehicles, although this agency remains open to specific suggestions in this area.

For reasons cited above, the NHTSA has decided against any further rulemaking action at this time relating to special standards or the amendment of current standards relating to police vehicles.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1392, 1407; delegation of authority at 49 CFR 1.51)

Issued on July 3, 1974.

JAMES B. GREGORY,
Administrator.

[FR Doc.74-15753 Filed 7-8-74;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 202]

MANDATORY PRICE AND PETROLEUM ALLOCATION

Disclosure of Information Reported to FEA

To the maximum extent consistent with its responsibilities, the Federal Energy Administration is committed to public disclosure of information reported to FEA pursuant to FEA regulations. In accordance with this policy, on March 18, 1974, the Federal Energy Office published regulations implementing its procedural regulations for the disclosure of information pursuant to the Freedom of Information Act (38 FR 10153).

FEA has required certain firms subject to the Mandatory Price and Petroleum Allocation Regulations to submit on a periodic basis certain forms and reports concerning product inventories, purchase availabilities, distribution practices, pricing activities and related commercial matters. This information provides an essential data base which enables FEA to perform its regulatory duties and to formulate national energy policy. Firms subject to FEA regulations have been cooperative in reporting required information and FEA hopes that this cooperative attitude will continue.

FEA has received a number of requests from the press, interested members of the public and affected firms seeking access to information reported pursuant to FEA's regulations.

FEA has been advised, however, that much of the information reported on FEA forms is of a proprietary nature and should be deemed confidential. Reporting firms contend that disclosure of such information could be harmful either to their individual businesses or to competition generally. It has been asserted, for example, that information related to customer lists, distribution patterns and product availabilities could be used by some firms to engage in predatory competitive practices in the marketplace.

At the same time, FEA is acutely aware not only of its statutory obligation to make information available to the public but also of the desirability from a policy standpoint of permitting public access to information collected by government agencies.

A decision whether to release particular items of information must properly

balance the policy favoring disclosure against legitimate requirements of confidentiality.

FEA is therefore issuing this notice seeking public comment upon the disclosure of information reported to FEA on the following forms: FEO Forms 1; 17; 18; 20; 21; 96; 100; 101; 103; 200; 500; 600 –1, –2, –3, –4; 900 A, B–1, B–2; 902; 903; 1000; 1001; 1002; 1003; 1004; 1005; 1006. A number of these forms have recently been revised, and the remainder are currently undergoing revision. The forms which have been revised are being published in the FEDERAL REGISTER concurrent with this notice. As other forms are revised, they will be also published in the FEDERAL REGISTER. Copies of these forms as they existed prior to revision can be obtained from the regional FEA offices or the Information Access Officer in the Office of the Director, Public Affairs, national FEA.

FEA is particularly interested in comments concerning (1) the extent to which information obtained pursuant to FEA forms is publicly available from other sources, (2) the extent to which such information has customarily and traditionally been kept confidential and the rationale for any such tradition or custom, and (3) the effect, competitive or otherwise, of making such information available to the public, in whole or in part.

It should be noted that section 14(b)(2) of the Federal Energy Administration Act of 1974 provides that notwithstanding 18 U.S.C. section 1905 or any other law FEA shall disclose any matter which could not be excluded from public annual reports to the SEC pursuant to section 13 or 15(d) of the Securities Exchange Act of 1934 by a firm exclusively engaged in the manufacture or sale of a single product unless the matter concerns or relates to trade secrets, processes, operations, style of work, or apparatus of the firm. Section 1905 of title 18 United States Code makes it a crime for an officer or employee of the United States to disclose (in a manner not authorized by law) information which he obtains in the course of his employment including his examination of a report filed with the United States. The information covered by section 1905 includes any trade secret, process, operation, style of work or apparatus, or the identify, confidential statistical data, amount or source of any income, profits, losses, or expenditures of a firm.

FEA is also interested in obtaining comments on the extent to which data or information disclosed in FEA reporting forms would be the type of information protected under 18 U.S.C. 1905 or would be of the type specifically required to be disclosed pursuant to section 14(b)(2 of the Federal Energy Administration Act of 1974, notwithstanding the provisions of 18 U.S.C. 1905.

All comments are requested to address the nature of any regulations or rule which FEA should adopt to deal with the disclosure of information obtained pursuant to FEA reporting requirements. To the greatest extent possible, comments should focus on categorizing each type of information required to be reported on FEA forms as either proprietary or non-proprietary with accompanying reasons for the categorization, rather than merely addressing the general subject covered by the form or report. Each comment should clearly identify the form and item which it addresses.

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments with respect to the proposed regulations set forth in this notice to the Executive Secretariat, Federal Energy Administration, Box AO, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on the documents submitted to the Federal Energy Administration Executive Secretariat with the designation "Disclosure of Information". Fifteen copies should be submitted. All comments received by July 26, 1974, and all other relevant information will be considered by the Federal Energy Office before final action is taken.

(Emergency Petroleum Allocations Act of 1973, Pub. L. 93–159; Federal Energy Administration Act of 1974, Pub. L. 93–275; E.O. 11790 (39 FR 23185))

Issued in Washington, D.C. July 3, 1974.

ROBERT E. MONTGOMERY, Jr.,
Acting General Counsel,
Federal Energy Administration.

[FR Doc.74–15608 Filed 7–8–74;8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 3]

VETERANS' BENEFITS

Deletion of Obsolete Provision

The Administrator of Veterans' Affairs proposes a regulatory change to delete material which was made obsolete by Pub. L. 92–328 (86 Stat. 393). Prior to the enactment of that Act, section 3203 (a) of title 38, United States Code, provided for reduction of awards of compensation and retirement pay when the veteran without dependents was furnished hospital treatment, institutional or domiciliary care by the Veterans Administration for a period in excess of 6 months. A similar provision was incorporated in § 3.551 of Title 38, Code of Federal Regulations. Effective August 1, 1972, section 104 of Pub. L. 92–328 repealed the provision in section 3203 of Title 38, United States Code, providing for reduction of awards of compensation and retirement pay. As a result of this repeal § 3.551 was amended to delete the reference to compensation and retirement pay.

Section 3.1007 of Title 38, Code of Federal Regulations, currently contains a reference to compensation and retirement pay reduced under § 3.551(b). Since these benefits are no longer subject to reduction under that regulatory provision this language is obsolete. The proposed amendment to § 3.1007 clarifies that awards of compensation and retirement § 3.551(b) which is now applicable only to disability pension but these benefits are subject to termination under § 3.557 of Title 38, Code of Federal Regulations, when the estate of an incompetent hospitalized veteran without dependents exceeds $1,500.

Minor editorial changes, unrelated to the substantive change described above, have been made in § 3.1009 designed to reflect agency policy to avoid any appearance of seeming to preclude benefits for female veterans, dependents or beneficiaries. No substantive change affecting benefits is involved.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (27H), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before August 8, 1974, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any 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.

The proposed amendments to § 3.1007 will be effective the date of final approval.

1. Section 3.1007 is revised to read as follows:

§ 3.1007 Hospitalized incompetent veterans.

Where an award of disability pension for an incompetent veteran without dependents was reduced under § 3.551(b) because of hospitalization, institutional or domiciliary care by the Veterans Administration, or an award of disability pension, compensation or emergency officers' retirement pay was discontinued under § 3.557(b) because the veteran was hospitalized by the United States or a political subdivision and had an estate which equaled or exceeded $1,500, and the veteran dies before payment of amounts withheld or not paid by reason of such care, no part of such amount will be paid to any person. The provisions of this section are applicable to amounts withheld for periods prior to as well as subsequent to the rating of incompetency. The term "dies before payment" includes cases in which a check was issued and the veteran died before negotiating the check (38 U.S.C. 3203(b)).

2. In § 3.1009, the introductory portion preceding paragraph (a) and paragraph (a) (1), (2), and (3) are amended to read as follows:

§ 3.1009 Personal funds of patients.

The provisions of this section are applicable to gratuitous benefits deposited

by the Veterans Administration either before, on, or after December 1, 1959, in a personal funds of patients account for an incompetent veteran who was incompetent at the date of death. Where the veteran died after November 30, 1959:

(a) *Eligible persons.* Gratuitous benefits shall be paid to the living person first listed as follows:

(1) His or her spouse, as defined in § 3.1000(d)(1);

(2) His or her children (in equal shares), as defined in § 3.57 but without regard to their age or marital status;

(3) His or her dependent parents (in equal shares) as defined in § 3.59 or the surviving parent, provided that the parent was dependent within the meaning of § 3.250 at the date of the veteran's death.

* * * * *

Approved: July 1, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-15540 Filed 7-8-74;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

JOINT CALL FOR REPORT OF CONDITION

Insured Banks

Cross Reference: For a document issued jointly by the Federal Deposit Insurance Corporation, Comptroller of the Currency, and the Federal Reserve System, see FR Doc. 74–15541, infra.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 21635]

NEW MEXICO

Notice of Application

JUNE 27, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Llano, Incorporated has applied for a 6-inch natural gas pipeline across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 27 E.,
Sec. 6, Lots 6, 11, 14, E½SW¼;
Sec. 7, E½W½ and SW¼SE¼;
Sec. 18, W½NE¼, NE¼NW¼ and N½SE¼.

These pipelines will convey natural gas across 3.006 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, N. Mex. 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–15581 Filed 7–8–74;8:45 am]

[NM 21636]

NEW MEXICO

Notice of Application

JUNE 27, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a 6⅝ inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 26 E.,
Sec. 15, E½NW¼, W½SW¼, NE¼SW¼;
Sec. 21, E½NE¼ and SE¼;
Sec. 22, NW¼NW¼;
Sec. 28, NW¼NE¼ and SE¼NW¼;
Sec. 33, SW¼NW¼.

These pipelines will convey natural gas across 2.675 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74–15582 Filed 7–8–74;8:45 am]

Geological Survey

KAIPAROWITS, UTAH

Known Leasing Area (Coal)

Pursuant to authority contained in the Act of March 3, 1879 (43 U.S.C. 31), as supplemented by Reorganization Plan No. 3 of 1959 (43 U.S.C. 1451, note), and 203 Departmental Manual 1, and Secretary's Order No. 2948, Federal lands within the State of Utah have been classified as subject to the competitive coal leasing provisions of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S. 201). The name of the area, effective date, and total acreage involved are as follows:

(44) UTAH

Kaiparowits (Utah) Known Leasing Area (Coal); April 30, 1974, 530,805 acres.

A diagram showing the boundaries of the area classified for competitive leasing has been filed with the appropriate land office of the Bureau of Land Management. Copies of the diagram and the land description may be obtained from the Regional Conservation Manager, U.S. Geological Survey, Building 25, Denver Federal Center, Denver, Colo. 80225.

Dated: June 25, 1974.

HENRY W. COULTER,
Acting Director.

[FR Doc.74–15583 Filed 7–8–74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

FLUE-CURED TOBACCO ADVISORY COMMITTEE

Notice of Meeting

The Flue-Cured Tobacco Advisory Committee has requested that an emergency meeting be held on July 11, 1974, at 1 p.m., in the Board Room of the Flue-Cured Tobacco Cooperative Stabilization Corporation, 522 Fayetteville Street, Raleigh, North Carolina 27692.

Subsequent to the publishing of our July 19 meeting (39 FR 24043, 6–28–74) we received information that has led us to believe that more time is needed for scheduling of sales for individual warehouses and marketing areas. Consequently, it is impossible to meet the 15 days' advance notice required by OMB Circular A–63, March 27, 1974.

The purpose of the meeting is to adjust the selling schedules which will be in effect from August 5, 1974, through the end of the season, and other matters as specified in 7 CFR Part 29, Subpart G, § 29.9404.

The meeting is open to the public but space and facilities are limited. Public participation will be limited to written statements submitted before or at the meeting unless their participation is otherwise requested by the Committee Chairman. Persons, other than members, who wish to attend the meeting should contact Mr. J. W. York, Director, Tobacco Division, Agricultural Marketing Service, 300 12th Street, SW., United States Department of Agriculture, Washington, D.C. 20250, (202) 447–2567.

JOHN C. BLUM,
Acting Administrator Agricultural Marketing Service.

[FR Doc.74–15719 Filed 7–8–74;8:45 am]

Farmers Home Administration

[FmHA Instruction 449.2]

BUSINESS AND INDUSTRIAL LOANS

Insured Loan Interest Rates

Notice is hereby given by the Farmers Home Administration that the current rate of interest for insured business and industrial loans, established pursuant to 7 CFR 1842.61(b) is as follows:

a. Insured loans to private entrepreneurs will be at the rate of ten and one-half percent (10½%). This rate will remain in effect until a change is published in the FEDERAL REGISTER.

b. The rate for guaranteed loans is as agreed upon between the borrower and lender.

Effective Date. This notice shall be effective on July 9, 1974.

Dated: July 1, 1974.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.74-15595 Filed 7-8-74;8:45 am]

[Notice of Designation Number AO53]

GEORGIA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Georgia:

Barrow Fayette

The Secretary has found that this need exists as a result of a natural disaster consisting of tornadoes and tornado-like winds March 21, 1974.

Therefore, the Secretary has designated these areas as eligible for emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Jimmy Carter that such designation be made.

Applications for emergency loans must be received by this Department no later than August 23, 1974, for physical losses and March 25, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rulemaking and invite public participation.

Done at Washington, D.C., this 1st day of July, 1974.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.74-15593 Filed 7-8-74;8:45 am]

[Notice of Designation Number AO 52]

LOUISIANA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following parish in Louisiana:

Iberia

The Secretary has found that this need exists as a result of a natural disaster consisting of excessive rainfall September 3 through 14, 1973, caused by Tropical Storm Delia.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Edwin Edwards that such designation be made.

Applications for Emergency loans must be received by this Department no later than August 22, 1974, for physical losses and March 24, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 1st day of July, 1974.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc. 74-15594 Filed 7-8-74;8:45 am]

Office of the Secretary

NATIONAL ADVISORY COUNCIL ON CHILD NUTRITION

Meeting

Pursuant to Pub. L. 92-463, notice is hereby being given that the National Advisory Council on Child Nutrition, which was established to make a continuing study of the child nutrition programs of the Department of Agriculture, is scheduled to hold a meeting on July 25-26, 1974, from 9:00 a.m. to 4:00 p.m. both days. The meeting will be held in Room 645, 500 12th Street SW., Washington, D.C. The meeting will include a program update, a review of recent participation trends, and a discussion of nutrition education projects. The meeting will be open to the public. Additional information can be obtained by contacting the executive secretary, Herbert D. Rorex, at 202-447-8130.

Dated: July 2, 1974.

RICHARD L. FELTNER,
Assistant Secretary and Chairman, National Advisory Council on Child Nutrition.

[FR Doc.74-15596 Filed 7-8-74;8:45 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards

VOLUNTARY PRODUCT STANDARDS

Action on Proposed Withdrawal

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the withdrawal of the following Voluntary Product Standards:

PS 10-69, "Polyethylene (PE) Plastic Pipe (Schedule 40—Inside Diameter Dimensions)".
PS 11-69, "Polyethylene (PE) Plastic Pipe (SDR)".
PS 12-69, "Polyethylene (PE) Plastic Pipe (Schedules 40 and 80—Outside Diameter Dimensions)".
PS 18-69, "Acrylonitrile-Butadiene-Styrene (ABS) Plastic Pipe (Schedules 40 and 80)".
PS 19-69, "Acrylonitrile-Butadiene-Styrene (ABS) Plastic Pipe (Standard Dimension Ratio)".
PS 21-70, "Poly(Vinyl Chloride) (PV) Plastic Pipe (Schedules 40, 80, and 120)".
PS 22-70, "Poly(Vinyl Chloride) (PVC) Plastic Pipe (Standard Dimension Ratio)".

This action is taken in furtherance of the Department's announced intentions as set forth in the public notice appearing in the FEDERAL REGISTER of April 18, 1974 (39 FR 13908), to withdraw these standards.

The effective date for the withdrawal of these standards will be Sept. 9, 1974. This withdrawal action terminates the authority to refer to these standards as voluntary standards developed under the Department of Commerce procedures.

ERNEST AMBLER,
Acting Director.

JULY 3, 1974.

[FR Doc.74-15609 Filed 7-8-74;8:45 am]

Office of the Secretary

ECONOMIC ADVISORY BOARD

Meeting

A meeting of the Department of Commerce Economic Advisory Board will be held on Tuesday, July 23, 1974 from 10:00 a.m. to 3:00 p.m. in room 4832, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C.

The purpose of the Board is to advise the Secretary of Commerce on economic policy matters. The intended agenda for this meeting is as follows:

ECONOMIC OUTLOOK FOR EARLY 1975

Areas of strength.
Problem areas.
Policy recommendations.
Financial Markets.

A limited number of seats will be available to the public and the press. Public participation will be limited to requests for clarification of items under discussion; additional statements or inquiries may be submitted to the chairman before or after the meeting. Persons desiring to attend the meeting should advise Miss Ruby Gore, telephone 202-967-3727, by July 19, 1974.

For further information, inquiries may be directed to Mr. Basil R. Littin, Special Assistant to the Secretary for Public Affairs, room 5419, Department of Commerce, Washington, D.C. 20230, telephone 202-967-3263.

SIDNEY L. JONES,
Assistant Secretary for Economic Affairs.

JULY 1, 1974.

[FR Doc.74-15587 Filed 7-8-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

PANEL ON REVIEW OF COLD, COUGH, ALLERGY, BRONCHODILATOR, AND ANTIASTHMATIC DRUGS

Cancellation of Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub.

L. 92–463, 86 Stat. 770–776; 5 U.S.C. App.), the Food and Drug Administration announced in the notice published in the FEDERAL REGISTER of June 20, 1974 (39 FR 22178), public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act.

Notice is given that the meeting of the Panel on Review of Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drugs scheduled for August 1 and 2, 1974 is cancelled.

Dated: July 2, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74–15604 Filed 7–8–74;8:45 am]

Federal Council on the Aging

COMMITTEE ON SENIOR SERVICES

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging and the Congress on matters relating to the special needs of Older Americans.

The Committee on Senior Services of the Council will meet on July 29, 9:30 a.m. to 5 p.m. and July 30, 9 a.m. to 3 p.m. in the offices of the Federal Council on the Aging, Room 4022, Donohoe Building, 400 6th Street, SW., Washington, D.C. The agenda will consist of the following items: Develop procedures for carrying-out studies of interrelationships of benefit programs for the elderly and the effects of the allotment formulae in Title III of the Older Americans Act, delineate Committee functions within broad mission assigned by Council, and identify and develop recommendations about national policy issues within Committee's jurisdiction. Meeting open to public observation.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

JULY 2, 1974.

[FR Doc.74–15614 Filed 7–8–74;8:45 am]

COMMITTEE ON ECONOMICS OF AGING

Meeting

The Federal Council on the Aging was established by the 1973 amendments to the Older Americans Act of 1965 for the purpose of advising the President, the Secretary of Health, Education, and Welfare, the Commissioner on Aging and the Congress on matters relating to the special needs of older Americans.

The Committee on the Economics of Aging of the Council will meet on July 23, 1 p.m. to 5 p.m. and July 24, 9 a.m. to 3 p.m. in the offices of the Federal Council on the Aging, Room 4022, Donohoe Building, 400 6th Street SW., Washington, D.C. The agenda will consist of the following items: Develop procedures for carrying-out the study of the combined effect of all taxes on the elderly, delineate Committee functions within broad mission assigned by Council, and identify and develop recommendations about national policy issues within Committee's jurisdiction. Meeting open to public observation.

CLEONICE TAVANI,
Executive Director,
Federal Council on the Aging.

JULY 2, 1974.

[FR Doc.74–15615 Filed 7–8–74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 23080–2, Order 74–7–10]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES—PHASE 2

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 2nd day of July, 1974

By Order 74–1–89, the Board established temoprary domestic service mail rates for sack mail and standard and daylight container mail, container minimum chargeable weights, and pickup and delivery charges to be effective from March 28, 1973, until the conclusion of the investigation in this docket.

Eastern Air Lines, Inc. (Eastern), has filed a petition requesting the Board to amend the foregoing order so as to establish a minimum chargeable weight and pickup and delivery charges for the LD–10 container.[1] In support of this request, the carrier states that it intends to eventually employ the LD–10 in domestic mail operations and wishes to insure that services conducted with the new container type are compensated at the temporary rates established in Order 74–1–89. Alleging comparability in both size and cubic capacity, Eastern further requests that the LD–10 container be assigned the same minimum chargeable weight and pickup and delivery charges presently applicable to the LD–11 type container.

Consistent with our policy of providing temporary rates, minimum chargeable weights, and pickup and delivery charges for each container involved in domestic mail operations, we are proposing to modify our temporary rate order to incorporate the LD–10 container type. We cannot, however, accept Eastern's contention that the LD–10 and LD–11 so closely resemble each other as to warrant a common minimum chargeable weight. The LD–10 container is much smaller in terms of overall carrying capacity and should therefore reflect a correspondingly lower minimum chargeable weight. Based on available cubic capacity, a minimum chargeable weight of 3150 pounds appears more reasonable for the LD–10 container than the 3350-pound weight applicable to the LD–11, and it is so proposed. On the other hand, we propose to prescribe the same pickup and delivery charges for both container types.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the regulations promulgated in 14 CFR Part 302,

It is ordered, That: 1. All interested persons, and particularly Airlift International, Inc., Alaska Airlines, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line, Inc., Frontier Airlines, Inc., Hughes Air Corp., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Seaboard World Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing findings and conclusions and fix the temporary rates and charges specified herein pending the fixing of final rates and charges in this investigation by amending subparagraphs (e) and (g) of Ordering Paragraph 3 of Order 74–1–89, January 16, 1974, as follows:

(a) In subparagraph (e), insert "LD–10" and "3150" in the columns headed "Container Type" and "Minimum Charge Weight" after the terms "LD–11" and "3350," respectively;

(b) In subparagraph (g), change "LD–11" to "LD–10 and LD–11" wherever it appears.

2. Further procedures herein shall be in accordance with the Rules of Practice, 14 CFR Part 302, and, if there is any objection to the findings and conclusions proposed herein, notice thereof shall be filed within 8 days, and, if notice is filed, written answer and supporting documents shall be filed within 15 days, after date of service of this order.

3. If notice of objection is not filed within 8 days, or if notice is filed and answer is not filed within 15 days, after service of this order, or if an answer timely filed raises no material issue of fact, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing the temporary rates and charges herein specified.

4. This order shall be served upon the parties listed in paragraph 1 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–15616 Filed 7–8–74;8:45 am]

[1] No answers to the petition have been filed.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN HAITI

Entry or Withdrawal From Warehouse for Consumption

JULY 3, 1974.

On October 4, 1973, there was published in the FEDERAL REGISTER (38 FR 27545) a letter dated September 28, 1973 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in Haiti and exported to the United States during the twelve-month period which began on October 1, 1973. As set forth in that letter, the levels of restraint are subject to adjustment pursuant to paragraph 13 of the Bilateral Cotton Textile Agreement of November 3, 1971, as amended, between the Governments of the United States and Haiti which provides for administrative arrangements.

Accordingly, there is published below a letter of July 3, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs increasing the level of restraint applicable to cotton textile products in Categories 1 through 64, produced or manufactured in Haiti and exported to the United States during the twelve-month period which began on October 1, 1973, to 5,705,438 square yards equivalent.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20229.

DEAR MR. COMMISSIONER: This directive cancels and supersedes the directives issued to you on September 28, 1973, December 5, 1973 and May 31, 1974 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton textiles and cotton textile products produced or manufactured in Haiti.

Pursuant to paragraph 13 of the Bilateral Cotton Textile Agreement of November 3, 1971 between the Governments of the United States and Haiti, and in accordance with procedures of Executive Order 11651 of March 3, 1972, you are directed, effective as soon as possible and for the period extending through September 30, 1974, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, in excess of 5,705,438 square yards equivalent.[1]

Cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Haiti, and which have been exported to the United States prior to October 1, 1973 shall not be subject to this directive.

A detailed description of the categories in terms of T.S.U.S.A. numbers and factors for converting category units into equivalent square yards was published in the FEDERAL REGISTER on January 25, 1974 (39 FR 3430).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Haiti and with respect to imports of cotton textiles and cotton textile products exported from Haiti have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.74-15610 Filed 7-8-74;8:45 am]

[1] This level has not been adjusted to reflect any entries made on or after October 1, 1973.

ENVIRONMENTAL PROTECTION AGENCY

[OPP-32000/79]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

By September 9, 1974, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after this 60 day period.

APPLICATIONS RECEIVED

EPA File Symbol 4828-RNL. ABCO Inc., 230 Industry Blvd., N. Huntingdon PA 15642. *Scan-X Disinfectant, Deodorizer, Air Refresher.* Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.1%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 0.1%; Isopropanol 53%; Essential Oils 0.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 4876-LG. AG Supply Co., Industrial Drive, Hopkinsville KY 42240. *Diazinon AG500 Tobacco Insecticide.* Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 48%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 241-94. American Cyanamid Co., Agricultural Div., PO Box 400, Princeton NJ 08540. *Cygon 267 Systemic Insecticide* (Use on Field Corn). Active Ingredients: Dimethoate 30.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043-O. American Oil & Supply Co., 238 Wilson Ave., Newark, NJ 07105. *PQ Industrial Fogging Spray Insecticide.* Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 5.0%; Petroleum Distillate 94.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043-I. American Oil & Supply Co. *PQ Roach & Ant Spray.* Active Ingridients: O,O-Diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.261%; Petroleum Distillate 68.608%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043-RL. American Oil & Supply Co. *PQ General Purpose Industrial Spray Insecticide.* Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, Technical 1.0%; Petroleum Distillate 98.9%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043-RG. American Oil & Supply Co. *PQ Residual Spray Liquid Insecticide.* Active Ingredients: O,O-Diethyl O - (2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothiate 0.500%, Pyrethrins 0.52%, Piperonyl Butoxide, Technical 0.261%; Petroleum Distillate 98.608%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043-RU. American Oil & Supply Co. *PQ Kitchen and Compactor In-*

secticide. Active Ingredients: Pyrethrins 0.12%; Piperonyl Butoxide, Technical 1.20%; Petroleum Distillate 0.48%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043–RE. American Oil & Supply Co. *PQ Mosquito Fogging Spray*. Active Ingredients: Pyrethrins 0.25%; Piperonyl Butoxide, Technical 2.00%; Petroleum Distillate 97.75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043–RR. American Oil & Supply Co. *PQ General Purpose Insecticide*. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, Technical 1.0%; Petroleum Distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7043–RN. American Oil & Supply Co. *PQ Multi-Use Insecticide*. Active Ingredients: Pyrethrins 0.3%; Piperonyl Butoxide, Technical 2.4%; Petroleum Distillate 1.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1760–EA. Ampion Corp., 4–88 47th Ave., Long Island City, NY 11104. *Ampicide 8 Algaecide, Fungicide, Bactericide*. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 14775–RO. Asgrow Florida Co., PO Drawer D, Plant City FL 33566. *Asgrow MB 98–2 Penetrating Fumigant*. Active Ingredients: Methyl Bromide 98%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14775–EE. Asgrow Florida Co. *Asgrow Thirethrin 2 45045*. Active Ingredients: Endosulfan 22.50%; Piperonyl butoxide 5.00%; Pyrethrin 0.50%; Xylene 61.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14775–RI. Asgrow Florida Co. *Asgrow Diazinon AG 500 Insecticide*. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 48%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14775–EN. Asgrow Florida Co. *Asgrow MBC 2–1 Soil Fumigant*. Active Ingredients: Methyl Bromide 67%; Chloropicrin 33%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 12473–U. Carbon Solvents Laboratories, Inc., N. Michigan Ave., Kenilworth NJ 07033. *Carbicide N*. Active Ingredients: Disodium cyanodithioimidocarbonate 6.35%; Ethylenediamine 2.40%; Potassium N-methyldithiocarbamate 8.75%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 419–RIE. Cenol Co., PO Box 177, Libertyville IL 60048. *Bug-No-Mor Emulsifiable Concentrate Insecticide*. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 3.000%; Related compounds 0.409%; Aromatic petroleum hydrocarbons 91.471%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125–252. Chemagro, PO Box 4913, Kansas City MO 64120. *Dasanit + Di-Syston 7½%–7½% Granular Insecticide-Nematicide* (Use on Peanuts, Corn). Active Ingredients: O,O-Diethyl S-[2-(ethylthio) ethyl phosphorodithioate]7.5%; O,O-Diethyl O-[p-(methylsulfinyl)phenyl] phosphorothioate 7.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11327–RG. Chemco Industries, Inc., 7501 Adamo Dr., PO Box 2635, Tampa FL 33601. *Polyquat 110*. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11327–RU. Chemco Industries, Inc. *Polyquat 220*. Active Ingredients: Disodium cyanodithioimidocarbonate 4.23%; Ethylenediamine 1.60%; Potassium N-methyldithiocarbamate 5.83%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11327–RL. Chemco Industries Inc. *Polyquat 330*. Active Ingredients: Disodium cyanodithioimidocarbonate 6.35%; Ethylenediamine 2.40%; Potassium N-methyldithiocarbamate 8.75%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 704–GU. Chemical Systems, Inc., 1735 W. Fullerton Ave., Chicago IL 60614. *Chemical Systems IS–77 Insecticide*. Active Ingredients: Pyrethrins 0.05%; Piperonyl Butoxide, Technical 0.26%; O,O-diethyl O-(2-isopropyl)-6-methyl-4-pyrimidinyl) phosphorothioate 0.50%; Petroleum Distillates 99.12%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9143–LG. Chemscope Corp., 1909 Hi-Line Dr., PO Box 10752, Dallas TX 75207. *Chemscope Food Plant Insecticide*. Active Ingredients: Pyrethrins 0.100%; Piperonyl butoxide, technical 0.200%; N-octyl bicycloheptene dicarboximide 0.333%; Petroleum distillate 99.367%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 239–2373. Chevron Chemical Co., 940 Hensley St., Richmond CA 94804. *Ortho Bug-Geta Snail & Slug Pellets*. Active Ingredients: Metaldehyde 3.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 239–EUEA. Chevron Chemical Co., Ortho Div., 940 Hensley St., Richmond CA 94804. *Ortho Pest-B-Gon Insect Bait*. Active Ingredients: 2-(1-Methylethoxy)phenyl methylcarbamate 2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11694–UG. Construction Chemical Specialties, 5747 Kessler, Shawnee Mission KS 66203. *Bromenol 5 Weed Killer With Nodrift*. Active Ingredients: Petroleum oil 94.94%; 2,4-Dichlorophenoxyacetic acid isooctyl ester 1.09%; Bromacil (5-bromo-3-sec-butyl-6-methyluracil) 0.98%; Pentachlorophenol 0.80%; Other chlorophenols 0.09%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7273–RUE. Crown Chemicals, 4995 N. Main St., Rockford IL 61101. *Crown Throw-Pax Pelleted Rat Bait Kills Rats & Mice*. Active Ingredients: Warfarin 3 - (Alpha-Acetonylbenzyl) -4-Hydroxycoumarin 0.025%; N'-(2-Quinoxalinyl) Sulfanilamide (Sufaquinoxaline) 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 677–GEL. Diamond Shamrock Corp., Agricultural Chemicals Div., 1100 Superior Ave., Cleveland OH 44114. *Diamond Shamrock Brush Killer BP LO-VOL 4T*. Active Ingredients: 2,4,5-Trichlorophenoxyacetic Acid, Butoxy Propyl Esters 68.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 677–GEU. Diamond Shamrock Corp., Agricultural Chemicals Div., 1100 Superior Ave., Cleveland OH 44114. *Diamond Shamrock Brush Killer BP LO-VOL 2D/2T*. Active Ingredients: 2,4-Dichlorophenoxyacetic Acid, Butoxy Propyl Esters 36.3%; 2,4,5-Trichlorophenoxyacetic Acid, Butoxy Propyl Esters 34.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1544–AR. Frank J. Curran Co., 8101 S. Lamont Rd., Downers Grove IL 60515. *Curran Zorex*. Active Ingredients: Paradichlorobenzene 99.75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10810–G. Dacar Chemical Co., Inc., 1007 McCartney St., Pittsburgh PA 15220. *Dacarcide K–15*. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 16–RNI. Dragon Chemical Corp., 7033 Walrond Dr., NE, Roanoke VA 24019. *Dragon New Tomato and Vegetable Dust*. Active Ingredients: Carbaryl (1-naphthyl N-methylcarbamate) 5%; Maneb (Manganous ethylene bisdithiocarbamate) 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 16–RNO. Dragon Chemical Corp., 7033 Walrond Dr., NE, Roanoke VA 24019. *Dragon Tomato Dust Contains: 5% Maneb*. Active Ingredients: Maneb (Manganous ethylene bisdithiocarbamate) 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3770–GRG. Economy Products Co. Inc., W. 8th Ave., Shenandoah IA 51601. *Rose and Flora Dust*. Active Ingredients: Folpet [N-(trichloromethylthio) phthalimide] 7.50%; Malathion (O,O-Dimethyl dithiophosphate of diethyl mercaptosuccinate) 4.50%; A coordination product of zinc ion and manganese ethylene bisdithiocarbamate 3.25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3770–GRE. Economy Products Co. Inc. *40% Toxaphene Dust*. Active Ingredients: Toxaphene (technical chlorinated camphene containing 67% to 69% chlorine) 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3770–GRU. Economy Products Co. Inc. *20% Toxaphene Dust Base*. Active Ingredients: Toxaphene (technical chlorinated camphene containing 67% to 69% chlorine) 20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 13442–G. Environment Engineering, Inc., 1310 Headquarters Dr., Greensboro NC 27405. *ALGAE–MO*. Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene(dimethyliminio) ethylene dichloride] 5.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 13442–L. Environment Engineering, Inc. *M–23 Industrial Biocide*. Active Ingredients: Poly[oxyethylene(dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 5.0%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 13442–U. Environment Engineering, Inc. *ENCOR M–24*. Active Ingredients: Disodium cyanodithioimidocarbonate 3.18%; Ethylenediamine 1.20%; Potassium N-methyldithiocarbamate 4.37%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 279–EOTI. FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. *Dipes 2.5 Parathion 2 Dust*. Active Ingredients: Parathion; O,O-Diethyl O-p-nitrophenyl phosphorothiate 2.00%; Bacillus thuringiensis, Berliner 0.08%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 279–EOTO. FMC Corp. *Dipel 1.5 Perthane 4 Sevin 5 Dust.* Active Ingredients: Carbaryl 1-naphthyl N-methylcarbamate 5.000%; Diethyl diphenyl dichloroethane 3.520%; Related reaction products 0.480%; Bacillus turingiensis, Berliner 0.048%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 279–EOIN. FMC Corp. *Lindane 1.0 E.C.* Active Ingredients: Lindane (Gamma Isomer of Benzene Hexachloride) 13.20%; Petroleum Distillate 70.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 279–EOIR. FMC Corp. *Delnav 3 Ethion 3.75 E.C.* Active Ingredients: Dioxathion; 2,3-dioxanedithiol-S,S-bis (O,O-diethyl phosphorodithioate) 31.50%; Ethion; O,O,O',O'-Tetraethyl S,S'-methylene bisphosphorodithioate 39.20%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764–EO. FMC Corp., Citrus Machinery Div., PO Box 552, Riverside CA 92502. *"Fungicide Conc. 7".* Active Ingredients: o-Phenylphenol 12.2%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8764–GN. FMC Corp., Citrus Machinery Div., PO Box 552, Riverside CA 92502. *Sta-Fresh 408 Fungicidal Fruit Coating.* Active Ingredients: 2-(4-Thiazolyl benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11743–3. Guardian-Ipco, Inc., PO Box 54, 1315 2nd Ave. North, Brimingham AL 35201. *Vulcan #88 Algaecide.* Active Ingredients: Poly[oxyethylene(dimethylamino) ethylene (dimethyliminio) ethylene dichloride] 7.39%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 407–GTG. Imperial Inc., PO Box 423, Shenandoah IA 51601. *Imperial Ronnel Granules.* Active Ingredients: Ronnel (O,O-Dimethyl O(2,4,5-trichlorophenyl) phosphorothioate) 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 407–GTL. Imperial Inc., PO Box 423, Shenandoah IA 51601. *Imperial 3% Ciodrin Insecticide Cattle Dust Bag.* Active Ingredients: Dimethyl phosphate of Alpha-Methyl-benzyl 3-hydroxy-cis-crotonate 3.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10079–G. Jersey Chemicals Inc., National Swimming Pool Products Inc., 775 River St., Paterson NJ 07524. Active Ingredients: *Nat-Chlor New Fire Resistant Concentrated Pool Chlorine.* Active Ingredients: Sodium dichloro-s-triazinetrione dihydrate 100%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1148–GB. Leffingwell Chemical Co., 111 S. Berry St., Brea CA 92621. *Rotol Aphis Spray.* Active Ingredients: Rotenone 2.50%; Other Cube extractives 3.50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1148–GR. Leffingwell Chemical Co., 111 S. Berry St., Brea, CA 92621. *ToX-R.* Active Ingredients: Rotenone 4.0%; Other Chloroform Extractives 7.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 337–AR. Lester Laboratories, Inc., 2370 Lawrence St., Atlanta GA 30344. *Biocide 35.* Active Ingredients: Disodium cyanodithioimidocarbonate 12.7%; Ethylenediamine 4.8%; Potassium N-methyldithiocarbamate 17.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 337–AN. Lester Laboratories, Inc., 2370 Lawrence St., Atlanta GA 30344. *Biocide 18.* Active Ingredients: Disodium cyanodithioimidocarbonate 6.35%; Ethylenediamine 2.40%; Potassium N-methyldithiocarbamate 8.75%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 9554–EO. Levenson Chemical Co., 1407 Harney Omaha NE 68102. *Okay Chlordane 45.* Active Ingredients: Technical Chlordane 45.3%; Petroleum Distillate 49.7%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10659–UT. Occidental Chemical Co., PO Box 1185, Houston, TX 77001. *Oxy Des Chlorate Grain Sorghum Desiccant.* Active Ingredients: Sodium Chlorate 28%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 18035–T. Private Label Chemicals, Inc., 2280 Terminal Rd., St. Paul MN 55113. *Mark Five.* Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.5%; n-Alkyl (68% C12, 21% C14) dimethyl ethylbenzyl ammonium chlorides 2.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 10290–RO. Professional Chemical Co., Inc., 4517 Yale, Houston TX 77018. *2½% Heptachlor Granules Death On Fire Ants.* Active Ingredients: Heptachlor 2.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 572–EIO. Rockland Chemical Co., Inc., PO Box 204, Caldwell, NJ 07006. *Rockland "IN-SEC'TO 4E" Vapona Spray.* Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 40.2%; Related Compounds 3.0%; Heavy Aromatic Naphtha 45.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2155–IE. I. Schneid, Inc., 1429 Fairmont Ave., NW, Atlanta, GA 30318. *RITE-HITE.* Active Ingredients: Diethanolamine salt of 6-hydroxy-3-(2H)-pyridazinone 58.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 201–343. Shell Chemical Co., Agricultural Chemicals Div., 1700 K St., NW, Suite 1103, Washington DC 20006. *Azodrin 3.2 Insecticide Solution.* Active Ingredients: Dimethyl phosphate of 3-hydroxy-N-methyl-cis-crotonamide 39.1%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 201–342. Shell Chemical Co., Agricultural Chemicals Div., 1700 K St., NW, Suite 1103, Washington DC 20006. *Azodrin 5 Insecticide Solution.* Active Ingredients: Dimethyl phosphate of 3-hydroxy - N - methyl-cis-crotonamide 55%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 201–GTE. Shell Chemical Co., 1025 Conn. Ave., NW—Suite 200, Washington DC 20036. *Shell House & Garden Insecticide.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.150%; Related compounds 0.012%; Aromatic petroleum hydrocarbons 0.272%; Petroleum distillates 6.5%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 201–GTN. Shell Chemical Co. *Ravap Insecticide O.S. Manufacturing Concentrate.* Active Ingredients: 2-chloro-1 - (2,4,5-trichlorophenyl) vinyl dimethyl phosphate 39.5%; 2,2-dichlorovinyl dimethyl phosphate 9.5%; Related Compounds 0.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 201–GTR. Shell Chemical Co. *Shell Outdoor Fogger.* Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl - 3-(2-methylpropenyl) cyclopropanecarboxylate 0.25%; Related compounds 0.034%; 2-Hydroxyethyl n-octyl sulfide 0.95%; Related compounds 0.05%; Aromatic petroleum solvent 0.332%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6720–EEA. Southern Mill Creek Products Inc., PO Box 1096, Tampa FL 33601. *SMCP 53% Neutral Copper.* Active Ingredients: Copper (as derived from Tribasic copper sulfate) 53%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1685–TO. The State Chemical Mfg. Co., 3100 Hamilton Ave., Cleveland OH 44114. *Formula 261A DM Concentrate.* Active Ingredients: Technical Chlordane 4.50%; Malathion 2.25%; Kerosene 38.55%; Aromatic Solvent 48.80%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 13344–R. Target Stores, Inc., 777 Nicollet Mall, Minneapolis MN 55432. *Weed and Feed.* Active Ingredients: Dimethylamine salts of 2,4-D (2,4-Dichlorophenoxyacetic) acid 0.72%; Dimethylamine salt of MCPP 2 (2-methyl-4-chlorophenoxy) propionic acid 0.86%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 400–RNU. Uniroyal Chemical, Div. of Uniroyal, Inc., Naugatuck CT 06770. *Comite Agricultural Miticide (West of the Rocky Mountains and East of the Rocky Mountains).* Active Ingredients: 2-(p-tert-butylphenoxy) cyclohexyl 2-propynyl sulfite 75.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7101–T. Walton-March Inc., PO Box 340, Highland Park IL 60035. *Surfacide Bulk.* Active Ingredients: Sodium Carbonate 51.23%; Sodium metasilicate 12.00%; n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 6.5%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy.

Republished Items

The following item represents a correction and/or change in the list of Applications Received previously published in the Federal Register of June 17, 1974 (39 FR 21008).

EPA File Symbol 19760–I. Cardinal Chemical Co., 257 Dutchess Turnpike, Poughkeepsie NY 12603. *Cardinal P–D Roach & Ant Liquid Spray.* Active Ingredients: Piperonyl Butoxide, Technical 0.260% rather than 0.250% as cited.

The following applications were incorrectly listed in the Federal Register of June 17, 1974 (39 FR 21008).

EPA File Symbol 2829–RNA. Ventron Corp., Chemicals Div., Congress Street, Beverly MA 01915. *Durotex-7665 Controls Mold and Mildew Organisms and Rot and Decay Organisms in Textiles.* Active Ingredients: Fatty acid esters of pentachlorophenol (C6–C20) 40% Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2829–RNI. Ventron Corp. *Durotex-7665P Controls Mold and Mildew Organisms and Rot and Decay Organisms in Textiles.* Active Ingredients: Fatty acid esters of pentachlorophenol

(C6–C20) 38%. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 2829–RNT. Ventron Corp. *Durotex-7674 Controls Mold and Mildew Organisms and Rot and Decay Organisms.* Active Ingredients: Fatty acid esters of pentachlorophenol (C6–C20) 4.0%. Method of Support: Application proceeds under 2(b) of interim policy.

The following item was deleted from the list of Applications Received published in the FEDERAL REGISTER on June 24, 1974 (39 FR 22451).

EPA File Symbol 10163–AU. Jessen & Co., Inc., The Dune Co., PO Box 458, Calipatria CA 92233. *Prokil Methomyl Cryolite 2–50 Dust.* Active Ingredients: Methomyl (S-methyl-N-[(methylcarbamoyl) oxy]Trioacetimidate) 1.8%; Sodium Fluoaluminate 46.0%. Method of Support: Application proceeds under 2(c) of interim policy.

The above address is also the same for EPA File Symbols 10163–AL and 10163–AG published in the list of Applications Received of that day.

The following item represents a correction and/or change in the list of Applications Received published in the FEDERAL REGISTER on June 24, 1974 (39 FR 22451).

EPA File Symbol 523–IG. Roberts Laboratories, 4995 N. Main St., Rockford, IL 61101. *Roach & Ant Insecticide Manufacturing Concentrate.* Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 43.50% rather than 34.50% as cited.

Dated: June 28, 1974.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.74–15538 Filed 7–8–74;8:45 am]

UNIROYAL CHEMICAL

Filing of Petition Regarding Pesticide Chemical

Correction

In FR Doc. 74–13738, appearing on page 20842 in the issue for Friday, June 14, 1974, make the following changes:

1. In the ninth line of the first paragraph, the word now reading "carbon" should be changed to read "carboxin".

2. In the ninth line of the first paragraph, the formula now reading "(5,6-dihydro-2-methyl-1-4-" should be changed to read "(5,6-dihydro-2-methyl-1,4-".

FEDERAL DEPOSIT INSURANCE CORPORATION

JOINT CALL FOR REPORT OF CONDITION

Insured Banks

Pursuant to the provisions of section 7(a)(3) of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817(a)(3)), each insured bank is required to make a Report of Condition as of the close of business June 30, 1974, to the appropriate agency designated herein, within ten days after notice that such report shall be made: *Provided,* That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original Report of Condition on Office of the Comptroller Form CC–8022–05—Call No. 490,[1] and shall send the same to the Comptroller of the Currency and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of Columbia, shall make its original Report of Condition on Federal Reserve Form 105—Call No. 212[1] and shall send the same to the Federal Reserve Bank of the District wherein the bank is located and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original Report of Condition and one copy thereof on FDIC Form 64—Call No. 108[1] and shall send the same to the Federal Deposit Insurance Corporation.

The original Report of Condition required to be furnished hereunder to the Comptroller of the Currency and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for Preparation of Consolidated Reports of Condition by National Banking Associations," dated November 1972.[1] The original Report of Condition required to be furnished hereunder to the Federal Reserve Bank of the District wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Reports of Condition by State Member Banks of the Federal Reserve System," dated January 1973, and any amendments thereto.[1] The original Report of Condition and the copy thereof required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 by Insured State Banks Not Members of the Federal Reserve System," dated December 1970, and any amendments thereto.[1]

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original Report of Condition and one copy thereof on FDIC Form 64 (Savings),[1] prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income on Form 73 (Savings) by Insured Mutual Savings Banks," dated December 1971, and any amendment thereto,[1] and shall send the same to the Federal Deposit Insurance Corporation.

FRANK WILLE,
Chairman, Federal Deposit Insurance Corporation.
JAMES E. SMITH,
Comptroller of the Currency.
JEFFREY M. BUCHER,
Member, Board of Governors of the Federal Reserve System.

[FR Doc.74–15541 Filed 7–8–74;8:45 am]

[1] Filed as part of original document.

FEDERAL ENERGY ADMINISTRATION

PROJECT INDEPENDENCE ADVISORY COMMITTEE

Charter

A. *Establishment.* The Administrator, Federal Energy Administration, having determined after consultation with the Director, Office of Management and Budget, that it is in the public interest in connection with the performance of duties imposed on the Federal Energy Administration by Pub. L. 93–275, dated May 7, 1974, which delegated to the Administrator, Federal Energy Administration, authority vested in the President by the Emergency Petroleum Allocation Act of 1973 (Public Law 93–159), and Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), as amended, hereby establishes the Project Independence Advisory Committee pursuant to the Federal Advisory Committee Act (Pub. L. 92–463).

B. *Duties, functions, and administrative Provisions.*

1. *Objectives and Scopes*—The objective of the Project Independence Advisory Committee is to provide independent advice and review to the Federal Energy Administration (FEA) with respect to the strategies, goals, and analysis of Project Independence.

2. *Committee Tenure*—In view of the goals and purposes of the Committee, it will be expected to continue for two years or 30 days following the submission of the Project Independence Report, whichever comes first.

3. *Official to Whom Committee Reports*—The Committee will report to the Administrator, Federal Energy Administration.

4. *Support Services*—Necessary support for the Committee will be furnished by the Federal Energy Administration.

5. *Committee Duties*—The duties of the Committee are solely advisory and are to provide the Federal Energy Administration with direct and timely access to the Committee members' expertise relating to various segments of the economy.

6. *Estimated Annual Cost*—The estimated annual operating costs for the Committee are $30,000.00 and approximately one-half man years of staff support.

7. *Meetings*—The Committee will meet approximately bi-monthly during its tenure.

8. *Termination Date*—The Committee will terminate two years from date of this Charter or 30 days after the submission of the President's report on Project Independence, whichever comes first, unless prior to those dates renewal action is taken by the Administrator, FEA.

Dated: July 3, 1974.

JOHN C. SAWHILL,
Administrator.

[FR Doc.74-15618 Filed 7-8-74;8:45 am]

PROJECT INDEPENDENCE ADVISORY COMMITTEE

Notice of Establishment

This notice is published in accordance with the provisions of section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). Following consultation with the Office of Management and Budget, notice is hereby given that it is in the pubilc interest, in connection with the performance of the duties delegated to the Federal Energy Administration by Pub. L. 93-275 to establish the Project Independence Advisory Committee.

A description of the nature and purpose of this Committee is contained in its Charter which is published below.

Because of the short time in which we must prepare the Project Independence Report, the complexity of the tasks to be performed by the group, the re-establishment of the Project Independence Advisory Committee formally chartered under the Federal Energy Office, the prescheduled meeting under FEO with timely notice, and the transfer from FEO to FEA effective June 27, 1974, the Office of Management and Budget has authorized filing of the Charter in conjunction with publication of this notice.

Dated: July 3, 1974.

JOHN C. SAWHILL,
Administrator.

[FR Doc.74-15589 Filed 7-8-74;8:45 am]

PROJECT INDEPENDENCE ADVISORY COMMITTEE

Change in Meeting Time

This notice is given to advise of a change in time of the meeting for the Project Independence Advisory Committee. The Committee will meet at 12th & Pennsylvania Avenue, NW., Washington, D.C., Room 3000A, Wednesday, July 10, 1974, at 11 a.m. rather than at 9 a.m. as was previously announced.

ROBERT E. MONTGOMERY, Jr.,
Acting General Counsel.

[FR Doc.74-15726 Filed 7-8-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-8828]

ARIZONA PUBLIC SERVICE COMPANY

Notice of Amendment to Interconnection Agreement

JULY 1, 1974.

Take notice that on June 3, 1974, Arizona Public Service Company (APS) tendered for filing an amendment to an interconnection agreement (designated APS-FPC Rate Schedule No. 23) with Public Service Company of New Mexico which would render certain resale restrictions null and void.

APS requests waiver of the formal filing requirements under § 35.13 of the Commission's regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15565 Filed 7-8-74;8:45 am]

[Dockets Nos. CI74-199; CI74-209; CI74-277]

BARBER OIL EXPLORATION, INC. ET AL.

Notice of Extension of Time

JUNE 28, 1974.

In the matter of Barber Oil Exploration, Inc., Florida Gas Exploration Co., and Mapco, Inc.

On June 21, 1974, Florida Gas Exploration Company filed a motion for an extension of time for the submission of evidence as required by the order issued June 17, 1974, in the above-designated matter. The motion states that the other applicants and Florida Gas Transmission Company concur in the motion. American Public Gas Association and Staff Counsel do not oppose the motion.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of evidence by applicants, and supporting intervenors, July 9, 1974.
Service of evidence by applicants and supopposing intervenors, July 16, 1974.
Service of Rebuttal evidence, July 23, 1974.
Hearing (unchanged), July 29, 1974 (10:00 a.m.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15572 Filed 7-8-74;8:45 am]

[Docket No. ID-1736]

CHARLES E. BRACKETT

Notice of Initial Application

JULY 1, 1974.

Take notice that on June 21, 1974, Charles E. Brackett (Applicant) filed an initial application with the Federal Power Commission, pursuant to section 305 (b) of the Federal Power Act to hold the following positions:

Vice President and General Manager, Southern Electric Generating Company, Public Utility.
Vice President, Alabama Power Company, Public Utility.

Alabama Power Company ("ALABAMA") is engaged in the generation and purchase of electric energy and distribution and sale of such energy at retail in 639 communities as well as in rural areas, and at wholesale to 15 municipalities, 11 rural distributing cooperative associations and one generating and transmitting cooperative.

Southern Electric Generating Company ("SEGCO") is engaged in the generation and transmission of electric energy within the State of Alabama and the sale of such energy under a long-term contract to ALABAMA and Georgia Power Company, each of which owns 50 percent of its common stock.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 25, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with 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 deteren but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participuate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15569 Filed 7-8-74;8:45 am]

[Docket No. CP74-324]

CITIES SERVICE GAS CO.

Notice of Application

JUNE 28, 1974.

Take notice that on June 17, 1974, Cities Service Gas Company (Applicant), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP74-324 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and for permission and approval to abandon certain facilities and service on its trans-

mission system, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon the following facilities and construct replacement facilities as described below:

(1) Abandon in place approximately 3.70 miles of 5-inch gas pipeline and construct approximately 3.70 miles of 2-inch gas pipeline in the DeMalorie 5-inch pipeline, Greenwood County, Kansas;

(2) Abandon in place approximately 0.23 mile of 6-inch gas pipeline and replace by constructing 0.23 mile of 2-inch gas pipeline in the Santa Shops 6-inch pipeline, Neosho County, Kansas;

(3) Abandon in place approximately 0.03 mile of 4-inch and 4.66 miles of 6-inch, abandon by reclaim approximately 0.56 mile of 3-inch and 0.54 mile of 6-inch gas pipeline and construct approximately 5.79 miles of 3-inch gas pipeline in the South Mound pipeline, Neosho and Labette Counties, Kansas;

(4) Abandon in place approximately 0.45 mile of 4-inch and 6-inch gas pipeline and construct approximately 0.45 mile of 3-inch gas pipeline in the Carl Junction 4 and 6-inch pipeline, Jasper County, Missouri;

(5) Abandon by reclaim ten 170 horsepower compressor units at Cities' Pierce City Compressor Station in Lawrence County, Missouri;

(6) Abandon by reclaim 1.62 miles of 3-inch gas pipeline and replace by constructing 1.62 miles of 2-inch gas pipeline in the Nelagoney 3-inch pipeline, Osage County, Oklahoma;

(7) Abandon by reclaim approximately 0.85 mile of 2-inch and 3-inch gas pipeline and replace by constructing 0.85 mile of 2-inch gas pipeline in the Pershing 2 and 3-inch pipeline, Osage County, Oklahoma; and

(8) Abandon by reclaim approximately 7.20 miles of 20-inch gas pipeline and construct approximately 0.40 mile of 3-inch gas pipeline in the Pampa 20-inch pipeline, Sedgwick County, Kansas.

Applicant states that the facilities which it proposes to abandon in place or by reclaim are largely inadequate and obsolete in view of operational requirements and will be replaced where necessary by new facilities needed to efficiently and economically meet changing operating conditions on portions of Cities' pipeline system and to prevent leakage and gas loss.

Applicant seeks authority to discontinue gas deliveries to The Gas Service Company for resale to two domestic consumers served from a section of its Pampa 20-inch pipeline which it proposes to abandon. Service will be terminated sixty days after the date of the Commission order approving the requested abandonment. Applicant proposes to reimburse each of the domestic consumers $500 to cover their costs of converting to LPG.

The total estimated cost of Applicant's proposed facilities is $216,770, which will be paid from treasury cash. The total estimated reclaim cost for the proposed abandonments is $124,400, and the estimated salvage value is $182,030.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 23, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment are 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.74-15557 Filed 7-8-74;8:45 am]

[Docket No. E-8834]

CENTRAL MAINE POWER CO.

Notice of Filing of Agreement

JULY 1, 1974.

Take notice that on June 6, 1974, Central Maine Power Company (Central) tendered for filing an agreement with Montaup Electric Company (Montaup) for sale of capacity and energy beginning May 1, 1974, and ending no later than October 31, 1974.

Central requests waiver of the notice requirements under § 35.11 of the Commission's regulation to permit an effective date of May 1, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15560 Filed 7-8-74;8:45 am]

[Docket No. RP73-65]

COLUMBIA GAS TRANSMISSION CORPORATION

Proposed Changes in FPC Gas Tariff

JUNE 28, 1974.

Take notice that Columbia Gas Transmission Corporation (Columbia) on June 6, 1974, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1. Columbia states that this filing amends its filing of May 9, 1974, while preserving the effective date of June 14, 1974, proposed therein. Columbia states that the proposed changes result from Texas Eastern Transmission Corporation's filing revised tariff sheets in FPC Docket No. RP74-41, to be effective June 14, 1974.

Columbia requests waiver of the notice requirements of § 154.38(d)(v) of the Commission's regulations to permit the same effective date requested in their filing of May 9, 1974.

Copies of the filing were served upon the Company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Union Center Plaza Building, 825 North Capitol Street, NE., 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 and 1.10). All such petitions or protests should be filed on or before July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15573 Filed 7-8-74;8:45 am]

[Project Nos. 2576, 2604, 2632, 2646]

CONNECTICUT LIGHT AND POWER CO.

Notice of Prehearing Conference

JULY 1, 1974.

By order issued June 25, 1974, the Federal Power Commission directed that a prehearing conference before an Administrative Law Judge be held at 10:00 a.m. on July 25, 1974, in a hearing room of the

Commission at 825 North Capitol Street, Washington, D.C., concerning the question of Commission jurisdiction over four constructed hydroelectric projects located on the Housatonic River in the State of Connecticut. The four are Shepaug Project No. 2576, Bulls Bridge Project No. 2604, Rocky River Project No. 2632, and Stevenson Project No. 2646.

Applications for license as to each project were filed by Connecticut Light and Power Company (Applicant). Commission jurisdiction over each was formally questioned by Applicant when it filed on December 27, 1973, four separate applications requesting permission to withdraw the applications for license. Public notice of the applications for license had been given earlier, and public notice of the applications for withdrawal was issued on June 5, 1974.

The prehearing conference on July 25, 1974, has been set to bring the parties together to explore the facts concerning the question of Commission jurisdiction over the four projects. If the parties are able to agree on the facts bearing on jurisdiction, the Presiding Administrative Law Judge will then require briefs and forward the question to the Commission with his initial decision on that question. If there is disagreement on the issues of fact relating to jurisdiction, the Presiding Judge will proceed to fix a hearing on that question without requiring the preparation and circulation of a staff draft environmental impact statement. Upon conclusion of the hearing on the question of jurisdiction, in the event one is held, the Presiding Judge will require briefs and forward the question to the Commission with his initial decision on that question.

In the event that the ultimate decision of the Commission is that it has jurisdiction over the projects, schedules may then be set for hearing on all the other issues raised by the applications. for license.

Staff environmental impact statements, if required, will be prepared and circulated only after the threshold question of jurisdiction is resolved.

Any petitioners to intervene in any of the above-captioned proceedings whose petitions may not have been acted upon by the Commission may participate in the prehearing conference pending formal action by the Commission in regard to their petitions to intervene. Intervenors in any of the above-captioned proceedings may participate in the prehearing conference without filing any further petitions.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15566 Filed 7-8-74;8:45 am]

[Docket No. E-8853]

DUKE POWER CO.

Notice of Filing of Supplement to Rate Schedule

JUNE 27, 1974.

Take notice that on June 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract with the City of Gastonia, North Carolina, said contract being designated Duke Power Company Rate Schedule FPC No. 227.

According to Duke, this filing provides for an increase in contract demand at one delivery point. Duke states that requisite agreement to the filing has in fact been obtained and that the effective date of this contract supplement is July 19, 1974. Duke further states that no new facilities have been installed to provide this new service and that a copy of this filing has been sent to the Mayor of Gastonia, North Carolina.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 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 July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15571 Filed 7-8-74;8:45 am]

[Docket No. CP74-314]

EL PASO NATURAL GAS CO.

Notice Clarifying Procedural Dates

JUNE 28, 1974.

On June 3, 1974, El Paso Natural Gas Company filed a complaint in the above-designated matter, and served the complaint on all parties. On June 18, 1974, a letter was sent to all parties by the Secretary referring to § 1.9 of the Rules of Practice and Procedure (18 CFR 1.9), and stating that answers were to be filed 30 days after the date of service. On June 18, 1974, a "Notice of Complaint, Request for an Order to Show Cause" was issued requiring the filing of petitions to intervene and protests on or before July 19, 1974.

In order to clarify the filing dates, notice is hereby given that petitions to intervene, protests and answers to the complaint, are all to be filed on or before July 19, 1974.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15562 Filed 7-8-74;8:45 am]

[Docket No. RP74-57]

EL PASO NATURAL GAS CO.

Tariff Filing

JUNE 28, 1974.

Take notice that on June 10, 1974, El Paso Natural Gas Company (El Paso) filed, pursuant to Part 154 of the Commission's Regulations under the Natural Gas Act, certain revised substitute and alternate tariff sheets to its FPC Gas Tariff, providing proposed adjustments to its rates contained on the tariff sheets submitted in the notice of change in rates filed at Docket No. RP74-57 on January 10, 1974, and currently under suspension until July 10, 1974.

El Paso states that the rates set forth on the tendered tariff sheets differ from the rates which were suspended in Docket No. RP74-57 in that: (i) The suspended rates have been adjusted to include the net increase in rates of 2.71¢ per Mcf authorized in El Paso's notice of change in rates filed February 14, 1974, at Docket Nos. RP72-155 and RP73-104, pursuant to the purchased gas cost adjustment provisions (PGAC) applicable to El Paso's said tariff and placed into effect on April 2, 1974; (ii) the suspended rates in Docket No. RP74-57 applicable to El Paso's Rate Schedules G and G-X have been restructured in accordance with the principles enunciated by the Commission in *United Gas Pipe Line Company*, Opinion No. 671 and (iii) contingency is provided so that the suspended rates can be appropriatel yadjusted if, by July 10, 1974, certain uncertificated facilities, the cost of which have been included in the determination of the suspended rates, have not been certificated.

In the event that the said adjustments, described above, in suspended rates contained on the tendered tariff sheets described in the filing are not permitted to become effective on July 10, 1974, El Paso has also submitted alternate tariff sheets containing the suspended rates as proposed in El Paso's notice of change filed at Docket No. RP74-57 and suspended until July 10, 1974, adjusted only to add the 2.71¢ per Mcf PGAC adjustment described above.

The filing states that El Paso has concurrently filed its motion to place into effect on July 10, 1974, the end of the suspension period in Docket No. RP74-57, increased rates in Docket No. RP74-57 and that such motion is consistent with the request made by the instant tender. A copy of that motion is attached to the tariff filing.

In order to effectuate the purposes of the instant filing, El Paso has requested that the Commission grant such waiver of its Regulations under the Natural Gas Act as may be necessary in order to effectuate the instant filing.

Any person desiring to be heard or to protest with reference to said tariff filing should, on or before July 8, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 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. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15561 Filed 7-8-74;8:45 am]

[Docket No. E-8849]

GULF STATES UTILITIES CO.

Notice of Filing of Change in Metering Points

JUNE 28, 1974.

Take notice that on June 14, 1974, Gulf States Utilities Company (Company) tendered for filing a change in metering points under its contract with Cajun Electric Power Cooperative, Inc., designated Gulf States Utilities Company Rate Schedule FPC No. 104. According to Company, the change provides for a new point of service at Jones Creek Metering Station. The effective date of service is May 31, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15574 Filed 7-8-74;8:45 am]

[Docket No. RP73-23]

LAWRENCEBURG GAS TRANSMISSION CORP.

Filing of Tariff Sheets

JULY 1, 1974.

Take notice that on June 20, 1974, Lawrenceburg Gas Transmission Corporation (Lawrenceburg) tendered for filing Sixth Revised Sheet No. 3-A (superseding Substitute Fifth Revised Sheet No. 3-A) and Sixth Revised Sheet No. 18-B (superseding Substitute Fifth Revised Sheet No. 18-B) to its FPC Gas Tariff, Original Volume No. 1.

Lawrenceburg states that these sheets are being filed to reflect a change in the cost of gas purchased from Texas Gas Transmission Corporation (Texas Gas) pursuant to Lawrenceburg's Purchased Gas Adjustment (PGA) Clause in its FPC Gas Tariff, Original Volume No. 1. According to Lawrenceburg, Texas Gas filed for a tariff rate increase pursuant to its own PGA clause on June 13, 1974, said increase to become effective August 1, 1974. Therefore, Lawrenceburg requests an effective date of August 1, 1974, for this filing and requests waiver of the Commission's regulations to enable this filing to become effective on that date.

Lawrenceburg states that copies of this filing have been mailed to its two wholesale customers, Lawrenceburg Gas Company and The Cincinnati Gas and Electric Company, and to the two interested state commissions, Public Service Commission of Indiana and The Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15568 Filed 7-8-74;8:45 am]

[Docket No. RP73-43]

MID LOUISIANA GAS CO.

Proposed Change in Rates

JULY 1, 1974.

Take notice that Mid Louisiana Gas Company (Mid Louisiana), on June 17, 1974, tendered for filing as a part of First Revised Volume No. 1 of its FPC Gas Tariff, Eighth Revised Sheet No. 3a.

Mid Louisiana states that the purpose of the filing is to reflect a Purchased Gas Cost Current Adjustment to Mid Louisiana's Rate Schedules G-1, SG-1, I-1 and E-1; that the revised tariff sheet and supporting information are being filed forty-five (45) days prior to the effective date of August 1, 1974, in accordance with section 19 of Mid Louisiana's FPC Gas Tariff and in compliance with Commission Order Nos. 452 and 452-A; and that copies of the filing were served on interested customers and state commissions.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 10, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15567 Filed 7-8-74;8:45 am]

[Docket No. E-8861]

MISSISSIPPI POWER CO.

Filing of Agreements

JULY 1, 1974.

Take notice that on June 20, 1974, Mississippi Power Company (Mississippi) tendered for filing executed contract Supplemental Agreements which, according to Mississippi, establish a new delivery point at McNeil on or about July 1, 1974, and at O'Neil Road on or about July 1, 1974. Mississippi states that these agreements also reflect an increase in delivery voltage and contract capacity at the Salem delivery point on or about the same date.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 10, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15570 Filed 7-8-74;8:45 am]

[Docket No. E-7855]

MONTAUP ELECTRIC CO.

Agreement To Assign Contract

JULY 1, 1974.

Take notice that on January 4, 1974, Montaup Electric Company (Montaup) tendered for filing an agreement dated October 15, 1973, with New Bedford Gas (New Bedford) and Edison Light Company (Edison) whereby Montaup's contractual obligation with New England Power Company in the above-docketed proceeding was transferred to New Bedford and Edison for the period beginning November 1, 1973, and running until the contract expires on October 31, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 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 July 8, 1974. Protests will be considered by the Commission in determin-

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

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15556 Filed 7-8-74;8:45 am]

[Docket Nos. E-8757; E-8758; and E-8781]

NORTHEAST UTILITIES CO.

Request for Waiver and Acceptance of Contracts Subject to Condition

JUNE 28, 1974.

Take notice that on June 14, 1974, the Connecticut Light and Power Company, the Hartford Electric Light Company, and the Western Massachusetts Electric Company (Northeast Utilities) filed a request for waiver and acceptance of previously filed contracts, subject to condition. Northeast Utilities requests that these contracts be permitted to become effective as of their proposed effective dates.

Northeast states as a condition of this request that the rates charged under such contracts be subject to refund in the amount of the difference between the rate of return included in such contracts and the rate of return determined by a final order of this Commission in Connecticut Light and Power Company, Docket Nos. E-8105, et al.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 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 July 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15558 Filed 7-8-74;8:45 am]

[Project No. 619]

PACIFIC GAS AND ELECTRIC CO.

Land Withdrawal (Additional) California

JULY 1, 1974.

On December 22, 1967, the Pacific Gas and Electric Company filed map Exhibit K sheets 1 through 9 (FPC Nos. 619-104 through -112) as part of an application for a new license for Project No. 619 (Bucks Creek Project). In accordance with the provisions of section 24 of the Federal Power Act (41 Stat. 1063), as amended, notice is hereby given that the lands of the United States hereinafter described, aggregating approximately 1,688.34 acres, are affected by said application and are reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the Commission or by Congress.

MOUNT DIABLO MERIDIAN, CALIFORNIA

All portions of the following described subdivisions lying within the project boundary as shown on map Exhibit K sheets 1 through 9 (FPC Nos. 619-104 through -112) filed December 22, 1967:

T. 24 N., R. 6 E.,
Sec. 12, SE¼NE¼, SE¼SW¼, N½SE¼, SW¼SE¼;
Sec. 13, W½NE¼, E½NW¼, SE¼;
Sec. 20, lots 1, 2, 3, 4, SE¼NE¼, SE¼SW¼, NW¼SE¼;
Sec. 21, lot 3;
Sec. 25, lots 3, 4, 5, 6, 7, NW¼SE¼;
Sec. 26, S½SW¼, NW¼SE¼, S½SE¼;
Sec. 27, SW¼SW¼, S½SE¼;
Sec. 28, lots 1, 2, 3, W½NW¼, NW¼SW¼, SE¼SE¼;
Sec. 29, lots 10, 11, 12, 13, 17, 18, 24, NE¼NE¼;
Sec. 30, lot 16, N½NE¼, SE¼NW¼;
Sec. 33, lots 1, 2, 5, E½NE¼;
Sec. 34, N½, N½SE¼;
Sec. 35, NE¼NE¼, NW¼, N½SW¼;
Sec. 36, lot 1.
T. 23 N., R. 7 E.,
Sec. 1, lot 2;
Sec. 3, SW¼SW¼, NW¼SE¼;
Sec. 4, lot 2, W½ of lot 6, lot 8, N½SE¼, SE¼SE¼;
Sec. 5, lot 4.
T. 24 N., R. 7 E.,
Sec. 4, SW¼NW¼, NW¼SW¼;
Sec. 5, N½, NE¼SE¼;
Sec. 6, E½NE¼, S½SW¼, N½SE¼, SW¼SE¼;
Sec. 7, W½;
Sec. 18, SW¼SW¼;
Sec. 19, NW¼NE¼, S½NE¼, NW¼, E½SE¼;
Sec. 20, SW¼NW¼, W½SW¼, SE¼SW¼;
Sec. 22, SE¼SW¼;
Sec. 27, W½NE¼, E½NW¼, SW¼NW¼, SW¼W½SE¼, SE¼SE¼;
Sec. 28, S½S½;
Sec. 29, NW¼NW¼, NW¼SW¼, S½S½;
Sec. 30, lot 4, E½E½, SE¼SW¼;
Sec. 31, lot 1, N½NE¼, NE¼NW¼;
Sec. 32, N½, W½SW¼;
Sec. 33, NW¼NE¼, NW¼ N½SW¼, SE¼SW¼, SW¼SE¼;
Sec. 34, N½NE¼, SW¼NE¼, NE¼SW¼, NW¼SE¼;
Sec. 35, NW¼NW¼, NW¼SW¼;
Sec. 36, SE¼.
T. 25 N., R. 7 E.,
Sec. 32, SW¼SE¼.

All of the above described lands lie within the Plumas National Forest. Most of the lands have heretofore been variously withdrawn for waterpower purposes by Power Site Classification Nos. 136 and 179 and pursuant to the filing of applications for Project Nos. 249, 251, 291, 619, 737, 1258, 1297, and 1352.

Copies of the aforementioned maps have been transmitted to the Bureau of Land Management, Department of the Interior, and the Forest Service, Department of Agriculture.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15559 Filed 7-8-74;8:45 am]

[Docket No. RP74-87]

PENNZOIL COMPANY, ET AL.

Investigation; Notice Postponing Hearing

JUNE 28, 1974.

In the matter of investigation of Pennzoil Co.-United Gas Pipe Line Co. spinoff and related transactions.

On June 25, 1974, Texas Eastern Transmission Corporation requested a one day postponement of the hearing fixed by order issued May 14, 1974, in the above-designated matter.

Upon consideration notice is hereby given that the hearing in the above matter is postponed to July 9, 1974, at 10:00 a.m. (e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15564 Filed 7-8-74;8:45 am]

[Docket No. E-8842]

PUBLIC SERVICE COMPANY OF OKLAHOMA

Cancellation of Contract

JUNE 28, 1974.

Take notice that on June 11, 1974, Public Service Company of Oklahoma (PSCO) tendered for filing a Notice of Cancellation of Contract. The contract, dated July 12, 1969, was between PSCO and the Kiwash Electric Cooperative, Inc. (Kiwash). PSCO states that Kiwash discontinued purchasing electricity from PSCO on May 10, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 12, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-15563 Filed 7-8-74;8:45 am]

[Docket No. E-8855]

BOSTON EDISON CO.

Filing of Amendment to Rate Schedules

JUNE 28, 1974.

Take notice that on June 14, 1974, Boston Edison Company (Company) tendered for filing an amendment to its contracts with four total requirements wholesale for resale customers. The amended contracts are with Concord, Massachusetts, Norwood, Massachusetts, Reading, Massachusetts, and Wellesley, Massachusetts, and are designated FPC Rate Schedule Nos. 47, 48, 49 and 51, respectively.

Company states that these amendments will result in a rate increase to these customers of $999,603 (an approximate 6.5 percent increase) on a 1973 test year basis. According to Company, the amendment serves to increase its current Rate S–2, with the new amended rate being designated Rate S–3. Company requests that Rate S–3 be made effective on July 15, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 9, 1974. 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 became a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–15577 Filed 7–8–74;8:45 am]

[Docket No. E–8852]

DUKE POWER CO.

Filing of Supplement to Rate Schedule

JUNE 28, 1974.

Take notice that on June 17, 1974, Duke Power Company (Duke) tendered for filing a supplement to its Electric Power Contract with the Town of Granite Falls, North Carolina, said contract being designated Duke Power Company Rate Schedule FPC No. 255.

According to Duke, this filing provides for an increase in contract demand at two delivery points. Duke states that requisite agreement to the filing has in fact been obtained and that the effective date of this contract supplement is July 19, 1974. Duke further states that no new facilities have been installed to provide this new service and that a copy of this filing has been sent to the Tom Manager of Granite, North Carolina.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 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 July 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–15576 Filed 7–8–74;8:45 am]

[Docket No. RI74–264]

GETTY OIL CO.

Petition for Special Relief

JUNE 27, 1974.

Take notice that on June 20, 1974, Getty Oil Company, (Petitioner), Post Office Box 1404, Houston, Texas 77001, filed a petition for special relief in Docket No. RI74–264, seeking a rate above the applicable area ceiling under Opinion No. 598 under the provisions of Order No. 481. Petitioner seeks a price of 45.2605¢ per Mcf for the sale of gas to Trunkline Gas Company under its FPC Gas Rate Schedule No. 186 from the South Bearhead Creek Field, Beauregard Parish, Louisiana. Petitioner claims that it cannot economically justify continuing to compress gas for sale to Trunkline Gas Company at the current area rate.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 22, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–15578 Filed 7–8–74;8:45 am]

[Docket No. CI72–662, et al.]

SUN OIL COMPANY, ET AL.

Termination of Proceedings

JUNE 28, 1974.

By Opinion No. 699, issued June 21, 1974, in Docket No. R–389–B the Commission prescribed a uniform national rate for sales of natural gas produced from wells commenced on or after January 1, 1973, and new dedications of natural gas to interstate commerce on or after January 1, 1973. The order accompanying said opinion (mimeo., p. 146) amends § 2.70 of the Commission's general policy and interpretations, 18 CFR 2.70, by rescinding paragraph (b)(3) thereof which provides for certificates of public convenience and necessity under section 7(c) of the Natural Gas Act with pre-granted abandonment authorization under certain circumstances after a demonstration of emergency need by pipeline purchasers. Said order further provides (mimeo., p. 147) that certificates already issued under said procedure will not be affected by the subject opinion and order; however, applications for certificates pending before the Commission, including those upon which a hearing has been held or which are pending hearing, as of the date of the subject order will not be granted.

Take notice that the proceedings on the following applications have been terminated by Opinion No. 699 and order in Docket No. R–389–B:

Docket No.	*Applicant*
CI72–662[1]	Sun Oil Co.
CI73–647[1]	Burmont Co. (Operator), et al.
CI73–733[1]	Burmont Co. (Operator), et al.
CI73–736	Phillips Petroleum Co.
CI73–742[1]	Continental Oil Co.
CI74–12	Aubrey C. Black, et al.
CI74–78	Freeport Oil Co.
CI74–101	C & K Petroleum, Inc.
CI74–163	Cities Service Oil Co.
CI74–187[1]	Chevron Oil Co., Western Division.
CI74–256	Texas Eastern Exploration Co.
CI74–290	Terra Resources, Inc. (Operator), et al.
CI74–344[1]	McCormick Oil and Gas Corp. (Operator), et al.
CI74–357	Davis Oil Co. (Operator), et al.
CI74–374	Tucker Drilling Co., Inc.
CI74–385	Brunson & McKnight, Inc.
CI74–393	Clinton Oil Co.
CI74–405	Exxon Corp.
CI74–406	Texas Eastern Exploration Co.
CI74–463	Amoco Production Co.
CI74–511	AMAX Petroleum Corp.
CI74–513	Joseph I. O'Neill, Jr. (Operator), et al.
CI74–515	Kerr-McGee Corp.
CI74–520	James M. Forgotson, Sr.
CI74–547	HNG Oil Co.
CI74–559	Midwest Oil Corp.
CI74–561	Brown and McKenzie, Inc.
CI74–564	Dallas Oil & Gas, Inc.
CI74–565	A. V. Corpening, Jr., d/b/a Corpening Enterprises.
CI74–572	Skelly Oil Co.
CI74–573	Union Oil Co. of California.
CI74–589	Continental Oil Co.
CI74–593	Getty Oil Co.
CI74–595	James M. Forgotson, Sr.
CI74–596	James M. Forgotson, Sr.
CI74–604	Edwin L. Cox.
CI74–617	Mesa Offshore Co.
CI74–622	Sklar & Phillips Oil Co. (Operator), et al.
CI74–628	James M. Forgotson, Sr.
CI74–630	Wayne J. Spears
CI74–637	Pennzoil Co.
CI74–638	Walter W. Heard, Jr. (Operator), et al.
CI74–644	Exxon Corp.
CI74–645	Lone Star Producing Co.
CI74–649	Richard A. Campbell
CI74–650	Great Southern Oil & Gas Co., Inc.
CI74–651	Emerald Petroleum Corp. (Operator), et al.
CI74–655	The Petroleum Corp.
CI74–665	Marathon Oil Co.
CI74–666	Continental Oil Co.
CI74–667	Petrofunds, Inc.
CI74–670	Emerald Producing Corp. (Operator), et al.
CI74–672	Wynn D. Miller
CI74–674	Atlantic Richfield Co.
CI74–675	Pennzoil Co.
CI74–689	Cities Service Oil Co.
CI74–690	Tribal Oil Co. (Operator), et al.
CI74–693	Sklar & Phillips Oil Co. (Operator), et al.
CI74–694	Cinco Exploration Co.
CI74–695	Inexco Oil Co.
CI74–702	Gulf Oil Corp.
CI74–703	CNG Exploration
CI74–704	Phillips Petroleum Co.

[1] Application to amend.

Docket No.	Applicant
CI74–708	Dalco Oil Co., et al.
CI74–712	Monsanto Co.
CI74–716	Gulf Oil Corp.
CI74–717	Gulf Oil Corp.
CI74–725	Read & Stevens, Inc.
CI74–726	Getty Oil Co.
CI74–727	Anadarko Production Co.
CI74–728	Texaco Inc. (Operator), et al.
CI74–729	Anadarko Production Co.
CI74–730	Anadarko Production Co.
CI74–731	Midwest Oil Corp.
CI74–732	Pennzoil Producing Co.
CI74–733	Placid Oil Co.
CI74–736	C&K Petroleum, Inc. (Operator)

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–15579 Filed 7–8–74;8:45 am]

[Docket No. RP72–133]

UNITED GAS PIPE LINE CO.

Order Accepting for Filing and Suspending Rate Increase Pursuant to PGA Clause

JUNE 28, 1974.

On May 16, 1974, United Gas Pipe Line Company (United) tendered for filing a revised tariff sheet[1] pursuant to §§ 19.5 and 19.10 of United's Purchased Gas Adjustment (PGA) Clause which would reflect an increase in purchased gas costs for jurisdictional service of $29 million and reflect the recovery of the balance in the Deferred Purchased Gas Cost account. The proposed PGA increase is based upon a rolled-in systemwide average cost of gas, which reflects small producer, emergency and what are referred to as "non-jurisdictional" purchases. The proposed effective date is July 1, 1974. The filing was noticed on May 2, 1974, with protests and petitions to intervene to be filed on or before June 4, 1974. No such protests or petitions were received.

Our review indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, United's proposed tariff sheets will be accepted for filing, suspended for one day, and permitted to become effective thereafter subject to refund.

With respect to the "non-jurisdictional" purchases, we cannot determine from the record before us the precise nature of these purchases or the basis for their inclusion in the filing. We shall direct United to file within 15 days of the issuance of this order information as to the amount and nature of such purchases and information as to any pending proceedings where the jurisdictionality of such purchases may be in question.

With regard to the question of the small producer purchases, we note that the Supreme Court in Federal Power Commission v. Texaco, Inc., et al.[2] recently remanded the question of the standards the Commission must use in determining the justness and reasonableness of the prices for small producer purchases pursuant to Commission Order No. 428. Similarly, the Commission's Order No. 491 regarding emergency purchases is presently the subject of court action.[3] We believe, therefore, that it would be premature to establish a hearing schedule in this docket at this time. We shall permit the rates proposed herein to be charged subject to refund as of July 2, 1974, pending further order in this docket.

The Commission finds. It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that United's proposed PGA rate increase filing should be accepted for filing, suspended and permitted to become effective subject to refund pending further Commission order in this docket.

The Commission orders. (A) United's May 16, 1974, PGA rate increase filing is hereby accepted for filing, suspended and permitted to become effective on July 2, 1974, subject to refund pending further Commission order in this docket.

(B) Within 15 days of the issuance of this order, United shall file with the Commission information as to the amount and nature of the "non-jurisdictional" purchases and information as to any pending proceeding where the jurisdictionality of such purchases may be in question.

(C) The Secretary shall cause prompt publication of this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–15575 Filed 7–8–74;8:45 am]

FEDERAL RESERVE SYSTEM

JOINT CALL FOR REPORT OF CONDITION

Insured Banks

Cross Reference: For a document issued jointly by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Federal Reserve System, see FR Doc. 74–15541, supra.

GENERAL SERVICES ADMINISTRATION

[Wildlife Order 118; D–PA–649]

CARLISLE BARRACKS RADIO TRANSMITTER SITE

Transfer of Property

JUNE 27, 1974.

Pursuant to section 2 of Pub. L. 537, Eightieth Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By deed from the United States of America dated May 24, 1974, the property comprising approximately 37.8 acres of unimproved land identified as Carlisle Barracks Radio Transmitter Site, Cumberland County, Pennsylvania, has been conveyed to the Commonwealth of Pennsylvania.

2. The above described property was conveyed for wildlife purposes in accordance with the provisions of section 1 of said Pub. L. 537 (16 U.S.C. 667b), as amended, by Pub. L. 92–432.

L. F. ROUSH,
Commissioner,
Public Buildings Service.

[FR Doc.74–15585 Filed 7–8–74;8:45 am]

INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

OLD BEN COAL CORP.

Applications for Renewal Permits; Notice of Opportunity for Public Hearing

Applications for Renewal Permits for for Noncompliance with the Mandatory Dust Standard (2.0 mg/m³) have been received as follows:

(1) ICP Docket No. 20164, OLD BEN COAL CORPORATION, Mine No. 24, Mine ID No. 11 00589 0, Benton, Illinois:
Section ID No. 004 (58th thru 63rd North Entry Group off 1st W.S.),
Section ID No. 009 (9th thru 18th East South Cross Entry Group),
Section ID No. 017 (1st thru 8th East South Cross Entry Group),
Section ID No. 040 (1st thru 5th Main North Entry Group),
Section ID No. 049 (6th, 7th, 8th, 9th, 10th Main North),
Section ID No. 052 (1st thru 12th West North Cross Entries),
Section ID No. 057 (1A, 1st, 2nd, 3rd S. Panel off 1st West North),
Section ID No. 059 (1st, 2nd, 3rd, 3A North Panel off 11A West North),
Section ID No. 060 (18A, 18th, 19th, 20th North Panel off 1st East),
Section ID No. 062 (4A, 4th, 5th, 6th, South Panel off 1st West North),
Section ID No. 063 (4A, 4th, 5th, 6th, North Panel off 11A West North).

(2) ICP Docket No. 20165, OLD BEN COAL CORPORATION, Mine No. 26, Mine ID No. 11 00590 0, Sesser, Illinois:
Section ID No. 002 (12th thru 20th East South Cross Entry Group),
Section ID No. 003–0 (1st thru 11th East South Cross Entry Group),
Section ID No. 003–2 (1st thru 11th East South Cross Entry Group),
Section ID No. 004 (Main South Entry Group),
Section ID No. 042 1st thru 13th West South Cross Entry Group),
Section ID No. 043 (16A, 16th, 17th, 18th N. Panel off 12th East South),
Section ID No. 044 (46th, 47th, 48th, 48A N. Panel off 1st East South),
Section ID No. 045 (1st, 2nd, 3rd, 3A South off 1st West South),
Section ID No. 046 (19A, 19th, 20th, 21st N. Panel off 12th East South),
Section ID No. 048 (16A, 16th, 17th, 18th S. Panel off 20th East South),
Section ID No. 049 (13A, 14th, 15th N. Panel off 1B East North),
Section ID No. 049 (13A, 13th, 14th, 15th N. Panel off 1B East North),
Section ID No. 050 (40A, 40th, 41st, 42nd S. Panel off 11th East South),
Section ID 050 (40A, 40th, 41st, 42nd S. Panel off 11th East South).

In accordance with the provisions of section 202(b)(4) (30 U.S.C. 842(b)(4)) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 742, et seq.,

[1] Substitute Sixteenth Revised Sheet No. 4 to its FPC Gas Tariff, First Revised Volume No. 1.

[2] Docket Nos. 72–1490 and 72–1491, Opinion issued June 10, 1974.

[3] *Consumer Federation of America* v. *FPC*, CADC, Docket No. 73–2009, petition filed September 21, 1973.

Pub. L. 91–173), notice is hereby given that requests for public hearing as to an application for renewal may be filed within 15 days after publication of this notice. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel on request.

A copy of the application is available for inspection and requests for public hearing may be filed in the Office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, N.W., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

JULY 2, 1974.

[FR Doc.74–15545 Filed 7–8–74;8:45 am]

[ICP Docket No. 4253–000]

PEGGS RUN COAL COMPANY, INC.

Hearing on the Revocation of Permits for Noncompliance With the Electric Face Equipment Standard for Underground Coal Mines Above the Watertable

In accordance with the provisions of section 5(f)(1) of the Federal Coal Mine Health and Safety Act of 1969 (83 Stat. 745, 30 U.S.C. 804(b)(1), notice is hereby given that the request for a public hearing filed by the operator of Peggs Run No. 2 Mine, Peggs Run Coal Company, Inc., Shippingport, Pennsylvania 15077, concerning the revocation of permits for noncompliance with the electric face equipment standard for underground coal mines above the watertable is granted.

The hearing will be conducted pursuant to the regulation for practice and procedure for hearings before the Interim Compliance Panel, 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended.

Administrative Law Judge Edmund M. Sweeney is designated to preside over all proceedings in the matter identified by the docket number given above from the date of this notice until he shall have made the decision therein or until he shall have been relieved from his duties by further order of the Interim Compliance Panel. The said Administrative Law Judge is authorized and directed to make an initial decision.

This matter is set for public hearing in the Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia at 9:30 a.m., July 17, 1974, Hearing Room A.

Edwin M. Weiss, Chief Counsel of the Interim Compliance Panel, is authorized to appear in these proceedings in behalf of the Panel.

All petitions, motions and other documents relating to the proceedings in the matter identified by the docket number given above shall be submitted to the said Administrative Law Judge, care of Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, N.W., Washington, D.C. 20006. Judge Sweeney may be reached at the following telephone number: (703) 557–9200.

A copy of the request for public hearing and of the file is available for inspection in the Office of the Correspondence Control Officer, Interim Compliance Panel, at the above address.

GEORGE A. HORNBECK,
Chairman,

JULY 2, 1974.

Interim Compliance Panel.

[FR Doc.74–15546 Filed 7–8–74;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74–41]

CONTINUATION OF ADVISORY COMMITTEES

Notice of Determinations

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463) and the Office of Management and Budget Circular A–63 Revised, dated March 27, 1974, the NASA Administrator has determined that the continuation of the following existing NASA advisory committees is in each case in the public interest in connection with the performance of duties imposed upon NASA by law:

1. NASA Historical Advisory Committee.
2. Lunar Advisory Committee.
3. NASA Space Program Advisory Council and Related Committees.
4. NASA Research and Technology Advisory Council and Related Committees.

BOYD C. MYERS II,
Assistant Associate Administrator for Organization and Management, National Aeronautics and Space Administration.

[FR Doc.74–15555 Filed 7–8–74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on July 3, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202–395–4529).

NEW FORMS

DEPARTMENT OF AGRICULTURE

Economic Research Service—Characteristics of Wildlife Habitat for Sale and/or Lease, Form ____, Single time, Caywood, Land owners in Delta Counties of Arkansas, Missouri, and Tennessee.

Tobacco Warehouse Employee Survey—Form ____, Single time, Collins, Flue-cured tobacco auction warehouse operators.

Statistical Reporting Service—Mint Surveys, Form ____, Quarterly, Lowry, Mint growers and dealers.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education—GSLP Lender Site Visits, Form OE 357–4, Single time, HRD, 40 GSLP lenders.

Financial Status Report and Performance Report; Educational Opportunity Centers—Form OE 366, Quarterly, Lowry, Educational community and agencies or organizations.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Policy Development and Research Landlord Survey—Form ____, Single time, Sunderhauf, Landlords in Pittsburgh and Chicago.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service—Annual Banana Acreage Survey—Hawaii, Form ____, Annual, Lowry, Banana growers.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education—Application and Nomination for a Graduate Fellowship, Forms OE 1048, OE 1048–1, OE 4149; Occasional Sheftel, Graduate fellowship nominees.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service—Defense Food Order No. 6—Farm Equipment, Form ____, Occasional, Evinger, Business firms.

Defense Food Order No. 5—Fertilizer, Form ____, Occasional, Evinger, Business firms.

Defense Food Order No. 3—Seed, Form ____, Occasional, Evinger, Business firms.

Commodity Exchange Authority—Commodity Exchange Authority Regulations, Form ____, Occasional, Evinger, Business firms.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74–15664 Filed 7–8–74;8:45 am]

VETERANS ADMINISTRATION

STATION COMMITTEE ON EDUCATIONAL ALLOWANCES

Notice of Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on July 22, 1974, at 10 a.m., the Fargo Station Committee on Educational Allowances shall

at Fargo, North Dakota conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Larimore Air Service, Larimore, North Dakota should be discontinued, as provided in 38 CFR 21–4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the committee at that time and place.

Dated: June 25, 1974.

ALAN L. RICE,
Director,
VA Center, Fargo, N. Dak.

[FR Doc.74–15580 Filed 7–8–74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50–471A and 50–472A]

BOSTON EDISON CO.

Notice of Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c of the Atomic Energy Act of 1954, as amended a letter of advice from the Attorney General of the United States, dated June 26, 1974, a copy of which is attached as Appendix A.[1]

Any person whose interest may be affected by this proceeding may, pursuant to section 2.714 of the Commission's "Rules of Practice," 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by August 8, 1974 either (1) by delivery to the AEC Public Document Room at 1717 H Street, NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attn: Chief, Public Proceedings Branch.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust & Indemnity, Directorate of Licensing.

[FR Doc.74–15550 Filed 7–8–74;8:45 am]

[Docket No. 50–324]

CAROLINA POWER & LIGHT CO.

Order Extending Construction Completion Dates

Carolina Power & Light Company is the holder of Construction Permit No. CPPR–67 issued by the Commission on February 7, 1970, for construction of the Brunswick Steam Electric Plant, Unit 2 presently under construction at the Companys' site on the Cape Fear River, near Southport in Brunswick County, North Carolina.

On June 3, 1974, Carolina Power & Light Company filed a request for an extension of the latest completion date because construction has been delayed due to (1) a critical shortage of labor, (2) late delivery of critical materials and permanent plant equipment, and (3) engineering and design changes requested by AEC. This action involves no significant hazards consideration; good cause has not been shown for the requested one year extension; good cause has been shown for extension of the completion date for Unit 2's construction to January 31, 1975, the bases for which are set forth in a staff evaluation, dated June 21, 1974.

It is hereby ordered, That the latest completion date for CPPR–67 is extended from June 30, 1974 to January 31, 1975.

For the Atomic Energy Commission.

Date of issuance: June 28, 1974.

RICHARD C. DEYOUNG,
Assistant Director for Light Water Reactors Group 1, Directorate of Licensing.

[FR Doc.74–15552 Filed 7–8–74;8:45 am]

[Docket Nos. 50–250 and 50–251]

FLORIDA POWER AND LIGHT CO.

Issuance of Facility License Amendments

Notice is hereby given that the U.S. Atomic Energy Commission (the Commission) has issued Amendments Nos. 3 and 2 to Facility Operating Licenses Nos. DPR–31 and DPR–41 respectively issued to Florida Power and Light Company which revised Technical Specifications for operation of the Turkey Point Nuclear Plant, Units 3 and 4, located in Dade County, Florida. The amendments are effective July 1, 1974.

The amendments permit a new submittal date for the report due by August 30, 1974 on the evaluation of the effects on the marine environment of short-term exposures to temperatures and salinities that might be experienced under emergency conditions.

The application for the amendments complies with the standards and requirements of the Act and the Commission's rules and regulations and the Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments.

For further details with respect to this action, see (1) the application for the amendments dated May 20, 1974, and (2) Amendments Nos. 3 and 2 to licenses Nos. DPR–31 and DPR–41, with any attachments, and (3) the letter to Florida Power and Light Company (transmitting Amendments Nos. 3 and 2) which includes an evaluation of the requested change. All of these are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Lily Lawrence Row Public Library, 212 NW. First Avenue, Homstead, Florida 33030.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing—Regulation.

Dated at Bethesda, Maryland, this 1st day of July 1974.

For the Atomic Energy Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Directorate of Licensing.

[FR Doc.74–15548 Filed 7–8–74;8:45 am]

[Docket Nos. 50–424, 50–425, 50–426 and 50–427]

GEORGIA POWER CO.

Availability of Initial Decisions for the Alvin W. Vogtle Nuclear Plant, Units 1, 2, 3 and 4 and Issuance of Construction Permits

Pursuant to the National Environmental Policy Act of 1969, and the United States Atomic Energy Commission's regulation in Appendix D, section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that Initial Decisions dated May 24, 1974, and June 27, 1974, by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of construction permits to the Georgia Power Company for construction of the Alvin W. Vogtle Nuclear Plant, Units 1, 2, 3 and 4, located in Burke County, Georgia, are available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the Burke County Library, Fourth Street, Waynesboro, Georgia 30830.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decisions may be reviewed by the Commission.

The Initial Decisions are also being made available at the Bureau of State Planning and Community Affairs, Room 611, 270 Washington Street, SW., Atlanta, Georgia 30309, and the Central Savannah River APDC, P.O. Box 2800, Augusta, Georgia 30904.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision of May 24 modified in certain respects the contents of the Final Environmental Statement relating to the construction of the Alvin W. Vogtle Nuclear Plant, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, section A.11, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those contained in the Final Environmental Statement. As required by section A.11 of Appendix D, a copy of the Initial Decision, which modifies the Final Environmental Statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Pursuant to the above mentioned Initial Decisions, the Atomic Energy Com-

[1] Appendix A filed as part of original document.

mission (the Commission) has issued Construction Permits Nos. CPPR–108, CPPR–109, CPPR–110, and CPPR–111 to the Georgia Power Company for construction of four pressurized water nuclear reactors, known as the Alvin W. Vogtle Nuclear Plant, Units 1, 2, 3 and 4, each designed for a rated power of approximately 3411 megawatts thermal with a net electrical output of approximately 1100 megawatts.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest dates for the completion of Units 1, 2, 3 and 4, are October 1979, October 1980, Octoberd 1981, and October 1982, and the latest completion dates are April 1981, April 1982, April 1983, and April 1984, respectively. The permits shall expire on the latest date for completion of each facility.

In addition to the Initial Decisions, copies of (1) Construction Permits Nos. CPPR–108; CPPR–109, CPPR–110, and CPPR–111; (2) the report of the Advisory Committee on Reactor Safeguards dated April 16, 1974; (3) the Directorate of Licensing's Safety Evaluation dated March 8, 1974, and Supplement No. 1 thereto dated May 1, 1974; (4) the Preliminary Safety Analysis Report and amendments thereto; (5) the applicant's Environmental Report dated August 1, 1972, and supplements thereto; (6) the Draft Environmental Statement dated August 1973; and (7) the Final Environmental Statement dated March 1974, are also available for public inspection at the above-designated locations in Washington, D.C., and Waynesboro, Georgia. Single copies of the Initial Decisions by the Atomic Safety and Licensing Board, the construction permits, the Final Environmental Statement, and the Safety Evaluation may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing, Regulation.

Dated at Bethesda, Maryland, this 28th day of June, 1974.

For the Atomic Energy Commission.

KARL KNIEL,
Chief, Light Water Reactors Branch 2–2, Directorate of Licensing.

[FR Doc.74–15549 Filed 7–8–74;8:45 am]

[Docket No. 50–382A]

LOUISIANA POWER & LIGHT CO.

Order For Show Cause Hearing

Take notice, that pursuant to the Atomic Energy Commission's Notice of February 23, 1973, published in the FEDERAL REGISTER (38 FR 5502) March 1, 1973, the Commission's Memorandum and Order of September 28, 1973, this Board's Order to Show Cause of June 20, 1974, and in accordance with the instruction given at the 6th prehearing conference held July 1, 1974, and the Commission's Rules of Practice, the Show Cause hearing in this matter will begin August 19, 1974. The hearing will run continuously Monday through Friday, starting at 9:30 a.m. local time each day, until completed. The location will be the Atomic Safety and Licensing Board Panel Hearing Room, Landow Building, 12th Floor, 7910 Woodmont Avenue, Bethesda, Maryland.

It is so ordered.

Issued this 2nd day of July 1974 at Bethesda, Maryland.

ATOMIC SAFETY AND LICENSING BOARD.
HUGH K. CLARK,
Chairman.

[FR Doc.74–15551 Filed 7–8–74;8:45 am]

REGULATORY GUIDES

Issuance and Availability

The Atomic Energy Commission has issued four new guides in its Regulatory Guide Series. The Regulatory Guide Series has been developed to describe and to make available to the public methods acceptable to the AEC Regulatory staff for implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 5.30, "Materials Protection Contingency Measures for Uranium and Plutonium Fuel Manufacturing Plants," describes acceptable features of preoperational planning to assure continued protection of special nuclear material under emergency or non-routine conditions. Regulatory Guide 5.33, "Statistical Evaluation of Material Unaccounted For," described methods for evaluating the statistical significance of observed material unaccounted for (MUF) values. Regulatory Guide 5.34, "Nondestructive Assay of Plutonium in Scrap by Spontaneous Fission Detection," identifies an acceptable method for nondestructively assaying for plutonium in scrap as a means of facilitating the completion of a plant balance to account for plutonium within established limits. Regulatory Guide 5.35, "Calorimetric Assay for Plutonium," endorses ANSI Standard N15.22–1974, "Calibration Techniques for the Calorimetric Assay of Plutonium-Bearing Solids for Nuclear Material Control," and provides guidance on the application of calorimetry for improved plutonium accountability.

Comments and suggestions in connection with improvements in all guides are encouraged at any time. Comments on Regulatory Guides 5.30, 5.33, 5.34, and 5.35 will, however, be particularly useful in evaluating the need for an early revision if received by August 30, 1974. Comments should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in any published guides are encouraged and should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff. Requests for single copies of the issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 5 Regulatory Guides currently being developed include the following:

Minimizing Nuclear Material Holdup in Dry Process Operations.
Organization for Materials and Plant Protection.
Management Review of Materials and Plant protection Program and Activties.
Standards for Physical Barrier Construction.
Plant Security Force Duties.
Personnel Selection and Screening.
Perimeter Intrusion Alarms.
Coordination of Response Plan with Law Enforcement Authority.
Monitoring Transfers of Special Nuclear Material.
Internal Transfers of Nuclear Material.
Material Control in Unirradiated Scrap Recovery Facilities.
Dynamic Inventory Techniques.
Prior Measurement Verification.
Resolution of Shipper-Receiver Differences.
Measurement Control Program for Materials Accounting in Nuclear Material Processing Plants.
Determination of Random Measurement Errors.
Determination of Measurement Bias and Systematic Errors.
Training and Qualifying Measurement Control Personnel.
Methods for the Accountability of Plutonium Oxide Powder.
Methods for the Accountability of High-Enriched UO_2.
Chemical, Nuclear, and Radiochemical Analysis of $UO_2(NO_3)_2$ Solutions.
Guide for Mass and Scales Calibration.
Guide for Mixing and Sampling Nuclear Materials.
Preparation of $Pu(NO_3)_4$ Solution as a Working Standard.
Preparation of $UO_2(NO_3)_2$ Solution as a Working Standard.
Radiometric Calibration Techniques.
Nondestructive Assay of Plutonium-Bearing Fuel Rods by Gamma-Ray Spectroscopy.
Nondestructive Assay of High-Enriched Uranium Fuel Plates.

Nondestructive Assay of High-Enrichment Uranium Scrap by Active Neutron Interrogation.
Nondestructive Assay of Uranium Residual Holdup.
Nondestructive Assay of Plutonium by Gamma-Ray Spectroscopy.
Specifications for Ge(Li) Spectroscopy Systems for Material Protection—Part II: Data Reduction.
Radionuclide Analysis of Specially Prepared Samples by Gamma-Ray Spectroscopy.
Protection of Nuclear Power Plants Against Industrial Sabotage.
Verification of Prior Measurement by NDA.
Radionuclide Analysis by Nondestructive Gamma-Ray Spectroscopy.
Shipping and Receiving Control of Nuclear Materials.
Duties, Responsibilities, and Authority of Material Balance Area Custodians.
Standard Format and Content for the Special Nuclear Material Control and Accounting Section of a License Application.
Standard Format and Content for the Physical Protection Section of a License Application.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 27th day of June, 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-15553 Filed 7-8-74;8:45 am]

REGULATORY GUIDES

Notice of Issuance and Availability

The Atomic Energy Commission has issued two guides in its Regulatory Guide series. This series has been developed to describe and make available to the public methods acceptable to the AEC Regulatory staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.79, "Preoperational Testing of Emergency Core Cooling Systems for Pressurized Water Reactors," describes an acceptable preoperational test program specifically for emergency core cooling systems in pressurized water reactor power plants. Regulatory Guide 1.81, "Shared Emergency and Shutdown Electric Systems for Multi-Unit Plants," describes an acceptable method for complying with the Commission's requirements with respect to the sharing of onsite emergency and shutdown electric systems whose power is furnished by diesel generators in multi-unit plants.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guides 1.79 and 1.81 will, however, be particularly useful in evaluating the need for an early revision if received by September 3, 1974. Comments should be sent to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director of Regulatory Standards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 1 Regulatory Guides currently being developed include the following:

Tornado Design Classification.
Availability of Electric Power Sources.
Requirements for Instrumentation to Assess Nuclear Power Plant Conditions During and Following an Accident for Water-Cooled Reactors.
Isolation of Low Pressure Systems Connected to the Reactor Collant Pressure Boundary.
Requirements for Collection, Storage, and Maintenance of Nuclear Power Plant Quality Assurance Records.
Requirements for Assessing Ability of Material Underneath Nuclear Power Plant Foundations to Withstand Safe Shutdown Earthquake.
Fire Protection Criteria for Nuclear Power Plants.
Protective Coatings for Light Water Nuclear Reactor Containment Facilities.
Inservice Surveillance of Grouted Prestressing Tendons.
Seismic Input Motion to Uncoupled Structural Model.
Primary Reactor Containment (Concrete) Design and Analysis.
Quality Assurance Requirements for Installation, Inspection, and Testing of Mechanical Equipment and Systems.
Quality Assurance Requirements for Installation, Inspection and Testing of Structural Concrete and Structural Steel.
Fracture Toughness Requirements for Vessels Under Overstress Conditions.
Material Limitations for Component Supports.
Protection Against Postulated Events and Accidents Outside of Containment.
Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Gas Holdup Tank Failure in a Boiling Water Reactor.
Quality Assurance Requirements for Procurement of Equipment, Materials, and Services.
Quality Assurance Requirements for Lifting Equipment.
Maintenance and Testing of Batteries.
Qualification of Class I Electrical Equipment.
Type Tests for Class IE Cables, Connections, and Field Splices for Nuclear Power Plants.
Seismic Qualification of Class I Electric Equipment.
Fracture Toughness Requirements for Materials for Class 2 and 3 Components.
Maintenance of Water Purity in PWR Secondary Systems.
Main Steam Line Sealing System Design Guidelines for Boiling Water Reactors.
Criteria for Heat-up and Cool-down Procedures.
Effects of Residual Elements on Predicted Radiation Damage.
Component Design Criteria for Elevated Temperature Reactors.
Fuel Oil Supplies for Standby Diesel-Generators.
Assumptions Used for Evaluating the Habitability of a Nuclear Power Plant Control Room During a Postulated Toxic Chemical Release.
Assumptions Used for Evaluating the Potential Radiological Consequences of a Liquid Radioactive Waste System Accident.
Surveillance and Examination and Testing of Irradiated Fuel Rods.
Elevated Temperature Inservice Surveillance Tests for HTGR Plants.
Design Load Combinations for Component Supports.
Requirements for Containment Isolation.
Probable Maximum Storm Surge Flooding on Lakes and Sea Shores.
Requirements for Concrete Reactor Vessels and Containments (ASME Section III Division 2).
Instrument Span and Trip Setting.
Failed Fuel Detection System for Nuclear Power Plants.
Code Case Acceptability—ASME Section III Nonmetallic Materials.
Design, Qualification Test and Installation Requirements for Class 2 and 3 Safety-Related Pumps.
Seismic Response Combination of Modes and Spatial Components.
Analysis of Seismic Recorded Data.
Protection of Nuclear Power Plant Control Room Operators Against an Onsite Chlorine Release.
Self-Operated and Power Operated Safety-Related Valves Functional Specification.
Nuclear Power Plant Environmental Characteristics for Designated Sites.
Evaluation of Explosions Postulated to Occur on Transportation Routes Near Nuclear Power Plant Sites.

(5 U.S.C. 522(a))

Dated at Rockville, Maryland this 26th day of June 1974.

For the Atomic Energy Commission.

LESTER ROGERS,
Director of Regulatory Standards.

[FR Doc.74-15554 Filed 7-8-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON GREENWOOD ENERGY CENTER

Notice of Meeting

JULY 7, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Greenwood Energy Center, Units 2 and 3 will hold a meeting on July 24, 1974 in the Holiday Inn, 1720 Hancock Street, Port Huron, Michigan 48060. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of the application of the Detroit Edison Company for a permit to construct these two units. The facility will be located in St. Clair County, Michigan. The plant site is about 15 miles northwest of Port Huron, Michigan.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Wednesday, July 24, 1974—1:00 p.m. until 5 p.m.

The Subcommittee will hear presentations by representatives of the Regulatory Staff and the Detroit Edison Company and will hold discussions with these groups pertinent to its review of the application of the Detroit Edison Company for a permit to construct the Greenwood Energy Center, Units 2 and 3.

In connection with the above agenda item, the Subcommittee will hold Executive Sessions, not open to the public, at approximately 12:30 p.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee Members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to the Executive Sessions, the Subcommittee may hold a closed session with representatives of the Regulatory Staff and Applicant for the purpose of discussing privileged information relating to plant physical security.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). Further, any nonexempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Committee operation, and to avoid public disclosure of proprietary information.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provision to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than July 17, 1974 to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon the Preliminary Safety Analysis Report for this facility and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545 and at the St. Clair County Library, 210 McMorran Boulevard, Port Huron, Michigan 48060.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 2:30 p.m. and 3:30 p.m. on July 24, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on July 22, 1974, to the Office of the Executive Secretary of the Committee (telephone: 301-973-5640) between 8:30 a.m. and 5:15 p.m., Eastern Daylight Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) Persons desiring to attend portions of the meeting where proprietary information is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street, NW., Washington, D.C. 20545, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portion of the meeting will be available for inspection on or after July 26, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and within approximately nine days at the St. Clair County Library, 210 McMorran Boulevard, Port Huron, Michigan 48060. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545 after September 24, 1974. Copies may be obtained upon payment of appropriate charges.

ROBERT A. KOHLER,
Acting Advisory Committee Management Officer.

[FR Doc.74-15790 Filed 7-8-74;10:31 am]

INTERSTATE COMMERCE COMMISSION

[Notice 547]

ASSIGNMENT OF HEARINGS

JULY 3, 1974.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC 109649 Sub-18, L. P. Transportation, Inc., is continued to August 14, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 135833 Sub 13, B & C Specialized Carriers, Inc., now assigned July 22, 1974, at Chicago, Ill., is postponed indefinitely.

MC 123639 Sub-155, J. B. Montgomery, Inc., now being assigned continued hearing October 21, 1974, at Denver, Colo., in a hearing room to be later designated.

MC-128383 Sub-40, Pinto Trucking Service, Inc., now assigned August 1, 1974 at Chicago, Ill., is cancelled and Transferred to Modified Procedure.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-15622 Filed 7-8-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JULY 3, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065 (a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before July 19, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC–2226 (Sub-No. E1), filed May 10, 1974 (Correction), published in the FEDERAL REGISTER June 18, 1974. Applicant: RED ARROW FREIGHT LINES, P.O. Box 897, San Antonio, Tex. 78297. Applicant's representative: Eugene C. Daniel (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except livestock, Classes A and B explosives, liquid commodities in bulk, articles of unusual value, and household goods as defined by the Commission), between Galveston, Tex., on the one hand, and, on the other, points in that part of Texas on and east of a line beginning at the United States-Mexico International Boundary line near Del Rio, thence along U.S. Highway 277 to Abilene, thence along U.S. Highway 83 to the Texas-Oklahoma State line, near Perryton, Tex. (except points in Brazoria, Chambers, Galveston, Hardin, Jasper, Jefferson, Liberty, Matagorda, and Orange Counties). The purpose of this filing is to eliminate the gateway of Houston, Tex. The purpose of this correction is to reflect that authority is sought between points—previously published as from Galveston, Tex.

No. MC–26739 (Sub-No. E2), filed May 10, 1974. Applicant: CROUCH BROTHERS, INC., P.O. Box 1059, St. Joseph, Mo. 64502. Applicant's representative: Sheldon Silverman, 1819 H St. NW., Suite 550, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular *ties* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between points in Nebraska (except points in Richardson County), on the one hand, and, on the other, points in Missouri (except points in Atchison, Holt, and Andrew Counties); (2) between points in that part of Iowa in and west of Winnebago, Hancock, Wright, Hamilton, Story, Jasper, Polk, Dallas, Madison, Adair, Adams, and Taylor Counties, on the one hand, and, on the other, points in Missouri in and west of Nodaway, Andrew, DeKalb, Clinton, Ray, Lafayette, Pettis, Morgan, Camden, Pulaski, Texas, Shannon, Carter, Butler, Kunklin, and Pemiscot Counties (except points in Atchison and Holt Counties, and that part of Nodaway County north of U.S. Highway 136); (3) between points in that part of Missouri in and west of Nodaway, Andrew, DeKalb, Clinton, Ray, Lafayette, Johnson, Henry, St. Clair, Hickory, Polk, Greene, Christian, and Taney Counties (except points in Atchison and Holt Counties, and that part of Nodaway County north of U.S. Highway 136), on the one hand, and, on the other, points in Iowa; and (4) between points in that part of Iowa in and west of Dickinson, Clay, Cherokee, Ida, Crawford, Shelby, Pottawattamie, Montgomery, and Taylor Counties, on the one hand, and, on the other, points in Missouri (except points in Atchison, Holt, Worth, and Gentry Counties, and that part of Nodaway County north of U.S. Highway 136). The purpose of this filing is to eliminate the gateway of Maryville Junction, Mo.

No. MC–73165 (Sub-No. E27), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings* therefor, (1) from points in Alabama on and south of a line beginning at the Alabama-Georgia State line, and extending along U.S. Highway 280 to Birmingham, thence along U.S. Highway 11 to Tuscaloosa, thence along U.S. Highway 82 to Alabama-Mississippi State line and points in Tuscaloosa County, to points in Illinois, Ohio, Indiana, Michigan, Wisconsin, points in Kentucky on and west of the Tennessee River, and St. Louis, Mo; (2) from points in Alabama on and south of a line beginning at the Georgia-Alabama State line, and extending along U.S. Highway 278 to Piedmont, thence along Alabama Highway 21 to Oxford, thence along U.S. Highway 78 to Birmingham, thence along U.S. Highway 11 to the Alabama-Mississippi line, to points in Illinois; (3) from points in Alabama on and south of a line beginning at Alabama-Georgia State line and extending along U.S. Highway 278 to Gadsden thence along Interstate Highway 59 to Birmingham, thence along Interstate Highway 65 to Alabama-Mississippi line to points in Kentucky on and east of Interstate Highway 75, Michigan, Wisconsin, St. Louis, Mo., and points in Illinois on and north of Illinois Highway 15 (except points on a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Decatur, thence along U.S. Highway 51 to La Salle, thence along U.S. Highway 6 to Joliet, thence along Alternate U.S. Highway 66 to junction U.S. Highway 66, thence along U.S. Highway 66 to Chicago, and thence along the Illinois-Indiana State line to point of beginning), and Ohio (except those on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line, near Sharon, Pa., and extending along U.S. Highway 62 to Columbus, thence along U.S. Highway 23 to Circleville, and thence along U.S. Highway 22 to Cincinnati). The purpose of this filing is to eliminate the gateway of Holt, Ala., in proposal (1) above and Anniston, Ala., in proposals (2) and (3) above.

No. MC–73165 (Sub-No. E29), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, restricted against the transportation of commodities used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products, from points in North Carolina and South Carolina, to points in Arkansas and Oklahoma. The purpose of the filing is to eliminate the gateways of Decatur and Birmingham, Ala.

No. MC–73165 (Sub-No. E32), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities which because of size or weight require the use of special equipment), (1) between points in Alabama on and north of a line beginning at the Alabama-Mississippi State line, extending along Alabama Highway 24 to Moulton, thence along Alabama Highway 157 to Interstate Highway 65, thence along Interstate Highway 65 to Cullman, thence along Alabama Highway 69 to Guntersville thence along the Tennessee River, to the Alabama-Georgia State line, on the one hand, and, on the other, points in Georgia; (2) between points in Alabama on and north of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 11 to Birmingham, thence along Alabama Highway 75 to the Alabama-Georgia State line, on the one hand, and, on the other, points in Georgia on and east of a line beginning at Georgia-Tennessee State line, thence along U.S. Highway 129 to Athens, thence along U.S. Highway 78 to Georgia-South Carolina State line; (3) between points in Alabama on and northwest of a line beginning at Alabama-Tennessee State line, thence along Interstate Highway 59 to Birmingham, thence along U.S. Highway 78 to Alabama-Mississippi State line, on the one hand, and, on the other, points in Florida on and south of a line beginning at Cedar Key, thence along Florida Highway 24 to Valdo, thence along U.S. Highway 301 to the Georgia-Florida State line; (4) between points in Alabama and north of U.S. Highway 78, on the one hand, and, on the other, points in Florida on and south of Florida Highway 60; (5) between points in Alabama on and south of U.S. Highway 72, on the one hand, and, on the other, points in Tennessee; (6) between points in Alabama, on and north of a line beginning at the Alabama-Mississippi State line, and extending along U.S. Highway 72 and 72A

through Decatur to Huntsville, thence along U.S. Highway 231, to the Alabama-Tennessee State line, on the one hand, and, on the other, points in Mississippi; (7) between points in Alabama on and north of U.S. Highway 78, on the one hand, and, on the other, points in Arkansas on and north of U.S. Highway 79. The purpose of this filing is to eliminate the gateways of points on the Tennessee River in proposal (1) and (5) above; Guntersville, Ala., in proposals (2), (3), and (4) above; and Florence, Ala., in proposals (6) and (7) above.

No. MC–73165 (Sub-No. E33), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, restricted against the transportation of commodities used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products, (1) from points in Alabama on and east of a line beginning at the Tennessee-Alabama State line, and extending along Interstate Highway 65 to Birmingham, thence along U.S. Highway 29 to the Alabama-Georgia State line to points in Arkansas and Oklahoma; (2) from points in Alabama on and north of a line beginning at the Alabama-Mississippi State line, thence along U.S. Highway 278 to Guin, thence along U.S. Highway 78 to the Alabama-Georgia State line, to points in Oklahoma; (3) from points in Alabama on, north, and east of a line beginning at the Alabama-Florida State line, thence along U.S. Highway 331 to Montgomery, thence along U.S. Highway 80 to Selma, thence along Alabama Highway 14 to Alabama-Mississippi State line, and on and south of a line beginning at the Alabama-Mississippi line, thence along U.S. Highway 278 to Guin, thence along U.S. Highway 78 to Alabama-Georgia State line, to points in Arkansas and Oklahoma; (4) from points in Alabama on and south of U.S. Highway 80 and on and north of U.S. Highway 84 to points in Oklahoma, and points in Arkansas on and north of a line beginning at Texarkana, thence along U.S. Highway 67 to Malvern, thence along U.S. Highway 270 to Pine Bluff, thence along U.S. Highway 79 to Arkansas-Tennessee State line; (5) from points in Alabama on and south of U.S. Highway 84, to points in Arkansas on and north of U.S. Highway 64, and points in Oklahoma on and north of Interstate Highway 40. The purpose of this filing is to eliminate the gateways of Decatur, Ala., in proposals (1) and (2) above, and Holt, Ala., in proposals (3), (4), and (5) above.

No. MC–73165 (Sub-No. E34), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities which because of size or weight require special equipment), (1) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Arkansas; (2) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Tennessee on and west of U.S. Highway 231; (3) between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Mississippi on and north of a line beginning at the Louisiana-Mississippi State line, and extending along Interstate Highway 59 to Hattiesburg, thence along Mississippi Highway 42 to the Alabama-Mississippi State line; and (4) between points in North Carolina, on the one hand, and, on the other, points in Mississippi on and south of a line beginning at the Louisiana-Mississippi State line, and extending along Interstate Highway 59 to Hattiesburg, thence along Mississippi Highway 42 to the Alabama-Mississippi State line. The purpose of this filing is to eliminate the gateway of points in Alabama on the Tennessee River.

No. MC–73165 (Sub-No. E35), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those requiring special equipment), (1) from points in Pennsylvania on and west of U.S. Highway 219, to points in Alabama on and north of the Tennessee River, and points in Louisiana and Texas; and (2) from the plantsite of Wheeling Pittsburg Steel Corporation, Martins Ferry, Ohio, to points in Tennessee and Alabama on and north of the Tennessee or Holston River (except points in Tennessee on and east of U.S. Highway 25–E), and points in Louisiana and Texas. The purpose of this filing is to eliminate the gateway of Huntington, W. Va.

No. MC–76177 (Sub-No. E32), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32nd St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, and *blasting supplies*, from points in Indiana to points in Utah. The purpose of this filing is to eliminate the gateways of Grafton, Ill., and Atlas, Mo.

No. MC–76177 (Sub-No. E35), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION, CO., 2 South 32nd Street, Birmingham, Alabama 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in Montana, on the one hand, and, on the other, points in New York east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of Seneca, Ill., and points within 15 miles of both Allentown and Reynolds, Pa.

No. MC–85231 (Sub-No. E2), filed May 31, 1974. Applicant: FRANK WILLIAMS TRANSFER & STORAGE CO., INC., P.O. Box 1442, Mansfield, Ohio 44901. Applicant's representative: Michael M. Briley, 3C0 Madison Avenue, Toledo, Ohio 43604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

(A) *Stoves and stove parts*, (1) from St. Louis, Mo., Louisville, Ky., and Detroit, Mich., and points in Illinois and Indiana to points in Connecticut, Maine, Massachusetts, Delaware, Rhode Island, New Hampshire, Vermont, and the District of Columbia; (2) from Detroit, Mich., to points in Florida; (3) from Detroit, Mich., to points in Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Tennessee, and the District of Columbia; (4) from points in Pennsylvania, New York, and New Jersey to points in Alabama, Lousiana, Arkansas, Mississippi, Iowa, Wisconsin, Missouri (except St. Louis), Michigan (except Detroit), Minnesota, Wisconsin, and Kentucky (except Louisville), restricted against the transportation of uncrated stoves and stove parts to points in Michigan and Wisconsin except when incidental to the transportation of such stoves; (5) from points in Maryland to points in Alabama, Louisiana, Arkansas, Mississippi, Iowa, Wisconsin, Missouri (except St. Louis), Michigan (except Detroit), Minnesota, and Wisconsin, restricted against the transportation of uncrated stoves and stove parts to points in Michigan and Wisconsin except when incidental to the transportation of such stoves; (6) from points in Virginia and West Virginia to points in Michigan (except Detroit), Minnesota, Wisconsin, and Iowa, restricted against the transportation of uncrated stoves and stove parts to points in Michigan and Wisconsin except when incidental to the transportation of such stoves.

(B) *Stoves, stove parts, and refrigerators*, (7) between Detroit, Mich., and points in Illinois and Indiana, on the one hand, and, on the other, points in Pennsylvania, New Jersey, New York, and points in Arlington County, Va.; (8) from St. Louis, Mo., and Louisville, Ky., to points in Pennsylvania, Michigan, New Jersey, New York, and points in Arlington County; (9) from points in Pennsylvania, New Jersey, New York, Maryland, Virginia, and West Virginia, to Brookfield, Wis., and points in Michigan; and (10) from points in Maryland and Virginia to points in Illinois and Indiana. The purpose of this filing is to eliminate the gateways of Mansfield, Ohio, and proposals (1), (2), (3), (4), (5), and (6) above; and Shelby, Ohio, in proposals (7), (8), (9), and (10) above.

No. MC-88368 (Sub-No. E10), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Idaho to points in Alabama (points in Montana, Colorado, and Mississippi, Newton, Kans., and points within 15 miles thereof, and Florence, Sheffield, and Tuscumbia, Ala.)*, points in Arkansas (points in Montana, Colorado, Wyoming, Nebraska, and Newton, Kans., and points within 15 miles thereof)*, points in Connecticut (points in Montana, Wyoming, and Colorado, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in Delaware (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in Florida (points in Montana, Kansas, Colorado, and Mississippi, Florence, Sheffield, and Tuscumbia, Ala., and Valdosta, Ga.)*, points in Georgia (points in Montana, Colorado, Kansas, and Mississippi, Florence, Sheffield, and Tuscumbia, Ala., and Birmingham, Ala., and points within 100 miles thereof, except Montgomery, Ala.)*, points in Illinois (points in Montana, Wyoming, Colorado, and Nebraska, Harlan, Iowa, and points within 15 miles thereof, and Bloomington, Ill., and points within 25 miles thereof)*, points in Indiana (points in Montana, Wyoming, Colorado, and Nebraska, Newton, Kans., and points within 15 miles thereof, Harlan, Iowa, and points within 15 miles thereof, and Bloomington, Ill., and points within 25 miles thereof)*, Harlan, Iowa, and points in Iowa within 15 miles thereof (points in Montana, Wyoming, and Nebraska)*, points in Kansas (points in Montana, Colorado, Wyoming, and Nebraska)*, points in Kentucky (points on Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, and Bloomington, Ill., and points within 25 miles thereof)*, points in Louisiana (points in Montana and Colorado, points in Cowley County, Kans., and points in Cherokee County, Tex.)*, points in Maine (points in Montana and Colorado, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof).*

Points in Massachusetts (points in Montana and Colorado, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in Mississippi (points in Montana, Kansas, and Colorado)*, points in New Hampshire (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*, points in New Jersey (points in Montana and Colorado, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in New York (points in Montana and Colorado, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in North Carolina (points in Montana, Colorado, Missouri, and Mississippi, and Florence, Sheffield, and Tuscumbia, Ala.)*, points in Pennsylvania (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, and points in Jefferson County, Ohio)*, points in Rhode Island (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*, points in South Carolina (points in Montana, Colorado, and Mississippi, Newton, Kans., and points within 15 miles thereof, Florence, Sheffield, and Tuscumbia, Ala., and Valdosta, Ga.)*, points in Tennessee (points in Montana, Wyoming, and Nebraska, and Newton, Kans., and points within 15 miles thereof)*, points in Vermont (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof)*, points in Virginia (points in Montana, Wyoming, Colorado, and Nebraska, Newton, Kans., and points within 15 miles thereof,

Points in Harlan County, Ky., and Bloomington, Ill., and points within 25 miles thereof)*, points in West Virginia (points in Montana, Colorado, Wyoming, and Nebraska, Newton, Kans., and points within 15 miles thereof, Bloomington, Ill., and points within 25 miles thereof, and points in Jefferson County, Ohio)*; (2) from points in Idaho in and south of Adams, Valley, and Lemhi Counties, Idaho, and west on U.S. Highway 93 to points in Oregon in and west of Hood River, Clackamas, Marion Lane, Douglas, and Jackson Counties, Oreg. (points in Washington east of the Cascade Mountains)*; (3) from points in Idaho in and north of Idaho County, Idaho, to points in Arizona within 25 miles of Chandler, Ariz. (points in San Bernardino County, Calif., within 50 miles of Earp, Calif., including Earp, Calif., and points within 25 miles of Chandler, Ariz.)*; (4) from points in Idaho on and east of U.S. Highway 93 to points in Oregon west of the Cascade Mountains and in and north of Lincoln, Benton, Linn, Jefferson, Wheeler, Morrow, Umatilla, Union, and Wallowa Counties, Oreg. (points in Washington east of the Cascade Mountains)*; (5) from points in Idaho in and north of Nez Perce, Lewiston, and Clear Water Counties, Idaho, to points in Texas on and east of a line beginning at U.S. Highway 83 at the Oklahoma-Texas State line, thence south on U.S. Highway 83 to Abilene, Tex., thence south on U.S. Highway 277 to Del Rio, Tex. (points in Montana and Colorado, and points in Cowley County, Kans.)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC-88368 (Sub-No. E13), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Ave. NW., Suite 600, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) from points in Iowa to points in Alabama (points in Missouri and Mississippi, and Florence, Sheffield, and Tuscumbia, Ala.)*, points in Florida (points in Missouri and Mississippi, and Florence, Sheffield, and Tuscumbia, Ala.)*, points in Georgia (points in Missouri and Mississippi and Florence, Sheffield and Tuscumbia, Ala., and Birmingham, Ala., and points within 100 miles thereof)*, points in Illinois within 100 miles of Daneville, Ill., including Daneville (Bloomington, Ill., and points within 25 miles thereof)*, points in Indiana within 100 miles of Daneville, Ill. (Bloomington, Ill., and points within 25 miles thereof)*, Harlan, Ky., and points within 5 miles thereof (Bloomington, Ill., and points within 25 miles thereof)*, points in Louisiana (points in Missouri and Mississippi, points in Cowley County, Kans., and points in Cherokee County, Tex.)*, points in Mississippi (points in Missouri)*, points in North Carolina (points in Missouri and Mississippi, Florence, Sheffield, and Tuscumbia, Ala., Bloomington, Ill., and points within 25 miles thereof, and points in Harlan County, Ky.)*, points in Oklahoma (points in Cowley County, Kans., and points in Missouri)*, points in Oregon in and west of Lane, Douglas, and Jackson Counties, Oreg., and in and north of Lincoln, Benton, Linn, Jefferson, Wheeler, Morrow, Umatilla, Union, and Wallowa Counties, Oreg. (Newton, Kans., and points within 15 miles thereof, points in Colorado, Nebraska, and Wyoming, and points in Washington east of the Cascade Mountains)*, points in Texas (points in Cowley County, Kans.)*, points in Washington (Newton, Kans., and points within 15 miles thereof, and points in Nebraska, Colorado, and Wyoming)*; and

(2) From Harlan, Iowa, and points in Iowa within 15 miles thereof to points in Arkansas (points in Missouri)*, points in Connecticut (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.)*, points in Delaware (Bloomington, Ill., and points within 25 miles

thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Idaho (points in Nebraska, Wyoming, and Montana) *, points in Kentucky (Bloomington, Ill., and points within 25 miles thereof), points in Maine (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Massachusetts (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Montana (points in Nebraska and Wyoming) *, points in New Hampshire (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in New Jersey (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Ohio (Bloomington, Ill., and points within 25 miles thereof) *, points in Oregon (points in Nebraska, Wyoming, and points in Washington east of the Cascade Mountains) *, points in Pennsylvania (Bloomington, Ill., and points within 25 miles thereof and points in Jefferson County, Ohio) *, points in Rhode Island (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Tennessee (points in Missouri) *, points in Vermont (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Virginia (Bloomington, Ill., and points within 25 miles thereof, and points in Harlan County, Ky.) *, points in Wyoming (points in Nebraska) *, points in the District of Columbia (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC-88368 (Sub-No. E14), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Kansas to points in Alabama (points in Mississippi and Florence, Sheffield, and Tuscumbia, Ala.) *, points in California in and north of Humboldt, Trinity, Shasta, and Lasson Counties, Calif. (points in Colorado and points in Washington east of the Cascade Mountains) *, points in Connecticut (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Delaware (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Florida (points in Mississippi, and Florence, Sheffield, and Tuscumbia, Ala.) *, points in Georgia (points in Mississippi and Florence, Sheffield, and Tuscumbia, Ala., and Birmingham, Ala., and points within 100 miles thereof) *, points in Maine (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Massachusetts (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *, points in Michigan (Bloomington, Ill., and points within 25 miles thereof) *, points in Minnesota (Harlan, Iowa, and points within 15 miles thereof) *, points in Montana (Newton, Kans., and points within 15 miles thereof, points in Kimball, Banner, and Cheyenne Counties, Nebr., and points in Colorado and Wyoming) *, points in New Hampshire (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in New Jersey (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *,

Points in North Carolina (points in Mississippi and Florence, Sheffield, and Tuscumbia, Ala.) *, points in Ohio (Bloomington, Ill., and points within 25 miles thereof) *, points in Oregon (points in Colorado and points in Washington east of the Cascade Mountains) *, points in Pennsylvania (Bloomington, Ill., and points within 25 miles thereof, and points in Jefferson County, Ohio) *, points in Rhode Island (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Berkeley, Dorchester, Colleton, Hampton, Jasper, Beaufort, and Charleston Counties, S.C. (points in Tennessee, Florence, Sheffield, and Tuscumbia Counties, Ala., and Valdosta, Ga.) *, points in Vermont (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof) *, points in Virginia (points in Mississippi, Florence, Sheffield, and Tuscumba, Ala., and points in Washington (points in Colorado) *, points in Wyoming (Newton, Kans., and points within 15 miles thereof, and points in Kimball, Banner, and Cheyenne Counties, Nebr.) *, and points in the District of Columbia (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.) *.

No. MC-95540 (Sub-No. E494), filed May 17, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood), from Macksburg and Uhrichville, Ohio, to points in Georgia. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC-105984 (Sub-No. E18), filed May 5, 1974. Applicant: JOHN B. BARBOUR, JR., dba JOHN B. BARBOUR TRUCKING COMPANY, P.O. Box 577, Iowa Park, Texas 76367. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Texas 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies and equipment* incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum and pipe, pipe line materials, machinery and equipment incidental to, or used in, the construction, repairing, or dismantling of gas, gasoline and oil, pipelines; and (2) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment; (b) the completion of holes or wells drilled; (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites; and (d) the injection or removal of commodities to or from holes or wells, between points in Kansas, on, south, and east of a line beginning at the Kansas-Oklahoma State line, and extending along U.S. Highway 56 to its junction with U.S. Highway 156, thence along U.S. Highway 156 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Missouri State line, on the one hand, and, on the other, points in Utah (except points in Vintah County). The purpose of this filing is to eliminate the gateway of points in Texas on and west of U.S. Highway 77 between the Oklahoma-Texas State line and Denton, on and west of U.S. Highway 377 between Denton and Fort Worth, and on and north of U.S. Highway 80 between Fort Worth and the Texas-New Mexico State line.

No. MC-105984 (Sub-No. E20), filed May 5, 1974. Applicant: JOHN B. BARBOUR, JR., dba JOHN B. BARBOUR TRUCKING COMPANY, P.O. Box 577, Iowa Park, Texas 76367. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Texas 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, materials, supplies and equipment* incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, and *pipe, pipeline materials, machinery and equipment* incidental to, or used in, the construction, repairing, or dismantling of gas, gasoline and oil, pipelines (except the stringing and picking up of pipe in connection with main pipelines); and (2) *Earth drilling machinery and equipment, and machinery, equip-*

ment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment; (b) the completion of holes or wells drilled; (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites; and (d) the injection or removal of commodities to or from holes or wells, between points in Colorado on and south of a line beginning at the Colorado-Kansas State line, and extending along U.S. Highway 50 to its junction with U.S. Highway 287, thence along U.S. Highway 287 to its junction with Colorado Highway 116, thence along Colorado Highway 116 to its junction with Colorado Highway 101, thence along Colorado Highway 101 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-New Mexico State line on the one hand, and, on the other, points in Montana on and south of a line beginning at the Montana-Idaho State line, and extending along U.S. Highway 12 to its junction with Interstate Highway 15, thence along Interstate Highway 15 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Montana Highway 233, thence along Montana Highway 233 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of points in Texas on and west of U.S. Highway 77 between the Oklahoma-Texas State line and Denton, on and west of U.S. Highway 377, between Denton and Fort Worth, and on and north of U.S. Highway 80 between Fort Worth and the Texas-New Mexico State line.

No. MC–107295 (Sub-No. E118), (Correction), filed May 13, 1974, published in the FEDERAL REGISTER June 7, 1974. Applicant: PRE–FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mortar cement* and *carpet and linoleum paste cement* (except in bulk), from the plant and warehouse facilities of C. E. Kaiser Company at Houston, Tex., to points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateway of New Philadelphia, Ohio. The purpose of this correction is to indicate the correct "E" number—previously published as E1.

No. MC–107496 (Sub-No. E177), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 1855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* in bulk, in tank vehicles, from points in Iowa east of U.S. Highway 65 to points in St. Louis and St. Charles Counties, Mo. The purpose of this filing is to eliminate the gateways of Ft. Madison, Iowa, and Quincy, Ill.

No. MC–107496 (Sub-No. E178), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 1855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplements*, in bulk, in tank vehicles, from Lucerne, Colo., to points in Missouri on and west of U.S. Highway 63 (except points within Missouri bounded by a line beginning at St. Joseph, thence east on U.S. Highway 36 to Chillicothe, thence north on U.S. Highway 65 to the Iowa-Missouri State line). The purpose of this filing is to eliminate the gateway of Leoti, Kans.

No. MC–107496 (Sub-No. E179), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 1855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Naphtha and lubricating oil*, in bulk, in tank vehicles, from Cleveland, Okla., to points in South Dakota. The purpose of this filing is to eliminate the gateway of the Kaneb pipeline terminal near Geneva, Nebr.

No. MC–107496 (Sub-No. E181), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Port Neal Industrial Complex, and Big 500 Terminal, and the plantsite of, and warehouses and storage facilities utilized by Terra Chemicals International, Inc., American Cyanamid Company, and Monsanto Company, located in Woodbury County, Iowa, and Dakota County, Neb., to points in Ohio. The purpose of this filing is to eliminate the gateway of the plantsite of Cowles Chemical Company at or near Joliet, Ill.

No. MC–107496 (Sub-No. E182), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonedible animal oils*, in bulk, in tank vehicles, from points in South Dakota (except points east of U.S. Highway 281 and north of South Dakota Highway 34), to points in Wisconsin (except points north of Wisconsin Highway 64 and south of U.S. Highway 14). The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E183), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from the Flexi-Flo Terminal of Penn Central Transportation Company at Hammond, Ind., to points in Ohio on and south of U.S. Highway 42. The purpose of this filing is to eliminate the gateway of the plantsite of Cowles Chemical Company at or near Joliet, Ill.

No. MC–107496 (Sub-No. E184), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *Liquid petrochemicals*, in bulk, in tank vehicels, from Milan, Ill., to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Company at or near Clinton, Iowa, and Ft. Madison, Iowa.

No. MC–107496 (Sub-No. E185), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Milan, Ill., to points in Nebraska. The purpose of this filing is to eliminate the gateway of the plant site of Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E186), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Milan, Ill., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the plantsite of Hawkeye Chemical Co., at or near Clinton, Ill.

No. MC–107496 (Sub-No. E284), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oils*, in bulk, in tank vehicles, from points in North Dakota to points in Hennepin, Ramsey, Scott, and Dakota Counties, Minn. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E291), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except those derived from petroleum and except liquid oxygen, liquid hydro-

gen, and liquid nitrogen), in bulk, from Denver, Colo., to points in Indiana. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Co., Div. of Ashland Oil and Refining Co., at Mapleton, Ill.

No. MC–107496 (Sub-No. E296), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, PO Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, from plantsite of U.S. Steel Corp., Chemical Division, at Tilton, Ill., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Savage, Minn.

No. MC–107496 (Sub-No. E297), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, PO Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting, *Petroleum products*, in bulk, in tank vehicles, from Peoria, Ill., and points within 10 miles thereof to points in Iowa (except points north of U.S. Highway 20 and points east of U.S. Highway 218). The purpose of this filing is to eliminate the gateway of Burlington, Iowa.

No. MC–107496 (Sub-No. E298), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, PO Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Havana, Ill., to points in Iowa (except points north of U.S. Highway 34 and east of U.S. Highway 218). The purpose of this filing is to eliminate the gateway of Alexandria, Mo.

No. MC–107496 (Sub-No. E299), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, PO Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid vegetable oils*, in bulk, in tank vehicles, from points in Minnesota on and north of Minnesota Highway 60 to points in Ohio. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E304), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's repsentative: E. Check, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphoric acid*, in bulk, from Lawrence, Kans., to points in Wisconsin (except points on and north of U.S. Highway 8, and on and west of U.S. Highway 51). The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–110525 (Sub-No. E137), filed May 8, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the District of Columbia to points in that part of New York on and east of U.S. Highway 81. The purpose of this filing is to eliminate the gateways of Lima, Philadelphia, and Morrisville, Pa.

No. MC–110525 (Sub-No. E349), filed May 8, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in the Lower Peninsula of Michigan to points in Georgia. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC–110525 (Sub-No. 444), filed May 8, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in that part of New York on and north of U.S. Highway 84, to points in that part of Tennessee on and west of U.S. Highway 23. The purpose of this filing is to eliminate the gateway of Bridgeville, Pa.

No. MC–112822 (Sub-No. E114), filed May 25, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, from Worland, Wyo., to points in that part of Texas bounded by a line beginning at the Texas-New Mexico State line and extending east along U.S. Highway 180 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S Highway 75, thence north along U.S. Highway 75 to the Texas-Oklahoma State line, thence northwesterly, northerly, and westerly along the Texas-Oklahoma State line to the Texas-New Mexico State line, and thence south along the Texas-New Mexico State line to points of beginning, including points on the indicated portions of the highways specified. The purpose of this filing is to eliminate the gateway of Garden City, Kans.

No. MC–112822 (Sub-No. E115), filed May 25, 1974. Applicant: BRAY LINES INCORPORATED, P.O. Box 1191, Cushing, Okla. 74023. Applicant's representative: Robert A. Stone (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in bulk, from Worland, Wyo., and points within 5 miles thereof, to points in Arkansas and Missouri (except Atchison County). The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC–113843 (Sub-No. E194), filed May 14, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved foodstuffs* (except frozen foods and dairy products), from points in the Lower Peninsula of Michigan to points in Vermont, New Hampshire, and points in that part of Maine on and south of Maine Highway 25. The purpose of this filing is to eliminate the gateway of East Syracuse, N.Y.

No. MC–113843 (Sub-No. E195), filed May 6, 1974. Applicant: REFIGERATED FOOD EXPRESS, INC., 316 Summer St., Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Rhode Island to points in Cattaraugus, Chautauqua, and Erie Counties, N.Y. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E196), filed May 6, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Boston, Mass., to Chicago, Ill. The purpose of this filing is to eliminate the gateway of Syracuse, N.Y.

No. MC–116273 (Sub-No. E1), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petroleum products, fertilizers, and cryogenic liquids), in bulk, in tank vehicles, from the plantsite of Apple River Chemical Company at or near East Dubuque, Ill., to points in Alabama, Arkansas, that part of Colorado on and west of a line beginning at San Antonio, thence along U.S. Highway 285 to junction Colorado Highway 9, thence along Colorado Highway 9 to junction Colorado Highway 14, thence along Colorado 14 to junction Colorado Highway 125, thence along Colorado Highway 125 to the Colorado-Wyoming State line, Georgia, Louisiana, Mississippi, Ok-

lahoma, Pennsylvania, Texas, West Virginia, and that part of Tennessee west of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of La Salle, Ill.

No. MC–116273 (Sub-No. E9), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from Joliet, Ill., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the Flexi Flo Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E10), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicle, from Joliet, Ill., to points in Minnesota. The purpose of this filing is to eliminate the gateway of the storage facilities utilized by American Oil Company in Dubuque, Iowa.

No. MC–116273 (Sub-No. E11), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products*, in bulk, in tank vehicles (except coal tar chemicals), from Joliet, Ill., to points in that part of Nebraska on and west of U.S. Highway 281, that part of Texas on and south of a line beginning near Joaquin, thence along U.S. Highway 84 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Texas Highway 22, thence along Texas Highway 22 to junction Texas Highway 171, thence along Texas Highway 171 to junction U.S. Highway 180, thence along U.S. Highway 180 to the Texas-New Mexico State line, that part of Florida on and south of Florida Highway 50, and Minnesota. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E15), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gas and liquid fertilizer), in bulk, in tank vehicles, from Muskegon, Mich., and points within 5 miles thereof, to points in that part of Iowa north and west of a line beginnnig at Sabula, thence along Iowa Highway 30 to Cedar Rapids, thence along U.S. Highway 218 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction U.S. Highway 69, thence along U.S. Highway 69 to the Iowa-Missouri State line, and Nebraska, Texas, and Minnesota. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E16), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquified petroleum gas, liquid hydrogen, liquid oxygen, liquid nitrogen, and liquid fertilizer), from the plant site of Foster Grant Company, Inc., at Peru, Ill., to points in New Jersey, New York, Massachusetts, Connecticut, Florida, and that part of Pennsylvania east of a line beginning near Tassett, thence along Pennsylvania Highway 14 to Williamsport, thence along U.S. Highway 15 to the Pennsylvania-Maryland State line, that part of Nebraska on and west of Nebraska Highway 61, and that part of Texas south of a line beginning near Merryville, thence along U.S. Highway 190 to junction U.S. Highway 87, thence along U.S. Highway 87 to Texas Highway 176, thence along Texas Highway 176 to The Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E28), filed May 22, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Whiting and East Chicago, Ind., to points in Iowa, Minnesota, North Dakota, South Dakota, and that part of Wisconsin on and west of U.S. Highway 51. The purpose of this filing is to eliminate the gateway of Rochelle, Ill.

No. MC–116273 (Sub-No. E53), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Nitrogen fertilizer solutions, liquid fertilizer, liquid fertilizer materials, and anhydrous ammonia*, to the extent they are petroleum products, in bulk, in tank vehicles, from the plantsite and facilities of the Royster Company at or near Seneca, Ill., to points in Colorado, Wyoming, that part of Nebraska on and west of U.S. Highway 83, and that part of South Dakota on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of points in that part of Indiana located in the Chicago, Ill., commercial zone.

No. MC–116273 (Sub-No. E54), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Phthalic anhydride*, in bulk, in tank vehicles, from Chicago, Ill., to points in Nebraska, Texas, and that part of Florida on and south of a line beginning at or near Jena, thence along Florida Highway 358 to junction U.S. Highway 19/98, thence along U.S. Highway 19/98 to junction Florida Highway 26, thence along Florida Highway 26 to junction Florida Highway 20, thence along Florida Highway 20 to junction Florida Highway 207, thence along Florida Highway 207 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E55), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Fertilizer and fertilizer material*, to the extent they are petroleum products, in bulk, in tank vehicles, from the plantsite of W. R. Grace and Company, at or near Henry, Ill., to points in that part of Colorado on and west of a line beginning near San Antonio, thence along U.S. Highway 285 to junction Colorado Highway 9, thence along Colorado Highway 9 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Colorado Highway 125, thence along Colorado Highway 125 to the Colorado-Wyoming State line, that part of Wyoming on and west of a line beginning near Cheyenne, thence along Interstate Highway 25 to junction Wyoming Highway 59, thence along Wyoming Highway 59 to the Wyoming-Montana State line, and that part of South Dakota on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of points in that part of Indiana located in the Chicago, Ill., commercial zone.

No. MC–116273 (Sub-No. E56), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gas and liquid fertilizer), in bulk, in tank vehicles, from the Flexi-Flo Terminals of Penn Central Transportation Company at Hammond, Ind., to points in Nebraska, and Texas, restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E57), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pellets*, in bulk, in tank or hopper-type vehicles, from the Flexi-Flo Terminals of

Penn Central Transportation Company at Hammond, Ind., to points in Alabama, California, Colorado, Idaho, Oregon, Tennessee, Texas, Utah, and Washington, restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of Marseilles, Ill.

No. MC–116273 (Sub-No. E59), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pellets*, in bulk, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Alabama, California, Indiana (except points in Lake and Porter Counties), Kentucky, Michigan, Ohio, Oregon, Tennessee, Texas, Utah, Washington, and West Virginia. The purpose of this filing is to eliminate the gateway of Marseilles, Ill.

No. MC–116273 (Sub-No. E61), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, to the extent they are petroleum products, in bulk, in tank or hopper-type vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Kentucky and Missouri. The purpose of this filing is to eliminate the gateway of the plantsite of W. R. Grace & Company located at or near Henry, Ill.

No. MC–116273 (Sub-No. E62), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients* (except cryogenic liquids), to the extent they are petroleum products, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Kansas, Kentucky, and Missouri. The purpose of this filing is to eliminate the gateway of the plantsite of Apple River Company at or near Niota, Ill.

No. MC–116273 (Sub-No. E63), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients* (except cryogenic liquids), to the extent they are petroleum products, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Indiana, Kansas, Missouri, Kentucky, Michigan, Nebraska, Ohio, and South Dakota. The purpose of this filing is to eliminate the gateway of the plantsite of the Apple River Chemical Company at or near East Dubuque, Ill.

No. MC–116273 (Sub-No. E65), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery, (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Indiana and Kentucky. The purpose of this filing is to eliminate the gateway of the storage facilities of Sinclair Petrochemicals, Inc., at or near Peru, Ill.

No. MC–116273 (Sub-No. E67), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except liquefied petroleum gas), in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Indiana. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC–116273 (Sub-No. E70), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt cut-back*, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Whiting, Ind.

No. MC–116273 (Sub-No. E71), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except liquefied petroleum gas, petroleum products, and liquid fertilizers), in bulk, in tank vehicles, from the facilities of Philadelphia Quartz Company at or near La Salle, Ill., to points in New Jersey, New York, Massachusetts, Connecticut, and Florida. The purpose of this filing is to eliminate the gateway of Janesville, Wis.

No. MC–116273 (Sub-No. E72), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum products and fertilizers), in bulk, in tank vehicles, from the facilities of the Philadelphia Quartz Company at or near La Salle, Ill., to points in that part of Tennessee east of U.S. Highway 27 (except Kingsport). The purpose of this filing is to eliminate the gateway of the plant site of Diversified Chemicals and Propellants Company, Frankfort, Ill.

No. MC–116273 (Sub-No. E73), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude coal tar*, in bulk, in tank vehicles, from the plant site and storage facilities of Bethlehem Steel Corporation in Porter County, Ind., to points in Tennessee and that part of Kentucky, on and west of U.S. Highway 41. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

No. MC–116273 (Sub-No. E75), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except petroleum chemicals), in bulk, in tank vehicles, from points in that part of the Lower Peninsula of Michigan on, south, and west of a line beginning at Manistee, thence along Michigan Highway 55, to junction Michigan Highway 76, thence along Michigan Highway 76 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Michigan Highway 25, thence along Michigan Highway 25 to Unionville, thence along unnumbered county highway to junction Michigan Highway 53, thence along Michigan Highway 53 to junction Michigan Highway 59, thence along Michigan Highway 59 to the west bank of Lake St. Clair, and thence along the west bank of Lake St. Clair, the Detroit River and Lake Erie to the Michigan-Ohio State line, to points in Iowa. The purpose of this filing is to eliminate the gateway of the plant site of American Oil Company at or near Whiting, Ind.

No. MC–116273 (Sub-No. E76), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except liquified petroleum gas and petroleum chemicals), in bulk, in tank vehicles, from points in that part of Illinois, located in the Chicago, Ill., commercial zone to points in Iowa. The purpose of this filing is to eliminate the gateway of the plant site

of American Oil Company at or near Whiting, Ind.

No. MC–116273 (Sub-No. E78), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in that part of the Lower Peninsula of Michigan on, south, and west of a line beginning at Manistee, thence along Michigan Highway 55 to junction Michigan Highway 76, thence along Michigan Highway 76 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Michigan Highway 25, thence along Michigan Highway 25 to Unionville, thence along unnumbered county highway to junction Michigan Highway 53, thence along Michigan Highway 53 to junction Michigan Highway 59, thence along Michigan Highway 59 to the west bank of Lake St. Clair, and thence along the west bank of Lake St. Clair, the Detroit River and Lake Erie to the Michigan-Ohio State line to points in Illinois, Iowa, Minnesota, Missouri, and Wisconsin, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquified petroleum gases, including anhydrous ammonia and petroleum aromatic compounds), as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, and further restricted to the transportation of traffic having a prior movement by rail. The purpose of this filing is to eliminate the gateway of the Flexi-Flo Terminal of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E77), filed May 24, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Ave., Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products*, in bulk, in tank vehicles, from Whiting and East Chicago, Ind., to points in Iowa and Missouri. The purpose of this filing is to eliminate the gateway of Joliet, Ill.

No. MC–117119 (Sub-No. E104), filed May 15, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Ohio to points in Arizona, California, New Mexico, and to Reno, Carson City, and Las Vegas, Nev. The purpose of this filing is to eliminate the gateway of Fort Smith, Ark.

No. MC–119531 (Sub-No. E13), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper cartons*, from the plant site of Midland Glass Company, Inc., at or near Terre Haute, Ind., to points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line near Jellico, Tenn., and extending south along Interstate Highway 75 to Knoxville, thence along U.S. Highway 129 to the Tennessee-North Carolina State line. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC–119531 (Sub-No. E17), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio. 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard*, (1) from Carthage, Ind., to points in Tennessee on and east of Interstate Highway 75; and (2) from Carthage, Inc., to points in Kentucky on and east of Interstate Highway 75. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC–119531 (Sub-No. E18), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio. 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers*, from Washington, Pa., to points in Wisconsin, Minnesota, Iowa, Illinois, and points in Kentucky on and west of the line beginning at the Indiana-Kentucky State line near Hawesville, Ky., extending south along Kentucky Highway 69 to Hartford, thence along U.S. Highway 231 to Bowling Green, and thence along U.S. Highway 31W to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lapel, Ind.

No. MC–119531 (Sub-No. E19), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio. 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass products*, from the facilities of Metro Glass, a division of Kraftco Corp., at Jersey City and Carteret, N.J., to points in West Virginia on and west of Interstate Highway 77. The purpose of this filing is to eliminate the gateway of Zanesville, Ohio.

No. MC–119531 (Sub-No. E20), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio. 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies used in the manufacture, sale and distribution of pulpboard and pulpboard products* (except commodities in bulk), from points in that part of Michigan on and east of a line beginning at the Ohio-Michigan State line and extending north along Michigan Highway 52 to Saginaw, thence along Michigan Highway 47 to Midland, thence along U.S. Highway 10 to its intersection with Interstate Highway 75, thence along Interstate Highway 75 to the Straits of Mackinac, and points in the Upper Peninsula of Michigan to the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind. The purpose of this filing is to eliminate the gateway of Freemont, Ohio.

No. MC–119531 (Sub-No. E 21), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul B. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibre drums*, from Louisville, Ky., to points in Ohio on and north of U.S. Highway 35, and points in Missouri on and north of Interstate Highway 44. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC–119531 (Sub-No. E 22), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass products*, from Lapel, Inc., to points in New York on and west of U.S. Highway 15, and points in West Virginia; and (2) *Glass containers*, from Lapel, Ind., to points in New York on and east of Interstate Highway 87. The purpose of this filing is to eliminate the gateways of (a) Zanesville, Ohio for (1) above, and (b) Zanesville, Ohio and Vienna, W. Va., for (2) above.

No. MC–119531 (Sub. No. E 23), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier, by motor* vehicle, over irregular routes, transporting: *Glass containers*, from Vienna, W. Va., to points in Missouri and Iowa. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Midland Glass Company, Inc., at or near Terre Haute, Ind.

No. MC–119531 (Sub-No. E 24), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper, and machinery, and supplies used in the manufacture of pulpboard*, from Chattanooga and Knoxville, Tenn., to Chicago, Ill. The purpose of this filing is to eliminate the gateway of Noblesville, Ind.

No. MC–119944 (Sub-No. E1), filed May 8, 1974. Applicant: BROCKWAY FAST MOTOR FREIGHT, INC., 588 Central Avenue, Finderne: Somerville, N.J. 08876. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, not including lumber, *and brick, crushed stone, sand and gravel* used in the manufacture of building materials, (1) between points in Massachusetts, Rhode Island, and Connecticut, on the one hand, and, on the other, points in New Jersey in Hunterdon, Cape May, Cumberland, Atlantic, Salem, Gloucester, Camden, Burlington, Ocean, Monmouth, and Mercer Counties, and points in Warren County, N.J., on and south of Interstate Highway 80 within 100 miles of Cliffwood, N.J.; (2) between points in the District of Columbia, points in Delaware on and north of U.S. Highway 40, points in that part of Maryland on and east of U.S. Highway 15, north of the Maryland-Virginia State line, on and north of Maryland Highway 4, and west of the Chesapeake Bay, and those in Virginia within 15 miles of the District of Columbia, on the one hand, and, on the other, points in Sussex, Passaic, Bergen, Morris, Hunterdon, Mercer, and Monmouth Counties, N.J., and points in New York within 100 miles of Cliffwood, N.J.; and (3) between points in Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 220 to Hughesville, Pa., thence along Pennsylvania Highway 405 (Portion formerly U.S. Highway 220) to Muncy, Pa., thence along Pennsylvania Highway 14 (formerly U.S. Highway 15) to Harrisburg, Pa., and thence along U.S. Highway 111 from Harrisburg to the Pennsylvania-Maryland State line, on the one hand, and, on the other, New York, N.Y., points in Nassau and Suffolk Counties, N.Y., points in New Jersey in Passaic and Bergen Counties, Morris County on and south of New Jersey Highway 24, and Monmouth and Mercer Counties within 100 miles of Cliffwood, N.J. The purpose of this filing is to eliminate the gateway of Middlesex County, N.J.

No. MC–124078 (Sub-No. E26), filed May 22, 1974. Applicant: SCHWERMAN TRUCKING CO., 611 South 28 St., Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals* (except sulphate), in bulk, in tank vehicles, from Atlanta, Ga., to points in Iowa, Minnesota, Nebraska, and South Dakota. The purpose of this filing is to eliminate the gateways of points in Bartow County, Ga., and the plantsite of the Apple River Chemical Company at or near Niota, Ill.

No. MC–127196 (Sub-No. E15), filed May 17, 1974. Applicant: KLINE TRUCKING, INC., P.O. Box 355, Millville, Pa. 17846. Applicant's representative: James L. Kline (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and component parts used in the manufacture and assembly of mobile buildings* (except commodities in bulk and those which, because of size or weight, require the use of special equipment), (1) from points in that part of Virginia east of a line beginning at the West Virginia-Virginia State line, thence along Virginia Highway 311 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Virginia-North Carolina State line, to points in that part of California west of a line beginning at the Oregon-California State line, thence along U.S. Highway 395 to junction California Highway 108, thence along California 108 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction California Highway 14, thence along California Highway 14 to junction California Highway 138, thence along California Highway 138 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 74, thence along California Highway 74 to San Clemente, and points in Idaho; (2) from points in that part of North Carolina north and east of a line beginning at the Virginia-North Carolina State line thence along U.S. Highway 501 to junction U.S. Highway 70, thence along U.S. Highway 70 to Beaufort, to points in that part of California west of a line beginning at the Oregon-California State line, thence along U.S. Highway 395 to junction California Highway 108, thence along California Highway 108 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction California Highway 14, thence along California Highway 14 to junction California Highway 138, thence along California Highway 138 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 74, thence along California Highway 74 to San Clemente, and points in Idaho;

(3) From points in that part of New York east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 19 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 21, thence along New York Highway 21 to junction U.S. Highway 15, thence along U.S. Highway 15 to Rochester (except New York, N.Y.), to points in Texas and Louisiana; (4) from points in that part of New York east of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 14 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction U.S. Highway 15, thence along U.S. Highway 15 to Rochester (except New York, N.Y.), to points in Arkansas; and (5) from points in that part of New York east of a line beginning at the New York-Pennsylvania State line, thence along New York Highway 14 to junction New York Highway 13, thence along New York Highway 13 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction New York Highway 13 near Pulaski, thence along New York Highway 13 to Port Ontario (except New York, N.Y.), to points in Kansas, Missouri, and Iowa. The purpose of this filing is to eliminate the gateway of Millville, Pa.

No. MC–1936 (Sub-No. E1), filed May 31, 1974. Applicant: B & P MOTOR EXPRESS, INC., 720 Gross St., Pittsburgh, Pa. 15224. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as *a common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Pennsylvania on, south, and east of a line beginning at the Pennsylvania-West Virginia State line, thence along U.S. Highway 22, to junction Pennsylvania Highway 286, thence along Pennsylvania Highway 286 to junction Pennsylvania Highway 403, thence along Pennsylvania Highway 403 to junction Pennsylvania Highway 580, thence along Pennsylvania Highway 580 to junction Pennsylvania Highway 553, thence along Pennsylvania Highway 553 to junction unnumbered highway at or near Bakerton, thence along unnumbered highway via Carrolltown, to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction Pennsylvania Highway 53, thence along Pennsylvania Highway 53 to Philipsburg, thence along Pennsylvania Highway 504 to junction U.S. Highway 220, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to junction Pennsylvania Highway 14, thence along Pennsylvania Highway 14 to the Pennsylvania-New York State line, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, and Michigan. The purpose of this filing is to eliminate the gateway of points in Belmont County, Ohio.

No. MC–2860 (Sub-No. E37), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street, NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in and sold by retail chain grocery and department stores (except commodities in bulk), from points in Connecticut, Delaware, Massachusetts, New Jersey, New York, Rhode Island, Maryland (except points in Allegany, Garrett, and Washington Counties), and that part of Pennsylvania north and east of a line beginning at the Pensylvania-Maryland State line, thence along U.S. Highway 522 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Pennsylvania-Ohio State line, to

points in Florida. The purpose of this filing is to eliminate the gateways of Deepwater, N.J., and Baltimore, Md.

No. MC–2860 (Sub-No. E39), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials* (except fiber glass boats), from points in Connecticut, Rhode Island, and that part of Massachusetts on and east of a line beginning at the Massachusetts-Connecticut State line, thence along Massachusetts Highway 9 to junction Massachusetts Highway 63, thence along Massachusetts Highway 63 to the Vermont-Massachusetts State line, to points in that part of Ohio on and west of Interstate Highway 77. The purpose of this filing is to eliminate the gateway of Barrington, N.J.

No. MC–2860 (Sub-No. E40), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials* (except fiber glass boats and commodities in bulk), from points in that part of New Jersey on and south of U.S. Highway 202, and that part of New York on and south of a line beginning at the New York-Connecticut State line, thence along Interstate Highway 84 to junction Interstate Highway 87, thence along Interstate Highway 87 to junction U.S. Highway 202, thence along U.S. Highway 202 to the New York-New Jersey State line, to points in Ohio. The purpose of this filing is to eliminate the gateway of Barrington, N.J.

No. MC–2860 (Sub-No. E41), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, plastic containers, and paper containers*, from points in that part of New York east of New York Highway 30 (except New York, N.Y., and points within 50 miles thereof), and that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, thence along Pennsylvania Highway 10 to junction Pennsylvania Highway 61, thence along Pennsylvania Highway 61 to junction Interstate Highway 78, thence along Interstate Highway 78 to the Pennsylvania-New Jersey State line, to points in Illinois and that part of Ohio on and west of a line beginning at the Ohio-Kentucky State line, thence along U.S. Highway 68 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Michigan State line. The purpose of this filing is to eliminate the gateway of Camden, N.J.

No. MC–2860 (Sub-No. E42), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, plastic containers, and paper containers*, from points in Massachusetts, Connecticut, Rhode Island, New Jersey (except points in Camden, Atlantic, Gloucester, Salem, and Cumberland Counties), and that part of New York east of a line beginning at the New York-New Jersey State line, thence along New York Highway 17 to junction Interstate Highway 84, thence along Interstate Highway 84 to the New York-Connecticut State line, to points in Ohio and Illinois. The purpose of this filing is to eliminate the gateway of Camden, N.J.

No. MC–2860 (Sub-No. E43), filed May 17, 1974. Applicant: NATIONAL FREIGHT, INC., 57 Westpark Avenue, Vineland, N.J. 08360. Applicant's representative: Jacob P. Billig, 1126 16th Street NW., Suite 300, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, plastic containers, and paper containers*, from points in Delaware to points in Ohio and Illinois. The purpose of this filing is to eliminate the gateway of Deepwater, N.J.

No. MC–29790 (Sub-No. E1), filed May 12, 1974. Applicant: HILL BROTHERS TRUCKING CO., INC., 691 Chestnut Ave., Pennsauken, N.J. 08109. Applicant's representative: George A. Baumgardner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, (1) from points in New York on and east of Interstate Highway 81 (except New York, N.Y.) to points in Delaware, those in Maryland east of Baltimore, Howard, and Montgomery Counties, and those in New Jersey south of New Jersey Highway 33; (2) from points in New York on and east of Interstate Highway 87 to points in Pennsylvania on and south of Interstate Highway 76; (3) from points in Pennsylvania on and south of Interstate Highway 76 to Brooklyn, N.Y., points in Delaware, and New Jersey; (4) from points in Delaware to Brooklyn, N.Y., points in New Jersey and Pennsylvania; (5) from points in New Jersey to points in Delaware and Maryland and those in Pennsylvania on and south of Interstate Highway 76; (6) from points in Maryland to Brooklyn, N.Y., and points in New Jersey and those in Pennsylvania on and east of a line extending from Philadelphia, Pa., along U.S. Highway 422 to the Pennsylvania Turnpike, thence west along the Pennsylvania Turnpike to its junction with the Pennsylvania Turnpike Northeast Extension, thence along the Pennsylvania Turnpike Northeast Extension to Interstate Highway 81, thence along Interstate Highway 81 to the New York-Pennsylvania State line; (7) between New York, N.Y. (except Kings County, N.Y.), on the one hand, and, on the other, points in Delaware and Maryland, those in New Jersey, south of the northern boundaries of Camden and Atlantic Counties, and those in Pennsylvania on and south of Interstate Highway 76; and (8) from Brooklyn, N.Y., to points in Delaware, Maryland, those in New Jersey, south of the northern borders of Camden and Atlantic Counties and those in Pennsylvania on and south of Interstate Highway 76. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 30887 (Sub-No. E1), filed May 10, 1974. Applicant: SHIPLEY TRANSFER, INC., P.O. Box 55, Reisterstown, Md. 21136. Applicant's representative: William B. Eckels (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic latex*, in bulk, in tank vehicles, (a) from Akron, Ohio to points in Pennsylvania on and east of Interstate Highway 83 and on and south of Interstate Highway 78 (Dover, Del., or Baltimore, Md.) *; (b) from Akron, Ohio to Newark, Burlington, Trenton, Paterson, Roselle Park, Secaucus, and New Brunswick, N.J. (Dover, Del., or Baltimore, Md.) *; (c) from Akron, Ohio to New York, N.Y. (Baltimore, Md.) *; (d) from Akron, Ohio to Boston, New Bedford, Cambridge, Fall River, and Peabody, Mass. (Dover, Del.) *; and (e) from Akron, Ohio, to points in Florida (Austell, Ga.) *; (2) *Natural latex*, in bulk, in tank vehicles, from Baltimore, Md., to points in California, Minnesota, Missouri, Oklahoma, and Wisconsin (Lorain, Ohio) *; (3) *Latex*, in bulk, in tank vehicles, (a) from Dover and Cheswold, Del., to points in Alabama, Arkansas, and Mississippi (Baltimore, Md., and Austell, Ga.) *; and (b) from Dover and Cheswold, Del., to points in Georgia, North Carolina, Ohio, Tennessee, points in that part of Pennsylvania west of U.S. Highway 219, St. Louis, Mo., and Milwaukee, Wis. (Baltimore, Md.) *; (4) *Natural latex*, in bulk, in tank vehicles, (a) from Fall River, Mass., to points in Indiana, Georgia, Michigan, North Carolina, Ohio, Tennessee, St. Louis, Mo., Milwaukee, Wis., and Simpsonville, Westminster, and Greenville, S.C. (Dover, Del., and Baltimore, Md.) *; and (b) from Fall River, Mass., to points in Minnesota (Dover, Del., Baltimore, Md., and Lorain, Ohio) *;

(5) *Synthetic latex*, in bulk, in tank vehicles, (a) from Louisville, Ky., to Burlington, Trenton, Secaucus, Newark, New Brunswick, Roselle Park, and Paterson, N.J., Boston, Cambridge, Peabody, and New Bedford, Mass., and Philadelphia

and Quakertown, Pa. (Dover Del.) *; and (b) from Louisville, Ky., to points in Florida (Austell, Ga.) *; (6) *Natural latex*, in bulk, in tank vehicles, (a) from New York, N.Y., to points in California, Illinois, Indiana, Minnesota, Missouri, Oklahoma, and Wisconsin (Lorain, Ohio) *; and (b) from New York, N.Y., to points in Georgia, Tennessee, and to Simpsonville, Greenville, and Westminster, S.C. (Dover, Del., and Baltimore, Md.) *; and (7) *Synthetic latex*, in bulk, in tank vehicles, (a) from Midland, Mich., to New York, N.Y., Newark, Roselle Park, and Camden, N.J., and points in that part of Pennsylvania on, east, and south of a line beginning at the Pennsylvania-Maryland State line, thence along Interstate Highway 83 to junction Interstate Highway 76, thence along Interstate Highway 76 to the Delaware River (Baltimore, Md., or Dover, Del.) *; and (b) from Midland, Mich., to New Bedford, Fall River, and Boston, Mass. (Baltimore, Md., and Dover, Del.) *. The purpose of this filing is to eliminate the gateways of the points indicated by an asterisk above.

No. MC–63792 (Sub-No. E7), filed May 17, 1974. Applicant: TOM HICKS TRANSFER CO., INC., P.O. Box 16006, Houston, Tex. 77022. Applicant's representative: C. W. Ferebee (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Machinery, equipment, materials and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and pertroleum and their products and byproducts, and *machinery, materials, equipment, and supplies* used in, or in connection with the, construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking-up thereof, except the stringing and picking-up of pipe in connection with main pipelines, (B) *machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewage, restricted to the transportation of shipments moving to or from pipeline rights-of-way, and (C) *earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Oklahoma, on the one hand, and, on the other, points in Colorado, New Mexico, Utah, and Wyoming (except that no service is authorized (1) between points in that part of Oklahoma north and west of a line beginning at the Texas-Oklahoma State line, thence along Oklahoma Highway 51 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Oklahoma-Kansas State line, on the one hand, and, on the other, points in Colorado, and (2) between points in that part of Oklahoma west of U.S. Highway 385, on the one hand, and, on the other, east of U.S. Highway 87). The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–73165 (Sub-No. E30), filed May 28, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities which because of size or weight require special equipment), (1) from points in Arkansas on and south of a line beginning at Arkansas-Oklahoma State line, extending along U.S. Highway 270 to Hot Springs, thence along U.S. Highway 70 to Brinkley, thence along U.S. Highway 49 to Arksansas-Mississippi State line, to points in Maryland, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine; (2) from points in Arkansas, and points in Tennessee, on and south of a line beginning at the Tennessee-Missouri State line, and extending along Tennessee Highway 20 to Shubert, thence along Tennessee Highway 99 to Unionville, thence along U.S. Highway 41–A to Summerfield, thence along U.S. Highway 41 to Pittsburg, thence along U.S. Highway 72 to the Tennessee-Alabama State line, to points in those portions of Maryland, Pennsylvania, and New York on and east of a line beginning at the Maryland-West Virginia State line, extending along Interstate Highway 81 to Scranton, thence along U.S. Highway 6 to Harriman, thence along Interstate Highway 87 to the United States-Canadian International Boundary line, and points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine; (3) from points in Mississippi, to points in Maryland, Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, and Maine; (4) from points in Florida on and west of a line beginning at Alabama-Florida State line, thence along U.S. Highway 19 to Chiefland, thence along U.S. Highway 98 to West Frost Proof, thence along U.S. Highway 27 to Miamia, to points in Pennsylvania on and east of a line beginning at the Ohio-Pennsylvania State line, thence along Interstate Highway 70 to Washington, thence along Interstate 79 to Erie. The purpose of this filing is to eliminate the gateways of Guntersville and Gadsden, Ala.

No. MC–73165 (Sub-No. E31), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require special equipment), (1) from points in Alabama on and southeast of a line beginning at the Alabama-Tennessee State line, thence along Alabama Highway 101 to intersection with Alabama Highway 24, thence along Alabama Highway 24 to Alabama-Mississippi State line, to points in West Virginia; (2) from points in Alabama, to points in West Virginia on and east of a line beginning at Kentucky-West Virginia State line, thence along U.S. Highway 119 to Charleston, thence along Interstate Highway 77 to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateway of Gadsden, Ala.

No. MC–73165 (Sub-No. E36), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those requiring special equipment), (1) from the plantsite of the Wheeling Pittsburgh Steel Corporation at Martins Ferry, Ohio, to points in Tennessee on and west of the Tennessee River; (2) from the plantsite of the Wheeling Pittsburgh Steel Corporation at Martins Ferry, Ohio, to points in Mississippi; and (3) from the plantsite of the Wheeling Pittsburgh Steel Corporation at Martins Ferry, Ohio, to points in Florida on and west of a line beginning at the Atlantic Ocean, and extending along U.S. Highway 27 to its junction with U.S. Highway 27–A, thence along U.S. Highway 27–A to Perry, thence along U.S. Highway 27 to the Florida-Georgia State line. The purpose of this filing is to eliminate the gateways of Huntsville, W. Va., and points in Alabama and Tennessee on the Tennessee River in proposal (1) above; Huntington, W. Va., and Florence, Ala., in proposal (2) above; and Huntington, W. Va., and Gunthersville, Ark., in proposal (3) above.

No. MC–73165 (Sub-No. E38), filed May 28, 1974. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require special equipment), from (1) points in Arkansas on and south of Interstate Highway 40 to points in West Virginia on and east of a line beginning at West Virginia-Virginia State line, thence along U.S. Hghway 19 to Weston, thence along U.S. Highway 119 to Crafton, thence along U.S. 50 to West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateways of Florence, Guntersville, and Birmingham, Ala.

No. MC 73165 (Sub-No. E39), filed May 28, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require special equipment), (1) from points in Pennsylvania on and west of U.S. Highway 219, to points in Arkansas and Oklahoma, and points in Missouri on and south of a line beginning at the Illinois-Missouri State line, and extending along Missouri Highway 32 to El Dorado Springs, thence along U.S. Highway 54 to Missouri-Kansas State line; (2) from the plantsite of Wheeling Pittsburg Steel Corporation, at Martins Ferry, Ohio, to points in Arkansas, Oklahoma, and Missouri (except St. Louis and points in its commercial zone); and (3) from points in Pennsylvania on and west of U.S. Highway 219 and on and south of a line beginning at the Ohio-Pennsylvania State line, thence along Pennsylvania Highway 68 to Unionville, thence along Pennsylvania Turnpike to its intersection with Pennsylvania Highway 28, thence along Pennsylvania Highway 28 to Kittanning, thence along U.S. Highway 422 to Ebensburg, to points in Missouri (except St. Louis and points in its commercial zone). The purpose of this filing is to eliminate the gateway of Huntington, W. Va.

No. MC 73165 (Sub-No. E40), filed May 28, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except those which because of size or weight require special equipment), from the plantsite of Wheeling Pittsburg Steel Corp., at Martins Ferry, Ohio, to points in Alabama and Georgia. The purpose of this filing is to eliminate the gateway of points in Brooke County, W. Va.

No. MC–73165 (Sub-No. E41), filed May 28, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, (1) from points in Alabama, on and west of a line beginning at the Alabama-Tennessee State line, and extending along Interstate Highway 65 to Montgomery, thence along U.S. Highway 231 to the Alabama-Florida State line, to points in Virginia; (2) from points in Alabama on and west of a line beginning at Alabama-Tennessee State line extending along U.S. Highway 31 to Cullman, thence along U.S. Highway 278 to Gadsden, thence along U.S. Highway 431 to Opelika, thence along Interstate Highway 85 to Montgomery, thence along U.S. Highway 231 to Alabama-Florida State line, to points in Virginia, on and north of a line beginning at Kentucky-Virginia State line, thence along U.S. Highway 52 to Bluefield, thence along U.S. Highway 460 to Norfolk; and (3) from points in Alabama on and west of a line beginning at Kentucky-Tennessee State line, thence along U.S. Highway 431 to Anniston, thence along Interstate Highway 20 to Alabama-Mississippi State line, to points in Virginia on and north of U.S. Highway 60. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 73165 (Sub-No. E43) filed May 20, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and* steel articles (except those requiring special equipment), (1) from points in Pennsylvania, Maryland, and New York, to points in Mississippi on and south of U.S. Highway 78; (2) from points in Pennsylvania, on and east of U.S. Highway 219, and points in Maryland and New York, to Mississippi; (3) from points in Pennsylvania and New York on and east of a line beginning at Philadelphia, thence over Pennsylvania Turnpike Extension to Scranton, thence along U.S. Highway 11 to Maple View, thence along New York Highway 104 to Oswego, to points in Tennessee on and west of U.S. Highways 45 and 45W; and (4) from points in Pennsylvania, Maryland, and New York, to points in Louisiana east of the Mississippi River. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC–73165 (Sub-No. E45), filed May 20, 1974. Applicant: EAGLE MOTOR LINES INCORPORATED, P.O. Box 11086, Birmingham, Ala. 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe, pipe fittings, cast iron meter boxes, manhole frames, and manhole covers* (except those which because of size or weight require the use of special equipment, and except pipe and pipe fittings such as are included in the first findings of the Commission in T. E. Mercer and G. E. Mercer Extension—Oilfield Commodities, 74 M.C.C. 459 and 543), (1) between points in Florida and points in Mississippi, Alabama, and Georgia on and south of U.S. Highway 80 on the one hand, and, on the other, points in Oklahoma, and points in Kansas on and west of U.S. Highway 81; and (2) between points in Florida, and points in Mississippi on and south of U.S. Highway 80, on the one hand, and, on the other, points in Kansas on and west of U.S. Highway 75. The purpose of this filing is to eliminate the gateways of the plantsite of Western Foundry Company, a division of Woodward Company, at or near Tyler, Tex., and points on the Mississippi River on and south of the Kentucky-Tennessee State line.

No. MC–74321 (Sub-No. E7), filed June 3, 1974. Applicant: B. F. WALKER, P.O. Box 17B, Denver, Colo. Applicant's representative: Richard P. Kissinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of size or weight, requires the use of special equipment or special handling, and parts thereof, (1) between points in Navajo and Apache Counties, Ariz., on the one hand, and, on the other, points in Colorado and Kansas (points in Dolores, San Miguel, Montezuma, San Juan, La Plata, or Archulita Counties, Colo.)*; (2) between points in those points of Navajo and Apache Counties, Ariz., on and north of Interstate Highway 40, on the one hand, and, on the other, points in Louisiana (points in Texas and points in La Plata Counties, Colo.)*; (3) between points in those parts of Navajo and Apache Counties, Ariz., on and north of Interstate Highway 40, on the one hand, and, on the other, points in Texas (points in San Juan, Rio Arriba, or McKinley Counties, N. Mex.)*; (4) between points in Navajo and Apache Counties, Ariz., on the one hand, and, on the other, points in Nebraska (points in La Plata County, Colo.)*; (5) between points in Navajo and Apache Counties, Ariz., on the one hand, and, on the other, points in Oklahoma (points in Texas and points in McKinley or San Juan Counties, N. Mex.)*; (6) between points in Navajo and Apache Counties, Ariz., on the one hand, and, on the other, points in that part of Texas north and east of a line beginning at the Texas-New Mexico State line, thence along U.S. Highway 84 to junction Texas Highway 208, thence along Texas Highway 208 to junction U.S. Highway 277, thence along U.S. Highway 277 to junction Texas Highway 239, thence along Texas Highway 239 to the International Boundary line between the United States and Mexico (points in San Juan, Rio Arriba, or McKinley Counties, N. Mex.)*; (7) between points in San Juan County, Utah, on the one hand, and, on the other, points in Colorado (points in La Plata or San Miguel Counties, Colo.)*; (8) between points in San Juan County, Utah, on the one hand, and, on the other, points in Kansas, Nebraska, and Oklahoma (points in La Plata County, Colo.)*; (9) between points in San Juan County, Utah, on the one hand, and, on the other, points in Louisiana (points in Texas and points in La Plata County, Colo.)*.

(10) Between points in San Juan County, Utah, on the one hand, and, on the other, points in Texas (points in San Juan or McKinley Counties, N. Mex.)*; (11) between points in McKinley, Rio Arriba, and San Juan Counties, N. Mex., on the one hand, and, on the other, points in Colorado and Nebraska (points in La Plata County, Colo.)*; (12) between points in McKinley, Rio Arriba and San Juan Counties, N. Mex., on the one hand, and, on the other, points in Louisiana (points in Texas and points in LaPlata County, Colo.)*; (13) between points in that part of Colorado on and east of a line beginning at the Colorado-Utah

State line, thence along U.S. Highway 40 to junction Colorado Highway 64, thence along Colorado Highway 64 to junction Colorado Highway 13, thence along Colorado Highway 13 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Colorado Highway 82, thence along Colorado Highway 82 to junction U.S. Highway 24, thence U.S. Highway 24 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Colorado Highway 69, thence along Colorado Highway 69 to junction Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-New Mexico State line, on the one hand, and, on the other, points in that part of New Mexico on and south of U.S. Highway 70 (points in Texas)*; (14) between points in Nebraska, on the one hand, and, on the other, points in that part of New Mexico on and south of Interstate Highway 40 (points in Texas)*; (15) between points in those parts of Sandoval, Santa Fe, San Miguel, Mora, Harding, Taos, Colfax, Union, Quay, Torrence, Bernalillo, Guadalupe, Curry, and Valencia Counties, N. Mex., on and north of Interstate Highway 40, on the one hand, and, on the other, points in that part of Nebraska on and east of U.S. Highway 83 (points in Texas)*; (16) between points in Louisiana, on the one hand, and, on the other, points in Colorado, Nebraska, and Oklahoma (points in Texas)*; (17) between points in Louisiana, on the one hand, and, on the other, points in Kansas (points in Oklahoma or Texas)*; (18) between points in New Mexico, on the one hand, and, on the other, points in Oklahoma (points in Texas)*; (19) between points in New Mexico, on the one hand, and, on the other, points in Kansas (points in Oklahoma or Texas)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-76177 (Sub-No. E34), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in Delaware north of Delaware Highway 16, on the one hand, and, on the other, points in Tennessee west of Interstate Highway 65, and points in Kentucky west of a line beginning at the Kentucky-West Virginia State line near Louisa, Ky., and extending along U.S. Highway 23 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Kentucky Highway 30, thence along Kentucky Highway 30 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of points within 15 miles of both Reynolds and Allentown, Pa.

No. MC-76177 (Sub-No. E36), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in Alabama south of U.S. Highway 78 on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateway of McAdory, Ala.

No. MC-76177 (Sub-No. E37), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *High explosives and blasting supplies*, between points in Georgia north of a line beginning at the Alabama-Georgia State line and extending along Interstate Highway 85 to Atlanta, Ga., thence along Interstate Highway 75 to Macon, Ga., thence along Interstate Highway 16 to Savannah, Ga., on the one hand, and, on the other, points in New Mexico. The purpose of this filing is to eliminate the gateway of points in Alabama, and points within 15 miles of both of Energy and Wolf Lake, Ill.

No. MC-76177 (Sub-No. E38), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in Maryland, on the one hand, and, on the other, points in New York east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of points within 15 miles of both Allentown and Reynolds, Pa.

No. MC-76177 (Sub-No. E39), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, from points in Arkansas to points in Indiana. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill.

No. MC-76177 (Sub-No. E40), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and blasting supplies*, between points in Ohio, on the one hand, and, on the other, points in Mississippi south of U.S. Highway 82. The purpose of this filing is to eliminate the gateway of McAdory, Ala.

No. MC-76177 (Sub-No. E41), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d St., Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *High explosives and blasting supplies*, between points in Georgia and those in Florida east of the Apalachiola River, on the one hand, and, on the other, points in Arizona. The purpose of this filing is to eliminate the gateway of points in Alabama, and points within 15 miles of both Energy and Wolf Lake, Ill.

No. MC 76177 (Sub-No. E46), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives* and *blasting supplies*, from points in Oklahoma to points in Tennessee east of a line beginning at the Tennessee-Georgia State line and extending along Interstate Highway 24 to Nashville, thence along Interstate Highway 65 to the Tennessee-Kentucky State line. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill.

No. MC 76177 (Sub-No. E47), filed April 15, 1974. Applicant: BAGGETT TRANSPORTATION CO., 2 South 32d Street, Birmingham, Ala. 35233. Applicant's representative: T. C. Sinclair (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives* and *blasting supplies*, from points in Arkansas to points in West Virginia. The purpose of this filing is to eliminate the gateway of Wolf Lake, Ill.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-15620 Filed 7-8-74;8:45 am]

[Notice 92]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 1, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed

with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 263 (Sub-No. 214 TA), filed June 17, 1974. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, Idaho 83201. Applicant's representative: Wayne S. Green (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Dairy products and materials* used in the manufacture and distribution of such commodities (except commodities in bulk, in tank vehicles), between Gallatin Gateway, Mont., and Pocatello, Idaho: From Pocatello, Idaho, over Interstate Highway 15 to Idaho Falls, Idaho, thence over U.S. Highway 191 to West Yellowstone, Mont., thence over U.S. Highway 287 and U.S. Highway 191 to Gallatin Gateway, Mont., and return over the same route, for 180 days. SUPPORTING SHIPPER: Kraft Foods, 2660 Newhall St., San Francisco, Calif. 94124. SEND PROTESTS TO: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 550 West Fort Street, Box 07, Boise, Idaho 83724.

No. MC 2368 (Sub-No. 41 TA), filed June 19, 1974. Applicant: BRALLEY-WILLETT TANK LINES, INC., 2212 Deepwater Terminal Road, Richmond, Va. 23204. Applicant's representative: Ward W. Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Richmond, Va., to points in West Virginia, for 180 days. SUPPORTING SHIPPER: J. R. Elliott, Terminal Superintendent, Exxon Co., U.S.A., P.O. Box 3496, Richmond, Va. 23234. SEND PROTESTS TO: District Supervisor Clatin M. Harmon, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 7640 (Sub-No. 47 TA), filed June 17, 1974. Applicant: BARNES TRUCK LINE, INC., 506 Mayo Street, Wilson, N.C. 27893. Applicant's representative: Harry J. Jordan, 1000 16th Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated modular panels*, from Frankfort, Ind., and Tarboro, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized, for 180 days. SUPPORTING SHIPPER: Formica Corp., 10155 Reading Road, Cincinnati, Ohio 45241. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 14215 (Sub-No. 7 TA), filed June 21, 1974. Applicant: SMITH TRUCK SERVICE, INC., P.O. Box 1329, Stoney Hollow Blvd., Steubenville, Ohio 43952. Applicant's representative: John L. Alden, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in dump vehicles, from Triadelphia, W. Va., to Cleveland, Ohio, for 180 days. SUPPORTING SHIPPER: Valley Camp Coal Co., 700 Westgate Tower, Cleveland, Ohio 44116. SEND PROTESTS TO: Joseph A. Niggemyer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 416 Old P.O. Bldg., Wheeling, W. Va. 26003.

No. MC 21455 (Sub-No. 33 TA), filed June 18, 1974. Applicant: GENE MITCHELL CO., West Liberty, Iowa 52776. Applicant's representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soy flour and soy protein* (except in bulk), from Gibson City, Ill., to Indianapolis and Muncie, Ind.; Lexington, Louisville, Owensboro, and Paducah, Ky.; Saginaw, Mich.; Greensboro, N.C.; Cincinnati, Ohio; Chattanooga, Johnson City, and Nashville, Tenn.; and Roanoke, Va., for 180 days. SUPPORTING SHIPPER: Campbell Taggart, Inc., P.O. Box 2640, Dallas, Tex. 75221. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 29886 (Sub-No. 312 TA), filed June 19, 1974. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. 46627. Applicant's representative: Charles Pieroni (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trucks and truck chassis*, in initial movements in driveaway service, from the plant site of the White Motor Corporation in Weber County, Utah, to points in the United States (except Texas) for 180 days. SUPPORTING SHIPPER: The White Motor Corp., 100 Erieview Plaza, Cleveland, Ohio 44114. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Fort Wayne, Ind. 46802.

No. MC 29910 (Sub-No. 144 TA), filed June 17, 1974. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 South 11th Street, Fort Smith, Ark. 72901. Applicant's representative: Gary D. Bronson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron or steel articles*, from the Port of Fort Smith, Fort Smith, Ark., to points in Arkansas, Oklahoma, Missouri, and Texas, for 180 days. SUPPORTING SHIPPER: Fort Smith Port Terminal, 200 Navy Road, Forth Smith, Ark. 72901. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 30374 (Sub-No. 22 TA), filed June 18, 1974. Applicant: TRI-STATE TRANSPORTATION CO., INC., West and Railroad Avenues, Vineland, N.J. 08360. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious and contaminating to other lading), between New York, N.Y., and Philadelphia, Pa., and (B) *Wearing apparel and materials and supplies and equipment* used in the manufacture of wearing apparel, between points in Hudson, Passaic, Bergen, and Essex Counties, N.J., on the one hand, and, on the other, Philadelphia, Pa., for 180 days. RESTRICTION: The operations authorized herein are subject to the following conditions: Said operations are restricted to interchange and interline traffic received from or delivered to connecting carriers and said operations are restricted against the transportation of the above-described commodities between New York, N.Y., on the one hand, and, on the other, points in Hudson, Passaic, Bergen, and Essex Counties, N.J. SUPPORTING SHIPPER: None. SEND PROTESTS TO: Richard M. Regan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 428 East State St., Room 204, Trenton, N.J. 08608.

NOTE.—Applicant states it will tack and/or interline at Philadelphia, Pa., New York, N.Y., and northern New Jersey points.

No. MC 41404 (Sub-No. 114 TA) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER issue of June 24, 1974, and republished as corrected this issue. Applicant: ARGO-COLLIER TRUCK LINES CORPORATION, P.O. Box 440, Fulton Highway, Martin, Tenn.

38237. Applicant's representative: Mark L. Horne (same address as applicant).

NOTE.—The purpose of this republication is to show the sub number, which was omitted in previous publication in the FEDERAL REGISTER. The applicant above was assigned No. MC 41404 (Sub-No. 114 TA). The rest of the application will remain the same.

No. MC 63417 (Sub-No. 65 TA), filed June 18, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, 1814 Hollins Road, N.C., P.O. Box 2888, Roanoke, Va. 24012. Applicant's representative: Nancy Pyeatt, 1030 Fifteenth Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water heaters and parts and accessories therefor*, from Dallas, Tex., to points in Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. SUPPORTING SHIPPER: Briggs Manufacturing Company, P.O. Box 22622, Tampa, Fla. 33622. SEND PROTESTS TO: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 76449 (Sub-No. 22 TA), filed June 17, 1974. Applicant: NELSON'S EXPRESS, INC., 675 North Market Street, Millersburg, Pa. 17061. Applicant's representative: John M. Musselman, P.O. Box 1146, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Current carrying wiring devices and parts; machinery, equipment, tools, materials and supplies* used in the production, storage, transportation, and installation of current carrying wiring devices and parts; *plastic hose and couplings; test materials; office, plant, laboratory, and warehouse machinery, equipment, materials, and supplies; janitorial equipment and supplies;* and *advertising materials*, between the plants and warehouses of AMP, Incorporated, located in Cumberland, Dauphin, Lancaster, Snyder, York, Perry, Schuylkill, Chester, and Franklin Counties, Pa., on the one hand, and, on the other, the plants and warehouses of AMP, Incorporated, located in Staunton, Va., and points in Amherst and Augusta Counties, Va., restricted to shipments originated at the above origins and destined to the above destinations, for 180 days. SUPPORTING SHIPPER: AMP, Incorporated, P.O. Box 3608, 2800 Fulling Mill Road, Harrisburg, Pa. SEND PROTESTS TO: Robert P. Amerine, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 278 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 78400 (Sub-No. 39 TA), filed June 18, 1974. Applicant: BEAUFORT TRANSFER COMPANY, Gerald, Mo. 63037. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquettes, wood chips, vermiculite, and lighter fluid*, from the plant sites and warehouse facilities of the Kingsford Company located in Maries, Osage, and Gasconade Counties, Mo., to points in Iowa, Minnesota, Nebraska, Illinois, Kansas, Wisconsin, Oklahoma, Colorado, North Dakota, and South Dakota, for 90 days. SUPPORTING SHIPPER: The Kingsford Company, P.O. Box 1033, Louisville, Ky. 40201. SEND PROTESTS TO: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 9A27, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 95540 (Sub-No. 964 TA), filed June 20, 1974. Applicant: WATKINS MOTOR LINES, INC., 1940 Monroe Drive NE., Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Road NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Washington, Wisconsin, Wyoming, and the District of Columbia, restricted to the transportation of traffic having an immediate prior movement by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Co., 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1252 West Peachtree Street NW., Room 309, Atlanta, Ga. 30309.

No. MC 98896 (Sub-No. 3 TA), filed June 17, 1974. Applicant: WOMICK TRANSFER, INC., Carbondale Industrial Park, P.O. Box 811, Carbondale, Ill. 62901. Applicant's representative: John Womick, P.O. Box 379, Jonesboro, Ill. 62952. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Telephone poles, poles, posts, wood pilings, and other similar wood products* treated with preservatives, from Carbondale, Ill., to points in Kentucky, Indiana, Wisconsin, Missouri, for 180 days. SUPPORTING SHIPPER: X. P. Laskaris, Plant Manager, Koppers Company, Inc., P.O. Box 270, Carbondale, Ill. 62901. SEND PROTESTS TO: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2418, Springfield, Ill. 62705.

No. MC 106674 (Sub-No. 137 TA), filed June 18, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated modular panels*, from Frankfort, Ind., and Tarboro, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, with no transportation of compensation on return except as otherwise authorized, for 180 days. SUPPORTING SHIPPER: Formica Corporation, 10155 Reading Road, Cincinnati, Ohio 45241. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Fort Wayne, Ind. 46802.

No. MC-107295 (Sub-No. 718 TA), filed June 19, 1974. Applicant: PRE-FAB TRANSIT CO., a Corporation, 100 South Main Street, Farmer City, Ill. 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods* (unfrozen), from St. Francisville and Belledeau, La., to points in the United States in and east of Montana, Wyoming, New Mexico, and Colorado, for 180 days. SUPPORTING SHIPPER: Joan of Arc Company, 2231 West Altorfer Drive, Peoria, Ill. 61614, Thomas R. Boersma, Manager Distribution Services. SEND PROTESTS TO: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2418, Springfield, Ill. 62705.

No. MC-107515 (Sub-No. 927 TA), filed June 20, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex. (Moore County), to points in Alabama, Georgia, Florida, North Carolina, Mississippi, Tennesse, South Carolina, Ohio, West Virginia, Virginia, Maryland, the District of Columbia, Delaware, New Jersey, New York, Pennsylvania, Connecticut, Rhole Island, and Massachusetts, re-

stricted to traffic originating at and destined to the named points, for 180 days. SUPPORTING SHIPPER: American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. SEND PROTESTS TO: William L. Scroggs, District Supervisor, 1252 West Peachtree Street NW., Room 309, Atlanta, Ga. 30309, Interstate Commerce Commission, Bureau of Operations.

No. MC-107515 (Sub-No. 928 TA), filed June 20, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile Ala., to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Colorado, New Mexico, Nebraska, Iowa, Kansas, Oklahoma, Texas, Missouri, Ohio, Illinois, Indiana, Kentucky, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, and Florida, restricted to transportation of traffic having immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree St. NW., Room 309, Atlanta, Ga. 30309.

No. MC-108207 (Sub-No. 895 TA), filed June 13, 1974. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street (Mailing: P.O. Box 5888), Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paints* (except in bulk) and (2) *adhesive cements* (except in bulk) both in vehicles equipped with mechanical refrigeration, (1) from Los Angeles, Calif., to Wichita, Kans., Benbrook, Dallas, and Graham, Tex. and (2) from Springfield, Mo., to Tulsa, Okla., Fort Worth and Grand Prairie, Tex., for 180 days. SUPPORTING SHIPPER: Minnesota Minning and Manufacturing Company, 3 M Center, St. Paul, Minn. 55101. SEND PROTESTS TO: Gerald T. Holland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 108884 (Sub-No. 30 TA), filed June 18, 1974. Applicant: ROGERS TRANSFER, INC., Route 46, P.O. Box 175, Great Meadows, N.J. 07838. Applicant's representative: Bert Collins, Suite 6194, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Buffalo, N.Y., to Edison, Elizabeth, Jersey City, Newark, Secaucus, Totowa, and Woodbridge, N.J., for 180 days. SUPPORTING SHIPPERS: (1) Freezer Queen Foods, 975 Fuhrman Blvd., Buffalo, N.Y. 14203, and (2) Abel-Bagel, 299 Kehr Street, Buffalo, N.Y. SEND PROTESTS TO: District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Newark, N.J. 07102.

No. MC 109689 (Sub-No. 275 TA), filed June 19, 1974. Applicant: W. S. HATCH CO., Off: 643 South 800 West Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning, scouring, or washing compounds*, in boxes, from Alchem, Wyo., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, and Washington, when shipped in conjunction with sodium bicarbonate, sodium carbonate, and sodium borate products, for 180 days. SUPPORTING SHIPPER: Church & Dwight Co., Inc., 1416 Willis Avenue, Syracuse, N.Y. 13201 (Robert B. Voegele, Traffic Manager). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 111545 (Sub-No. 200 TA), filed June 12, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6425, Station A, Marietta, Ga. 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Parts, accessories, and attachments* for tractors (except truck-tractors used in pulling commercial highway trailers), *scrappers, motor graders, wagons, engines, generators, engines and generators combined, welders, road rollers and truck designed for off-highway use*, from the storage, warehouse, or shipping facilities of or used by Caterpillar Tractor Company at or near York, Pa., to Richmond, Va., and Raleigh, N.C., for 180 days. SUPPORTING SHIPPERS: Virginia Tractor Co., Inc., 1901 Westwood Avenue, Richmond, Va. 23261, and Gregord Poole Equipment Company, P.O. Box 479, Raleigh, N.C. 27602. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 W. Peachtree Street NW., Room 309, Atlanta, Ga. 30309.

No. MC 111729 (Sub-No. 449 TA), filed June 18, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany, 2 Nevada Drive, Lake Success, N.Y. 11040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records, microfiche, and magnetic tapes*, (a) between Van Wert, Ohio, and Fort Wayne, Ind., and (b) between Van Wert, Ohio, on the one hand, and, on the other, the United States-Canada International Boundary line at or near Buffalo, N.Y.; (2) *Business papers, records, audit and accounting media of all kinds*, (a) between Buffalo and Rochester, N.Y., on the one hand, and, on the other, Batavia, Victor, Lakewood, Olean, and Hornell, N.Y., on traffic having a prior or subsequent movement by air; (b) between Rockville, Md., on the one hand, and, on the other, Altoona, Clearfield, Erie, Greensburg, Ind.; Johnstown, Monaca, New Castle, Oil City, Sharon, State College, Uniontown, Washington, and West Mifflin, Pa.; Niles, Salem, Steubenville, and Youngstown, Ohio; Fairmont, Parkersburg, Weirton, and Wheeling, W. Va.; (c) between Ashtabula and Cleveland, Ohio, on traffic having a prior or subsequent movement by air; (d) between Columbus, Ohio, on the one hand, and, on the other, Huntington, Charleston, and Williamson, W. Va., on traffic having a prior or subsequent movement by air; and (e) between Baltimore and Rockville, Md., on traffic having a prior or subsequent out of state movement; (3) *Business papers, records, audit and accounting media of all kinds* unused personalized embossed checks and bank supplies, between St. Louis, Mo., on the one hand, and, on the other, points in Tennessee; and (4) *Business papers, records, audit and accounting media of all kinds, and advertising materials related thereto*, between Cumberland, Md., and Johnstown, Pa., for 180 days. SUPPORTING SHIPPERS: (1) Deluxe Check Printers, Inc., 2231 Schuetz Road, St. Louis, Mo.; (2) Glosser Brothers, Franklin & Locust Streets, Johnstown, Pa.; (3) Central Mutual Insurance Co., 800 S. Washington, Van Wert, Ohio; and (4) Sears Roebuck & Co., 464) Roosevelt Blvd., Philadelphia, Pa. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 450 TA), filed June 20, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline samples*, restricted to the transportation of containers measuring less than 10 gallons each, from points in Alabama, Florida, Kentucky Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia to Atlanta, Ga., for 180 days. SUPPORTING SHIPPER: Optimal Systems, Inc., P.O. Box 1182, Atlanta, Ga. 30301. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112627 (Sub-No. 20 TA), filed June 13, 1974. Applicant: OWENS BROS. INC., Box 247, Dansville, N.Y. 14437. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Ft. Wayne, Ind., to Elmira Heights, N.Y., for 180 days. SUPPORTING SHIPPER: Seneca Beverage Corp., Elmira Heights, N.Y. 14903. SEND PROTESTS TO: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, 301 Erie Blvd., West, Syracuse, N.Y. 13202.

No. MC 113024 (Sub-No. 131 TA), filed June 17, 1974. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. 2, S. Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ground oyster shells*, in bags, from Berwick, La., to McCook, Nebr., and Wilmington, Del., under a continuing contract or contracts with Electric Hose & Rubber Company, Wilmington, Del., for 180 days. SUPPORTING SHIPPER: Mr. Fred H. Evick, Dir. of Distribution, Electric Hose & Rubber Co., P.O. Box 910, Wilmington, Del. 19899. SEND PROTESTS TO: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814–B Federal Building, Baltimore, Md. 21201.

No. MC 113666 (Sub-No. 87 TA), filed June 21, 1974. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road, Freeport, Pa. 16229. Applicant's representative: Harry J. Jordan, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated modular panels*, from Frankfort, Ind., and Tarboro, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized, for 180 days. SUPPORTING SHIPPER: Formica Corporation, 10155 Reading Road, Cincinnati, Ohio 45241. SEND PROTESTS TO: District Supervisor John J. England, Interstate Commerce Commission, Bureau of Operations, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 113784 (Sub-No. 54 TA), filed June 17, 1974. Applicant: LAIDLAW TRANSPORT LIMITED, 65 Guise Street, Hamilton, Ontario, Canada L8L 4M1. Applicant's representative: David A. Sutherlund, 2001 Massachusetts Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the plantsite and facilities of the Ford Motor Co., at Romeo Macomb County, Mich., and the ports of entry on the International Boundary line between the United States and Canada on the Detroit River, restricted to the transportation of traffic in foreign commerce, for 180 days. SUPPORTING SHIPPER: Ford Motor Company, Ford Tractor Operations, 2500 E. Maple Rd., Troy, Mich. SEND PROTESTS TO: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC 113861 (Sub-No. 59 TA), filed June 14, 1974. Applicant: WOOTEN TRANSPORTS, INC., 153 Gaston Avenue, Memphis, Tenn. 38101. Applicant's representative: James N. Clay, III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline*, in bulk, in tank vehicles, from Nashville, Tenn., to Huntsville, Ala., for 180 days. SUPPORTING SHIPPER: Savings Oil Company, P.O. Drawer 1688, Tupelo, Miss. 38801. SEND PROTESTS TO: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 114457 (Sub-No. 197 TA), filed June 17, 1974. Applicant: DART TRANSIT COMPANY, 780 N. Prior Avenue, St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Snowthrowers and lawnmovers and accessories, attachments, and parts* for lawnmowers and snowthrowers, from Lake Mills, Wis., to points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: Wisconsin Marine Inc., P.O. Box 28, Lake Mills, Wis. 53551. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 116073 (Sub-No. 298 TA), filed June 14, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements; and *buildings*, complete or in sections, transported on wheeled undercarriages, from the plantsites of Conchemco, Inc., Kaufman and Broad Home Systems, Inc., and Shelterex Corporation, at or near Boise, Idaho, to points in Oregon, Idaho, Washington, Nevada, Montana, Utah, and Wyoming, for 180 days. SUPPORTING SHIPPERS: Shelterex Corporation, 3210 E. Amity Road, Boise, Idaho 83705; Conchemco, Inc., 200 North Maple Grove Road, Boise, Idaho 83705; and Kaufman & Broad Home Systems, Inc., 4540 Apple Way, Boise, Idaho 83705. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 116273 (Sub-No. 179 TA), filed June 18, 1974. Applicant: D & L TRANSPORT, INC., 3800 S. Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oils*, in bulk, in tank vehicles, from Flint, Mich., to Watervliet, N.Y., for 180 days. SUPPORTING SHIPPER: W. L. Thrall, Jr., Thrall Oil and Chemical, Flint, Mich. SEND PROTESTS TO: District Supervisor Richard K. Shullaw, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 117119 (Sub-No. 502 TA), filed June 17, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and materials, supplies, equipment, and ingredients* used in the manufacturing, packaging and distribution of frozen foods (except in bulk), between the plant and warehouse facilities of the Quaker Oats Company in or near Jackson, Tenn., on the one hand, and, on the other, points in Connecticut, Delaware, Georgia, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Washington, D.C., restricted to traffic originating at or destined to the plant and warehouse facilities of the Quaker Oats Company in or near Jackson, Tenn., for 180 days. SUPPORTING SHIPPER: The Quaker Oats Company, Merchandise Mart Plaza, Chicago, Ill. 60654. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 117574 (Sub-No. 243 TA), filed June 17, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representatives: E. S. Moore, Jr. (same address as above), and James W. Hager, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cranes, crane attachments and accessories, and parts of such commodities, and materials and supplies* used in the construction thereof, between the plant

and warehouse facilities of the Grove Manufacturing Co., Division of Walter Kidde, in Horry County, S.C., on the one hand, and, on the other, points in Alabama, Arkansas, Delaware, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. SUPPORTING SHIPPER: Grove Manufacturing Company, P.O. Box 21, Shady Grove, Pa. 17256. SEND PROTESTS TO: Robert P. Amerine, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 278 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 117686 (Sub-No. 150 TA), filed June 20, 1974. Applicant: HIRSCHBACH MOTOR LINES, INC., 5000 Lewis Blvd. (P.O. Box 417), Sioux City, Iowa 51102. Applicant's representative: George L. Hirschbach, 309 Badgerow Building, Sioux City, Iowa 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed shipments with bananas, from Mobile, Ala., to points in Iowa, Kansas, Missouri, Nebraska, North Dakota, and South Dakota, restricted to the transportation of traffic having an immediate prior movement by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, Ben E. Klein, Vice President of Marketing, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, Suite 620, Union Pacific Plaza Building, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 117869 (Sub-No. 5 TA), filed June 17, 1974. Applicant: DENTON PRODUCE, INC., P.O. Box 3021, Enid, Okla. 73701. Applicant's representative: Billy R. Reid, 6108 Sharon Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulations under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Arkansas, Texas, Louisiana, Mississippi, and Oklahoma, restricted to the transportation of traffic having an immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor C. L. Phillips, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC-117940 (Sub-No. 135 TA), filed June 17, 1974. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530, Univac Building, 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex. (Moore County), to points in Connecticut, District of Columbia, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, and Wisconsin, for 180 days. RESTRICTION: Restricted to traffic originating at and destined to the named points. SUPPORTING SHIPPER: American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 118142 (Sub-No. 71 TA), filed June 19, 1974. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverages*, in containers and *related advertising materials* from the plant site of the Schlitz Brewery Company at Memphis, Tenn., to Emporia, Kans., for 180 days. SUPPORTING SHIPPER: Swafford Sales, Inc., 218 Constitution, P.O. Box 625, Emporia, Kans. 66801. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 118142 (Sub-No. 72 TA), filed June 19, 1974. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kansas. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Buildings, Wichita, Kans. 67202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and manufacturing facilities of Cudahy Foods Co., Wichita, Kans., to Denver Colo., restricted, however, to shipments to Denver, Colo. to those moving at the same time and in the same vehicle with shipments to points and places in Utah and California, for 180 days. SUPPORTING SHIPPER: Cudahy Foods Co., 2300 North Broadway, Wichita, Kans. 67219. SEND PROTEST TO: M. E. Taylor, District Supervisor, Interstate Commerce, Bureau of Operations, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 121107 (Sub-No. 14 TA), filed June 18, 1974. Applicant: PITT COUNTY TRANSPORTATION COMPANY, INC., P.O. Box 207, Farmville, N.C. 27828. Applicant's representative: Harry J. Jordan, 1000 Sixteenth St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated modular panels*, from Frankfort, Ind., and Tarboro, N.C., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized, for 180 days. SUPPORTING SHIPPER: Formica Corporation, 10155 Reading Road, Cincinnati, Ohio 45241. SEND PROTESTS TO: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 26896, Raleigh, N.C. 27611.

No. MC 121450 (Sub-No. 7 TA), filed June 21, 1974. Applicant: McCOMAS TRUCK LINES, INC., 604 North 2nd Street, Chickasha, Okla. 73018. Applicant's representative: James A. Hunt, 2420 SE. 8th Street, Oklahoma City, Okla. 73125. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, to tack with present authority from Duncan, Okla. via U.S. Highway 81 to Waurika, Okla., thence via U.S. Highway 70 to State Highway 70 to Oklahoma State Highway 79 to Oklahoma-Texas line, thence via Texas State Highway 79 to Wichita Falls and return, serving the intermediate points of Comanche, Waurika, and to tack with existing registered rights held under Docket No. MC 121450 for which authority to convert to certificated rights will be filed, for 180 days. SUPPORTING SHIPPERS: There are approximately 18 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 NW. Third, Oklahoma City, Okla. 73102.

NOTE.—Applicant will tack with authority held under MC 121450 and subs thereto.

No. MC 123091 (Sub-No. 14 TA), filed June 17, 1974. Applicant: NICK STRIMBU, INC., 3500 Parkway Road, Brookfield,

Ohio 44403. Applicant's representative: Richard H. Brandon, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe, tubing, conduit, fittings, and accessories*, from the plantsite of Maneely, Ill., Inc., Chicago, Ill., to the plantsite of Wheatland Tube Company, Wheatland, Pa., restricted to movements in double bottom semi-trailers transporting minimum weight of 80,000 pounds per load and further restricted to shipment originating at and destined to points shown above, for 180 days. SUPPORTING SHIPPER: Wheatland Tube Company, 272 Public Ledger Bldg., Philadelphia, Pa. 19106. SEND PROTESTS TO: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East 9th Street, Cleveland, Ohio 44199.

No. MC 123502 (Sub-No. 42 TA), filed June 17, 1974. Applicant: FREE STATE TRUCK SERVICE, INC., Route 3, P.O. Box 760, Glen Burnie, Md. 21061. Applicant's representative: W. Wilson Corroum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude rubber*, in bulk, in dump vehicles, from Belle Mead and Somerville, N.J., to Baltimore, Md., for 180 days. SUPPORTING SHIPPER: Edwin W. Burchess, Exec. Vice President, International Briquetting Corp., 2805 Light Street, Baltimore, Md. 21230. SEND PROTESTS TO: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 814-B Federal Building, Baltimore, Md. 21201.

No. MC 123872 (Sub-No. 30 TA), filed June 20, 1974. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Box 2607, Hickory, N.C. 28601. Applicant's representative: Allen E. Bowman (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Tex. (Moore County), to points in Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, restricted to traffic originating at and destined to the named points, for 180 days. SUPPORTING SHIPPER: American Beef Packers, Inc., General Traffic Manager, 7000 W. Center Road, Omaha, Nebr. SEND PROTESTS TO: District Supervisor Terrell Price, Interstate Commerce Commission, Bureau of Operations, 800 Briar Creek Road—CC516, Charlotte, N.C. 28205.

No. MC 124078 (Sub-No. 599 TA), filed June 20, 1974. Applicant: SCHWERMAN TRUCKING CO., a Corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except asphalt and liquefied petroleum gas), from Baton Rouge and North Baton Rouge, La., to points in Wisconsin, for 180 days. SUPPORTING SHIPPER: Exxon Company, U.S.A., P.O. Box 367, Memphis, Tenn. 38101. SEND PROTESTS TO: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 125551 (Sub-No. 7 TA), filed June 10, 1974. Applicant: K & W TRUCKING CO., INC., 101 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Rollie H. Anderson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the ports of entry on the United States Boundary line between the United States and Canada at points in North Dakota and Minnesota, to points in Minnesota, for 180 days. SUPPORTING SHIPPER: Meadow Lake Saw Mill Company, Ltd., P.O. Box 1720, Prince Albert, Saskatchewan, Canada. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Court House, 110 South 4th St., Minneapolis, Minn. 55401.

No. MC 126555 (Sub-No. 29 TA), filed June 21, 1974. Applicant: UNIVERSAL TRANSPORT, INC., P.O. Box 268, Rapid City, S. Dak. 57701. Applicant's representative: Barry C. Burnette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Minerals*, in truck load lots, from points in Pennington, Custer, and Fall River Counties, S. Dak., to points in Arkansas, California, Colorado, Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Wisconsin, the United States-Canadian border at or near Sweetgrass, Mont.; Niagara Falls, N.Y.; Detroit, Mich.; and Champlain, N.Y., for 180 days. SUPPORTING SHIPPER: Pacer Corporation, Box 311, Custer, S. Dak. 57730, Robert L. Cullum, President. SEND PROTESTS TO: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 128030 (Sub-No. 69 TA), filed June 18, 1974. Applicant: THE STOUT TRUCKING COMPANY, INC., P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings and parts thereof*, from Monticello, Iowa, to Charleston, Ill., and points within a 50 mile radius of Charleston, Ill., for 180 days. SUPPORTING SHIPPER: Mr. John J. Prahl, Owner, Prahl Construction Co., 411 Coolidge, Charleston, Ill. 61920. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commisison, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 129219 (Sub-No. 7 TA), filed June 18, 1974. Applicant: CMD TRANSPORTATION, INC., 12340 SE. Dumolt Road, Clackamas, Oreg. 97015. Applicant's representative: Richard C. Shearer (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bound books and printed book pages*, between Portland, Oreg., on the one hand, and, on the other hand San Diego, Calif.; Los Angeles, Calif.; Sacramento, Calif.; Menlo Park, Calif.; Salt Lake City, Utah; Boise, Idaho; Lewiston, Idaho; Spokane, Wash.; and Seattle, Wash., for 180 days. SUPPORTING SHIPPER: Lincoln and Allen Company, 3560 NW. Industrial Avenue, Portland, Oreg. 97210. SEND PROTESTS TO: District Supervisor A. E. Odoms, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 128245 (Sub-No. 1 TA), filed June 17, 1974. Applicant: KAY PROVISION CO., INC., 710 North Post Oak, Houston, Tex. 77024. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when moving in mixed loads with bananas, from Mobile, Ala., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, North Dakota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, and Wisconsin, restricted to traffic having an immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: District Supervisor John F. Mensing, Interstate Commerce Commission, Bureau of Operations, 515 Rusk Avenue, 8610 Federal Building, Houston, Tex. 77002.

No. MC 128086 (Sub-No. 2 TA), filed June 12, 1974. Applicant: A & M HAULING, INC., 2024 Trade Street, Missoula, Mont. 59801. Applicant's representative: Joe Berbase, 100 Transwestern Bldg., Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Humboldt, Del Norte, Mendocino, Siskiyou, Trinity, Tehama, and Shasta Counties, Calif., to points in Wyoming, North Dakota, and South Dakota, for 180 days. SUPPORTING SHIPPERS:

Mel Jones Lumber Sales, 708 West Main, Bozeman, Mont. 59715 and Slavens Lumber Sales, 423 Stapleton Building, Billings, Mont. 59103. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 129350 (Sub-No. 47 TA), filed June 20, 1974. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, P.O. Box 212, Billings, Mont. 59103. Applicant's representative: Clayton Brown (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires and tubes*, from Oklahoma City, Okla. and the commerical zone thereof, to Dickinson, N. Dak.; Lewiston, Idaho; Phillip, Spearfish and Rapid City, S. Dak.; Billings, Great Falls, Helena, Missoula, and Rudyard, Mont.; and Spokane, Wash., for 180 days. SUPPORTING SHIPPER: B L M Tire Inc., 2307–4th Avenue North, Billings, Mont. 59101. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Opertions, Room 222, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133149 (Sub-No. 1 TA), filed June 21, 1974. Applicant: CLAIR D. ROBISON, 1061 West Walnut Street, Brownstown, Ind. 47220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic gaskets*, from Salem, Ind., to Greenville, Mich., and Grand Rapids, Mich., for 180 days. SUPPORTING SHIPPER: B. F. Goodrich Company, P.O. Box 443, Salem, Ind. SEND PROTESTS TO: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Bldg., 36 South Penn. Street, Indianapolis, Ind. 46204.

No. MC 133223 (Sub-No. 2 TA), filed June 12, 1974. Applicant: OLYMPIC FREIGHTWAYS, INC., 1801 West 31st Place, Chicago, Ill. 60650. Applicant's representative: Anthony T. Thomas, 6017 Cermak Road, Cicero, Ill. 60650. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh bakery goods (buns)*, from the plantsite of East Baltimore Commissary, Inc., Chicago, Ill., to the sites of McDonald's System Stores or Restaurants at or near Niles, Benton Harbor and St. Joseph, Mich., for 180 days. SUPPORTING SHIPPER: John Pantaz, Vice President, East Balt. Commissary, Inc., 1801 West 31st Place, Chicago, Ill. 60608. SEND PROTESTS TO: Richard K. Shullaw, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 134145 (Sub-No. 49 TA), filed June 13, 1974. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Highway 1 and 59 West, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and parts thereof*, from the plantsite and warehouse facilities of Arctic Enterprises, Inc., at Omaha, Nebr., to points in the United States (except Alaska and Hawaii) and (2) *Parts, materials, and supplies* used in the manufacture of commodities named in (1) above, from points in the United States (except Alaska and Hawaii), to Omaha, Nebr., for the account of Arctic Enterprises, Inc., Thief River Falls, Minn., for 180 days. SUPPORTING SHIPPER: Arctic Enterprises, Inc., Thief River Falls, Minn. 56701. SEND PROTESTS TO: Joseph H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 134477 (Sub-No. 69 TA), filed June 19, 1974. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Thomas D. Fischbach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from Superior, Wis., to points in Arkansas, Connecticut, Delaware, Kansas, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and storage facilities of Jeno's, Inc., located at or near Superior, Wis., for 180 days. SUPPORTING SHIPPER: Jeno's, Inc., 525 Lake Ave., So., Duluth, Minn. 55801. SEND PROTESTS TO: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & U.S. Court House, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 134599 (Sub-No. 109 TA), filed June 14, 1974. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, Mail: P.O. Box 748, Salt Lake City, Utah 84110. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crated office furniture, and parts thereof, and related advertising sales and promotional materials*, except commodities in bulk or which, because of size or weight, require special handling or special equipment, from the plantsite and facilities of Steelcase Corporation in Tustin, Calif., to Carrollton, Tex., under a continuing contract or contracts with Steelcase Corporation, for 180 days. SUPPORTING SHIPPER: Steelcase Corporation, Grand Rapids, Mich. (Phillip T. Catalano, Manager, Traffic Department). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 134922 (Sub-No. 86 TA), filed June 17, 1974. Applicant: B. J. MCADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: L. C. Cypert (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery and related products* (except in bulk), and (2) *Advertising matter, premium and display materials* when shipped in the same vehicle with commodities described in (1) above, in vehicles equipped with mechanical refrigeration, from the plant site and warehouse facilities of M&M/MARS, Division of Mars, Incorporated, at or near Chicago, Ill., Elizabethtown, Pa., and Hackettstown, N.J., to points in California, Phoenix, Ariz., Portland, Oreg., Salt Lake City, Utah, and Seattle, Spokane, and Tacoma, Wash., and all points and places within the Commercial Zones of the specifically-named cities, as such Commercial Zones are defined by the Commission, restricted to the transportation of traffic originating at the plant site and warehouse facilities of M&M/MARS, Division of Mars, Incorporated, for 180 days. SUPPORTING SHIPPER: M&M/MARS, Division of Mars, Incorporated, High Street, Hackettstown, N.J. 07840. SEND PROTESTS TO: District Supervisor Wiliam H. Land, Jr., Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135107 (Sub-No. 3 TA), filed June 19, 1974. Applicant: HIGHWAY DUMP HAULERS, INC., Box 3164, Little Rock, Ark. 72203. Applicant's representative: Edgar Doyle (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, sand, and gravel*, from DeQueen, Ark., to points along the Red River in Louisiana near Shreveport and Clarence, La., for 180 days. SUPPORTING SHIPPER: Pine Bluff Sand & Gravel Company, P.O. Box 7008, Pine Bluff, Ark. 71601. SEND PROTESTS TO: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135245 (Sub-No. 2 TA), filed June 18, 1974. Applicant: BURGER'S EXPRESS, INC., doing business as BOULDER VALLEY TRANSFER, INC., 5541 Central, P.O. Box 1365, Boulder, Colo. 80302. Applicant's representative: Ross F. Robbins (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise, equipment, and supplies* sold, used, or distributed by manufacturers of cosmetics, under a continuing contract with Avon Products, Inc., from Boulder, Colo., to points in Mesa and Garfield Counties, Colo., for 180 days. SUPPORTING SHIPPER: Avon Products, Inc., 83rd & College, Kansas City, Mo. 64141. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, Interstate Com-

merce Commission, Bureau of Operations, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 135364 (Sub-No. 14 TA), filed June 17, 1974. Applicant: MORWALL TRUCKING, INC., Box 76C, R.D. 3, Moscow, Pa. 18444. Applicant's representative: J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Enameled, glazed, and surface coated paper; aluminum coated insulation facing; and reinforced pressure sensitive sealing tape*, from the facilities of Compac Corporation at or near Netcong and Monmouth Junction, N.J., to points in Georgia, Illinois, Indiana, Kansas, Michigan, Minnesota, North Carolina, South Carolina, Ohio, Pennsylvania, Tennessee, Virginia, Wisconsin, and West Virginia, and (2) *Materials, equipment, and supplies* used in the manufacture of the commodities described in (1) above, from points in Georgia, Illinois, Indiana, Kansas, Michigan, Minnesota, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, to the facilities of Compac Corporation at or near Netcong and Monmouth Junction, N.J., for 180 days. SUPPORTING SHIPPERS: Compac Corporation, 420 Frelinghuysen Avenue, Newark, N.J. 07114. SEND PROTESTS TO: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 135917 (Sub-No. 2 TA), filed June 17, 1974. Applicant: THE PORTSMOUTH TRUCKING COMPANY, 1200 Stambaugh Building, Youngstown, Ohio 44501. Applicant's representative: R. T. Beeghly (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aggregate products* such as stone, slag, and other bulk commodities handled in open dump truck equipment, from points in Jackson, County, Ohio, to points in Mason County, W. Va., for 180 days. SUPPORTING SHIPPER: The Standard Slag Company, 1200 Stambaugh Building, Youngstown, Ohio 44501. SEND PROTESTS TO: District Supervisor James Johnson, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East 9th Street, Cleveland, Ohio 44199.

No. MC 136249 (Sub-No. 6 TA), filed June 20, 1974. Applicant: JAMES R. GALBRAITH, JR., 1127 North 2nd Street, Clinton, Iowa 52732. Applicant's representative: George W. Pillers, Jr. (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and advertising material*, from Minneapolis-St. Paul Commercial Zone, Minn., and Omaha, Nebr., to Dubuque, Iowa, for 180 days. SUPPORTING SHIPPER: Clemens Beverage, Inc., Highway 52 North, Dubuque, Iowa 52001. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 136249 (Sub-No. 7 TA), filed June 20, 1974. Applicant: JAMES R. GALBRAITH, JR., 1127 North Second Street, Clinton, Iowa 52732. Applicant's representative: George W. Pillers, Jr. (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Omaha, Nebr., to Davenport, Iowa, for 180 days. SUPPORTING SHIPPER: Schlick Beverage Company, 1803 West 4th Street, Davenport, Iowa 52802. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 136408 (Sub-No. 17 TA), filed June 19, 1974. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 60 Park Place, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cleaning, washing, and polishing soaps and compounds, paints, varnishes, and rust preventatives, oils, and greases* (except in bulk, in tank vehicles), between Joliet, Ill., on the one hand, and, on the other, Avenel, N.J., Cleveland and Cincinnati, Ohio, Detroit, Mich., Des Moines, Iowa, Kansas City, Mo., Omaha, Nebr., Sioux Falls, S. Dak., and Roseville, Minn., for 180 days. RESTRICTION: The operations authorized are limited to a transportation service to be performed under a continuing contract with Economic Laboratory, Inc., and further limited to service between the plant and warehouses of Economics Laboratory. SUPPORTING SHIPPER: Economics Laboratory, Inc., Robert E. Bush, Regional Traffic Manager, 4540 West 51st Street, Chicago, Ill. 60632. SEND PROTESTS TO: District Supervisor Carroll Russell, Interstate Commerce Commission, Suite 620 Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 138042 (Sub-No. 4 TA), filed June 17, 1974. Applicant: MARK INTERSTATE CARRIERS CO., INC., 1185 Grand Street, Brooklyn, N.Y. 11211. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shoes*, in boxes and cartons, from Brentwood, N.Y., to Newton, N.J., and Pottstown, Pa., for 180 days. SUPPORTING SHIPPER: F & M Shoe Shop, 335 Crooked Hill Road, Brentwood, N.Y. SEND PROTESTS TO: Marvin Kampel, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 138743 (Sub-No. 8 TA), filed June 20, 1974. Applicant: SNOWBALL, LTD., P.O. Box 361, Morton, Ill. 61550. Applicant's representative: Jacob P. Billing, 1126 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushed auto bodies*, for recycling purposes, from points in Colorado, Kansas, Nebraska, and Wyoming, to South Beloit, Ill., Kansas City, Kans., St. Paul, Minn., and Madison, Wis., for 180 days. SUPPORTING SHIPPER: Mr. Milford S. Pepper, Vice President, Century Metal Recyclers, Inc., P.O. Box 6701, Denver, Colo. 80206. SEND PROTESTS TO: Richard K. Shullaw, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 South Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 138791 (Sub-No. 1 TA), filed June 17, 1974. Applicant: L. E. TROUTMAN, doing business as L. E. TROUTMAN GRAIN & ELEVATOR COMPANY, Rural Route No. 2, Wellington, Kans. 67152. Applicant's representative: Charles White Hess, 3rd Floor, Columbia Union Bank Bldg., Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dehydrated alfalfa and dehydrated alfalfa products*, between points in that part of Nebraska on and West of U.S. Highway 77, points in Kansas, Oklahoma Wyoming, Colorado, Texas and those in that part of New Mexico on and North of U.S. Highway 380 and on and East of U.S. Highway 85, said operations to be limited to a transportation service to be performed under a continuing contract or contracts with Western Alfalfa Corporation, for 180 days. SUPPORTING SHIPPER: Western Alfalfa Corporation, P.O. Box 69, Shawnee Mission, Kans. 66201. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

NOTE.—The authority will become an integral part of existing authority. Applicant states that it will tack and/or interline with No. MC 138791.

No. MC 139084 (Sub-No. 3 TA), filed June 17, 1974. Applicant: BIG VALLEY SUPPLY & ENTERPRISES LTD., P.O. Box 8100, Station "F", Calgary, Alberta, Canada T2J 2V2. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Model of the lunar module*, between (1) Syosset, Long Island, N.Y., and the United States-Canada International Boundary line at or near ports of entry located in Michigan, New York, and Sweetgrass, Mont.; (2) *The Apollo Command Ship* between the Kennedy Space Center, Miami, Fla., and the United States-Canada International Boundary line at or near ports of entry located in Michigan, New York, and Sweetgrass, Mont.; and (3) *Parts and accessories* of the commodities in (1) and (2) above, between Syosset, Long Island, N.Y., Kennedy Space Center,

Miami, Fla.; and the United States-Canada International Boundary line at or near ports of entry located in Michigan, New York, and Sweetgrass, Mont., for 180 days. SUPPORTING SHIPPER: Calgary Exhibition & Stampede Board, P.O. Box 1060, Calgary, Alberta, Canada. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 222 U.S. Post Office Bldg., Billings, Mont. 59101.

NOTE.—Applicant states that it will tack at ports of entry with Canadian authority. Applicant does not intend to interline with another carrier.

No. MC 139123 (Sub-No. 2 TA) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER issue of June 19, 1974, and republished as corrected this issue. Applicant: GLOUCESTER DISPATCH, INC., 274 Main Street, Gloucester, Mass. 01930. Applicant's representative: Ignatius C. Goode, 274 Main Street, Gloucester, Mass. 01930.

NOTE.—The purpose of this republication is to correct the applicant name to GLOUCESTER DISPATCH, INC., in lieu of CLOUCESTER DISPATCH, INC., which was published in error, and would like to correct the origin point to Hillsdale, Mich., in lieu of Hillside, Mich., which was also published in the FEDERAL REGISTER in error. The rest of the application will remain as previously published in the FEDERAL REGISTER.

No. MC 139134 (Sub-No. 1 TA), filed June 19, 1974. Applicant: KENNEDY MOTORS, INC., 1305 South Mountain Avenue, P.O. Box 919, Monrovia, Calif. 91016. Applicant's representative: Frederick J. Coffman, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from the facilities utilized by (1) Miller Brewing Company, Azusa, Calif.; (2) Jos. Schlitz Brewing Co., Los Angeles, Calif.; (3) Anheuser-Busch, Inc., Van Nuys, Calif.; (4) Theodore Hamm Brewing Co., San Francisco, Calif., to the facilities utilized by (1) Puget Sound Beverages, Inc., Bremerton, Wash.; (2) Skagit Distributing, Inc., doing business as Northwest Distributing Co., Burlington, Wash.; (3) Totem Beverages, Inc., Renton, Wash.; and (4) Clatsop Distributing Co., Astoria, Oreg., for 180 days. SUPPORTING SHIPPERS: Puget Sound Beverages, Inc., Bremerton, Wash.; Skagit Distributing, Inc., doing business as Northwest Distributing Co., Burlington, Wash.; Totem Beverages, Inc., Renton, Wash.; and Clatsop Distributing Co., Astoria, Oreg. SEND PROTESTS TO: Walter W. Strakosch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 139233 (Sub-No. 2 TA), filed June 13, 1974. Applicant: MELVIN T. DICKERSON, INC., Route 2, Box 337, Dallas, Oreg. 97338. Applicant's representative: B. Gayle Bergstrom, P.O. Box 8, Beaverton, Oreg. 97005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salads and prepared foods, meats*, cooked, cured and preserved, from Beaverton, Oreg., to points in Oregon, Washington, California, and Montana, for 180 days. SUPPORTING SHIPPER: Reser's Fine Foods, Inc., 11150 S. W. Allen Boulevard, Beaverton, Oreg. 97005. SEND PROTESTS TO: District Supervisor A. E. Odoms, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

NOTE.—Applicant intends to tack with MC 139233.

No. MC 139742 (Sub-No. 2 TA), filed June 19, 1974. Applicant: JACK CAMPBELL VALENTINE, doing business as VALENTINE'S TRUCKING, Route No. 5, Paris, Tenn. 38242. Applicant's representative: Robert F. Swayne, 117 East Wood Street, P.O. Box 399, Paris, Tenn. 38242. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rough steel castings*, (A) from Attalla, Ala., to Paris, Tenn. and return with a stopover in Nashville, Tenn. and (B) from Attalla, Ala., to Mena, Ark. and return, for 180 days. SUPPORTING SHIPPER: Emerson Electric Co., Manager, General Traffic, 8100 W. Florissant Avenue, St. Louis, Mo. 63136. SEND PROTESTS TO: District Supervisor Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 435 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 139791 (Sub-No. 1 TA), filed June 14, 1974. Applicant: T. R. SCHULTZ & SON, INC., Box 159, Rural Route, Gladbrook, Iowa 50635. Applicant's representative: Theodore R. Schultz (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Soybean products consisting of soybean meal, flour, grits, fish bait, and related products*, in bags, from Gladbrook, Iowa, to Chicago, Ill.; Minneapolis, Minn.; Sherman, Tex.; and Kansas City, Mo.; and their respective commercial zones; and to points in Wisconsin, for 180 days. SUPPORTING SHIPPER: CIBM, Inc., Gladbrook, Iowa 50635. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 139877 (Sub-No. 1 TA), filed June 20, 1974. Applicant: TRI-CITY RENTALS, INC., P.O. Box 1365, Kingsport, Tenn. 37662. Applicant's representative: John D. Wimberly (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Freight*, all kinds, having a prior or subsequent movement by air, between the Bristol Tri-Cities Airport and points within 25 miles thereof, on the one hand, and, on the other, the Douglas Municipal Airport at or near Charlotte, N.C., for 180 days. SUPPORTING SHIPPERS: Kingsport Press; The Holliston Mills, Inc.; Wholesale Electric, Inc.; and Abernathy-Thomas Engineering Co., Kingsport, Tenn.; TPI Corporation; Texas Instruments, Inc.; and Hammond Organ, Johnson City, Tenn.; Raythion Co.; King Bros. Shoe Co., Inc., Bristol, Tenn. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 139902 (Sub-No. 1 TA), filed June 18, 1974. Applicant: MOWRY TRUCKING, INC., Box 125, Cambridge, Nebr. 69022. Applicant's representative: Gailyn L. Larsen, 521 South 14th Street, Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hay wagons, loading chutes, corrals, feeders, panels, and gates, and parts and accessories thereof*, from the plant site and storage facilities of Cambridge Industries, Inc., in Cambridge, Nebr., to points in South Dakota and North Dakota, for 180 days. SUPPORTING SHIPPER: Herbert C. Bessler, Vice-President, Cambridge Industries, Inc., Box B, Cambridge, Nebr. 69002. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and Court House, Lincoln, Nebr. 68508.

No. MC 139903 (Sub-No. 1 TA), filed June 18, 1974. Applicant: LAKESIDE TRANSFER AND SERVICE INC., 31 South 60th Avenue East, Duluth, Minn. 55804. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal* from Isanti, Minn., to Superior, Wis., for 180 days. SUPPORTING SHIPPER: Husky Industries, Inc., 62 Perimeter Center East, Atlanta, Ga. 30346. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 139917 TA, filed June 14, 1974. Applicant: SEARAIL, INC., 701 South Royal Street, Mobile, Ala. 36601. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, and Wisconsin, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Company, 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1616–2121 Building, Birmingham, Ala. 35203.

No. MC 139918 TA, filed June 18, 1974. Applicant: JERRY DAVIDSON, Route 1, Box 470A, Bean Station, Tenn. 37708. Applicant's representative: Jerry Davidson (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal skins*, from Newport, Tenn., to Buford, Ga. and *Industrial lime*, in bags, from Roberta, Ala., to Buford, Ga., for 180 days. SUPPORTING SHIPPER: Bona Allen, Inc., Buford, Ga. 30518. SEND PROTESTS TO: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 139919 TA, filed June 17, 1974. Applicant: JAMES YOUNG, INC., P.O. Box 509, Weatherford, Tex. 76086. Applicant's representative: George La Bissoniere, 130 Andover Park East, Suite 101, Seattle, Wash. 98188. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, requiring mechanical refrigeration, from points in Washington, Oregon, and Idaho, to points in Texas, Arkansas, Florida, Georgia, Louisiana, Mississippi, Oklahoma, and Alabama, for 180 days. SUPPORTING SHIPPER: Chef Reddy Foods Corp., P.O. Box 607, Othello, Wash. 99344. SEND PROTESTS TO: H. C. Morrison, Sr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 139920 TA, filed June 20, 1974. Applicant: HEAD ENTERPRISES, INC., Route 2, P.O. Box 88, Adairsville, Ga. 30103. Applicant's representative: Virgil H. Smith, 1587 Phoenix Blvd., Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone*, ground, in bulk, from the plantsite of Thompson-Weinman & Company, at Gnatts Quarry, Ala. and Cartersville, Ga., to points in Mayes County, Okla., for 180 days. SUPPORTING SHIPPER: Thompson-Weinman & Co., P.O. Box 130, Cartersville, Ga. 30120. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 West Peachtree Street NW., Room 309, Atlanta, Ga. 30309.

No. MC 139921 TA, filed June 19, 1974. Applicant: KNOBLOCH TRUCKING CO., INC., Yaphank Avenue, Brookhaven, N.Y. 11719. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foodstuffs*, in vehicles equipped with mechanical refrigeration, from East Greenville, Pa., to points in Union, Warren, Middlesex, Hunterdon, Somerset, Monmouth, Essex, Bergen, Passaic, and Hudson Counties, N.J.; New York, N.Y.; and points in Westchester, Nassau, Rockland, Suffolk, and Orange Counties, N.Y. and *returned shipments* of the above described commodities in the opposite direction, for 180 days. SUPPORTING SHIPPER: Refrigerated Foods Co., Division of Pillsbury Co., 608 Second Avenue South, Minneapolis, Minn. 55402. SEND PROTESTS TO: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 139922 TA, filed June 20, 1974. Applicant: C. A. BOYD TRUCKING, Route No. 7, Box 166, Sylvania, Ga. 30467. Applicant's representative: C. A. Boyd (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, cow*, green and salted, from points in Georgia, to points in Maine, New York, Massachusetts and Delaware, for 180 days. SUPPORTING SHIPPER: Shapiro Packing Co., Inc., P.O. Box 119, Augusta, Ga. 30903. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 West Peachtree St. NW., Room 309, Atlanta, Ga. 30309.

No. MC 139923 TA, filed June 19, 1974. Applicant: MILLER TRUCKING CO., INC., 105 South 8th Street, Stroud, Okla. 74079. Applicant's representative: James Miller, 1051 Circle Drive, Stroud, Okla. 74079. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coiled steel* (pallets and skids), from Weirton, W. Va.; Memphis, Tenn.; Sharon, Pa.; Canfield and Youngstown, Ohio, to Stroud, Okla., for 180 days. SUPPORTING SHIPPER: Mid-Western Industries, Jerry Porch, President, 1 mile West of Stroud, Oklahoma Highway 66 (P.O. Box 509), Stroud, Okla. 74079. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Building, 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 139924 TA, filed June 21, 1974. Applicant: GEORGE H. NELSON, doing business as NELSON WRECKER SERVICE, 2400 North 9th Street, P.O. Box 323, Lafayette, Ind. 47902. Applicant's representative: George H. Nelson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, repossessed, stolen, and replacement vehicles*, in initial secondary, and replacement movements by wrecker service, between points in Minnesota, Iowa, Missouri, Tennessee, Ohio, Kentucky, West Virginia, Pennsylvania, Michigan, Wisconsin, Illinois, and Indiana, on the one hand, and, on the other, points in Tippecanoe, Benton, White, Carroll, Warren, Fountain, Clinton and Montgomery Counties, Ind., for 180 days. SUPPORTING SHIPPER: National Homes Corporation, P.O. Box 680, Lafayette, Ind. SEND PROTESTS TO: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne Street, Room 204, Fort Wayne, Ind. 46802.

No. MC 139925 TA, filed June 20, 1974. Applicant: WILBUR L. SEELY AND CHARLENE SEELY, doing business as FARM PRODUCTS TRANSPORTATION, Route 2, Box 233, Woodburn, Oreg. 97071. Applicant's representative: David C. White, 2400 SW. Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alfalfa pellets, beet pulp pellets, and hay cubes*, in bulk, from points in Franklin, Grant, Walla Walla and Yakima Counties, Wash., to points in Marion, Polk, and Yamhill Counties, Oreg., for 180 days. SUPPORTING SHIPPER: McDaniel Grain & Feed Co., P.O. Box 208, McMinnville, Oreg. 97128; Wilco Farmers, 190 South Main, Mount Angel, Oreg. 97362; and Roth's Dairy, Route 1, Box 314, Independence, Oreg. 97351. SEND PROTESTS TO: District Supervisor A. E. Odoms, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 139926 TA, filed June 21, 1974. Applicant: MILLER TRUCKING, INC., P.O. Drawer D, Stroud, Okla. 74079. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, 2400 NW. 23d Street, Oklahoma City, Okla. 73107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, in containers, and (2) *Advertising materials, and automobile parts* distributed by wholesale or retail suppliers, marketers, or distributors of petroleum products, and *such commodities*, as are used by wholesale or retail suppliers, marketers, or distributors of petroleum products in the conduct of their businesses, when moving in mixed loads with the commodities described in (1) above, (a) from Stroud, Okla., to points in Arizona, California, Nevada, Oregon, and Washington and (b) from Oklahoma City, Okla., to points in Arizona, California, Nevada, Oregon, and Washington, for 180 days. SUPPORTING SHIPPERS: Kitchen Oil Co., Inc., Ed Kitchen, Jr., Pres., P.O. Box 215, Stroud, Okla. 74079 and Double Eagle Lubricants, Inc., M. L. Kerran, Vice-President, 301 North Rhode Island, Oklahoma City, Okla. 73102. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Rm. 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 61802 (Sub-No. 9 TA), filed June 14, 1974. Applicant: THE COLONIAL TRANSIT CO., INC., P.O. Box 508, Fredericksburg, Va. 22401. Applicant's representative: L. C. Major, Jr., Suite 301 Tavern Square, 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, from Lake of the Woods, Va., to points in Washington, D.C. via State Route 3, from Lake of the Woods to Interstate Highway 95 at Fredericksburg and thence on Interstate Highway 95 to Washington,

D.C. and return over same route, for 180 days. SUPPORTING SHIPPERS: There are 21 individuals supporting this application. SEND PROTESTS TO: District Supervisor Clatin M. Harmon, Interstate Commerce Commission, Bureau of Operations, 10–502 Federal Bldg., Richmond, Va. 23240.

No. MC 66582 (Sub-No. 34 TA), filed June 18, 1974. Applicant: ORANGE & BLACK BUS LINES, INC., 419 Anderson Avenue, Fairview, N.J. 07022. Applicant's representative: Edward F. Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, between Fort Lee, N.J. and Fort Lee, N.J.: (1) From junction of Main Street and Anderson Avenue, Fort Lee, N.J., over Main Street to junction of Maple Street, thence over Maple Street to Mediterranean West Apartments, Fort Lee, N.J. and return over the same route, serving all intermediate points; and (2) From junction of Anderson Avenue and North Avenue, Fort Lee, N.J., over North Avenue to Mediterranean West Apartments, Fort Lee, N.J. and return over the same routes, serving all intermediate points, for 180 days.

NOTE.—Applicant proposes to join the above-described routes to the existing routes of Orange & Black Bus Lines, Inc., Docket No. MC 66582 and sub numbers thereunder, in order to provide regular route passenger service between Fort Lee, N.J. and New York, N.Y. The rights of Orange & Black Bus Lines, Inc., are temporarily operated by the applicant pending acquisition thereof in Docket No. MC-F-11644. Applicant will tack with the existing route of Orange & Black Bus Lines, Inc. at the junction of Main Street and Maple Street and that of Anderson Avenue and North Avenue in order to provide through service to and from midtown New York, N.Y.

SUPPORTING SHIPPERS: Raymond Jones, 555 North Avenue, Fort Lee, N.J. and 75 other commuters whose names are on file at the office of the Interstate Commerce Commission, Newark, N.J. SEND PROTESTS TO: District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

No. MC 134861 (Sub-No. 4 TA), filed June 19, 1974. Applicant: DICKENSON LINES, INC., 14000 Sunfish Lake Blvd., NW., Anoka, Minn. 55303. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Passengers and their baggage* in round trip charter service and sightseeing and pleasure tours beginning and ending at points in Anoka, Hennepin or Ramsey Counties, Minn. and extending to points in the United States (including Alaska, but excluding Hawaii) and (2) *Passengers and their baggage* in sightseeing and pleasure tours, between points in Anoka, Hennepin or Ramsey Counties, Minn., on the one hand, and, Alaska, on the other, for 180 days. SUPPORTING SHIPPERS: There are approximately 13 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission, in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 139864 (Sub-No. 1 TA), filed June 19, 1974. Applicant: WILLIE FRANKLIN FIELDS, doing business as FIELDS BUS RENTAL, 14802 Lee Highway, Gainesville, Va. 22065. Applicant's representative: Daniel B. Johnson, 1123 Munsey Building, 1329 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* when moving with passengers between Gainesville, Va. and National Security Agency at Fort George Mead, Md., beginning at Gainesville, Va., east on Interstate Route 66 to exit Route 123, thence over Route 123 south to intersection of Route 29/211, north on Route 123 to Interstate Route 66, east on Route 66 to Interstate Highway 495, north on Interstate Highway 495 to exit Route 7, thence west on Route 7 to Tysons Corner, Va., thence to Route 123 to Route 495 north, north and east on Route 495 to Baltimore-Washington Parkway to Route 32 to NSA, Fort Meade, Md. and return over the same route, for 180 days. RESTRICTION: Restricted against picking up and discharging of passengers between Tysons Corner, Va. and Fort Meade, Md. SUPPORTING SHIPPERS: There are approximately 32 signatures of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th Street and Constitution Avenue NW., Washington, D.C. 20423.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-15621 Filed 7-8-74;8:45 am]

[Notice 93]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 1, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67, (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 50069 (Sub-No. 490 TA), filed June 20, 1974. Applicant: REFINERS TRANSPORT & TERMINAL CORP., 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: Jack A. Gollan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste oil and recycled hydraulic oil*, in bulk, in tank vehicles, between Grand Rapids, Mich. and Indianapolis, Ind., for 180 days. SUPPORTING SHIPPER: Reynolds Metals Co., P.O. Box 27003, Richmond, Va. 23261. SEND PROTESTS TO: Keith D. Warner, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 313 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 127681 (Sub-No. 8 TA), filed June 13, 1974. Applicant: JOE JONES, JR., doing business as JOE JONES TRUCKING CO., 1047 Bankhead Highway, Atlanta, Ga. 30328. Applicant's representative: Joe Jones, Jr. (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in containers, *materials, equipment and supplies* used for or useful in the distribution of chemicals when transported with chemicals, between Chamblee, Ga., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii) and defected and rejected and or reprocessed chemical products, in containers on return, for 180 days. SUPPORTING SHIPPER: Oxford Chemicals, Division of Consolidated Foods Corp., P.O. Box 80202, Atlanta, Ga. 30341. SEND PROTESTS TO: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1252 West Peachtree St. NW., Room 309, Atlanta, Ga. 30309.

No. MC 134105 (Sub-No. 10 TA), filed June 19, 1974. Applicant: CELERYVALE TRANSPORT, INC., Route 1, Box 96, Fort Lupton, Colo. 80621. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Florida, Georgia, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, Utah, and Wyoming, restricted to the transportation of traffic having an immediate prior move by water, for 180 days. SUPPORTING SHIPPER: Del Monte Banana Co., 1201 Brickell Avenue, Miami, Fla. 33101. SEND PROTESTS TO: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 134755 (Sub-No. 39 TA), filed June 20, 1974. Applicant: CHARTER EXPRESS, INC., 1959 East Turner Street, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 9th Floor, Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from the plantsite of and storage facilities utilized by American Beef Packers, Inc., at or near Cactus, Moore County, Tex., to points in Pennsylvania, the District of Columbia, Maryland, New Jersey, New York, and Virginia, restricted to traffic originating at and destined to the named points, for 180 days. SUPPORTING SHIPPER: American Beef Packers, Inc., 7000 West Center Road, Omaha, Nebr. 68106. SEND PROTESTS TO: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-15624 Filed 7-8-74;8:45 am]

[Notice 5]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Bonded Freightways, Inc., MC-107871 Sub-62.	MC-107871 Sub-63.	Jan. 29, 1974
Big Valley Supply & Enterprises, Ltd., MC-133599 Sub-2.	MC-133599 Sub-3.	Feb. 28, 1974
Metal Carriers, Inc., MC-133777 Sub-7.	MC-133777 Sub-8.	June 14, 1974
d.b.a. C. R. Goodman Trucking Co., MC-134278 Sub-5.	MC-134278 Sub-6.	Mar. 1, 1974
d.b.a. Red Tag Express Co., MC-136951.	MC-136951 Sub-1.	June 12, 1974

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-15623 Filed 7-8-74;8:45 am]

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TUESDAY, JULY 9, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 132

PART II

ENVIRONMENTAL PROTECTION AGENCY

■

AIR PROGRAMS; APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Review of Indirect Sources

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Review of Indirect Sources

On February 25, 1974 (39 FR 7270), the Administrator of the Environmental Protection Agency (EPA) promulgated an indirect source review regulation (40 CFR 52.22(b)) to be incorporated into the Clean Air Act implementation plans for 52 states and territories. As a follow-up to that regulation, the Administrator is today taking the following actions:

(1) In the preamble to the February 25 promulgation, the Administrator noted that additional written comments would be accepted until April 1, 1974, and that where appropriate, revisions may be made to the regulation (39 FR 7276). Many interested persons submitted written comments. The Administrator has considered the comments and has determined that several amendments of a clarifying, procedural nature are warranted. These amendments are being published today.

(2) The Administrator will respond in this preamble to significant new general comments which were not dealt with in the February 25 preamble.

(3) The Administrator has noted that some confusion exists as to the intended scope and application of the regulation and as to other matters relating to interpretation of the regulation. An explanation responding to frequently-raised questions of interpretation is provided in this preamble and in a new Appendix A to Part 52.

(4) Further information is provided regarding procedures to be followed in conducting review under the regulation and regarding delegation of review responsibilities to state and/or local agencies.

New General Comments

Because many general comments directed to the wisdom of the basic scheme of the regulation have already been addressed in the February 25 preamble, the Administrator does not feel it is necessary or helpful to respond to them again. Nevertheless, there are three points the Administrator would like to make in response to the new comments.

1. *The need for the regulation.* One major retailer submitted lengthy comments challenging the entire concept of indirect source review for shopping centers because the Administrator allegedly has not adequately established that such a regulatory scheme is necessary to assure maintenance of the ambient standards for carbon monoxide. In an attempt to show that such a regulation is not necessary with regard to shopping centers, the retailer submitted two studies.

One was an empirical study showing that after several days of monitoring at one shopping center, no violation of an ambient carbon monoxide standard could be found. This study involved "grab bag" sampling at various locations over the entire shopping center parking lot, and emphasized averaging the sample values over all locations for each hour and over all hours for each location. Such an averaging procedure is inconsistent with the method in which the air quality standards are prescribed. Air quality values should be averaged for discrete one and eight hour periods at each location, not over all locations. Although the study includes some continuous monitoring, carbon monoxide concentrations were not monitored in close proximity to the most frequently used exit/entrance, the site where the highest concentration would be likely to occur. Moreover, the study confined itself to analysis of air quality on the site of the shopping center, whereas more significant impacts can be created at nearby intersections.

While it is true that a shopping center may be constructed such that there would be no reasonable receptor sites in the close proximity to the areas where the highest concentrations would be likely to occur, it is not appropriate to generalize that a source category does not have a significant impact on air quality without studying its impact at the points of highest concentration, including nearby intersections, and under the worst conditions.

The other study dealt largely with the impact of various types of shopping center developments on area-wide emission rates. Such analysis is irrelevant to the question of whether localized carbon monoxide problems can be caused by vehicles attracted to a shopping center. This study also indicates, through the use of predictive models, that by 1980 various types of shopping center developments would not cause carbon monoxide violations due to the effects of the Federal Motor Vehicle Control Program. A prediction of the impact of an indirect source on ambient air in 1980 is unresponsive to the problem at hand since ambient carbon monoxide standards are to be met under the Clean Air Act as expeditiously as practicable but not later than the statutory attainment date, which is in most cases 1975 and in no event later than 1977.

The Administrator has conducted a number of studies to determine the impact of various types of indirect sources on ambient air quality, including shopping centers[1,2] and sports stadia.[3] Even though the studies were conducted over a limited time period, the facilities were found to have a definite adverse impact on ambient carbon monoxide levels, and even to cause violations of the national standards. These results substantiate the need for procedures to review such sources prior to construction in order to protect the public health.

The Administrator has never contended that every indirect source subject to review will necessarily cause air quality violations. If such were the case, then the proper course of action would be to promulgate an absolute ban on further construction of such sources. Rather, the Administrator has determined that in certain circumstances indirect sources can create ambient violations or exacerbate existing violations. Even in circumstances where the construction of one source in an area might not create violations, the subsequent construction of one or more additional sources in the near vicinity could do so.

Since implementation plans under the Clean Air Act must contain measures to "insure" that the ambient standards will be attained and maintained, and since the Administrator has determined that indirect sources, singly or in combination, can cause violations of the standards, it is necessary for implementation plans to contain procedures for preconstruction review of such sources. The Administrator has confidence that the Federal Motor Vehicle Control Program being implemented pursuant to Title II of the Clean Air Act will continue to diminish the levels of ambient carbon monoxide. However, such reductions will not in the Administrator's judgment suffice to prevent ambient violations in the vicinity of indirect sources subject to the regulation for at least the next few years.

Some have questioned whether it is proper to promulgate this review regulation even in areas which now have no carbon monoxide problem. The relative cleanliness of a particular area's air is irrelevant to the question of whether indirect source review is necessary for that area, since a new indirect source (or several new sources) could easily convert almost pure air into air violating the public health standards. The primary purpose of the regulation is to assure maintenance of the ambient standards—to assure that no violations will occur where none now exist.

2. *Approval based solely on air quality factors.* A widespread misunderstanding of the purpose and effect of indirect source review is reflected in the following comment made by a national association:

> According to the indirect source regulations, design characteristics, location and timing of future development is being based solely on air quality factors. We feel that no single factor should be the sole determinant of land use planning decisions.

The indirect source regulation does not make air quality the "sole determinant" of land use planning decisions except in an area which is now totally free

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[1] GCA Corporation, "Validation Study of an Approach for Evaluating the Impact of a Shopping Center on Ambient Carbon Monoxide Concentrations", Contract No. 68-02-1376, Task Order No. 2 for EPA (March 1974).

[2] Quality Assurance and Environmental Monitoring Laboratory, Field Monitoring and Instrument Branch, "Carbon Monoxide Measurements in Vicinity of Shopping Centers," RTI Report, Contract No. 63-02-0294, Task Order No. 3 for EPA, (April 1973).

[3] Bach, W. D., Crissman, B. W., Decker, C. E., Minear, J. W., Raspberry, P. P., and Tommerdahl, J. B.: "Carbon Monoxide Measurements in the Vicinity Of Sports Stadiums," RTI Report, Prepared for EPA Under Contract 68-02-1096, Task No. 1 (July 1973).

of any zoning or other land-use regulations. As the Administrator explained in the February 25 preamble:

> It should be emphasized * * * that the determination made pursuant to these regulations is only one necessary step among many other land-use measures already generally established (i.e., zoning approval, site plan approval, demolition and building permit approval, sewer tap-in approval, etc.) in order to assure that a specific facility will be designed and located in a manner not inconsistent with the public health, safety, and welfare. It is hoped that indirect source review will eventually be incorporated into comprehensive State and local land use planning processes so that social, economic, and air quality factors can be considered in an integrated manner. 39 FR 7274 (February 25, 1974).

The fact that one of many permits and approvals a facility must obtain before construction relates solely to air quality certainly does not make air quality "the sole determinant" of land use planning.

3. *Analysis Beyond One-Fourth Mile.* Additional comments indicated that the air quality impact of an indirect source should be examined at distances further than one-fourth mile from the source. It should be noted that the tests specified in subparagraphs (4) and (6) in no way restrict the Administrator as to the location of the air quality impact analysis. However, it is the Administrator's judgment that the major impact of most facilities with respect to carbon monoxide will be within one-fourth mile of the facility; accordingly, the detailed traffic data that must be submitted as part of each application is limited to the immediate vicinity of the indirect source. It is the Administrator's intent to request more comprehensive data pursuant to subparagraph (3)(i)(f) on a case-by-case basis, and to analyze the air quality impact at distances beyond one-fourth mile in cases where the facility might pose a threat to the air quality standards at such locations.

Explanation of Frequently-Raised Questions of Basic Interpretation. The purpose of the following discussion is to set forth certain basic interpretations of the regulation in order to clarify confusion reflected in public comments and questions. In addition, a new Appendix A to Part 52 is being published simultaneously with this rulemaking setting forth the substance of the following discussion in interpretative ruling form. As is true with any statute or regulation, it is impossible to answer definitively every conceivable question of interpretation or application which might arise in implementing the regulation. Just as courts frequently decline to decide certain issues until an actual situation presents a specific case or controversy before them, the Administrator believes that it would be unwise to answer every hypothetical question of interpretation or application raised in the comments because of the precedent that could be set based upon inadequate factual information. There are some questions of interpretation which will have to be resolved on a case-by-case basis in the process of implementing the regulation.

The explanation offered below relates to points so basic that if they were not clearly understood by the public and agencies implementing the regulation, serious mistakes in implementation might occur. One caveat should precede the discussion: The following is the Administrator's interpretation of his own regulation, 40 CFR 52.22(b). States which develop their own regulations which may be approved under 40 CFR 51.18 are not bound to interpret their regulations in the same manner, so long as their regulations operate to insure that ambient air quality standards will not be violated as a result of the construction of a new indirect source.

Most questions relate to the basic scope of the regulation, the type of indirect source which is subject to review, and the nature of the "associated parking area" concept. Since almost no comments or questions of interpretation were received regarding highways and airports, the following discussion, unless otherwise noted, deals with all other types of indirect sources.

The basic focus of the regulation is to review a new facility which will have an associated parking area of the requisite number of parking spaces. The list contained in 40 CFR 52.22(b)(1)(i) is merely a set of examples and should not be over-emphasized. The key to determining which facilities must be reviewed is in paragraph (b)(2), which requires review of "a new parking facility, or other new indirect source with an associated parking area" of the requisite size. Thus in every case, the most important factor will be to determine whether an "associated parking area" of the requisite size is to be "owned and/or operated in conjunction with" a facility.

An "associated parking area" is defined in paragraph (b)(1)(iii) as a "parking facility or facilities owned and/operated in conjunction with an indirect source." To be an "associated parking area" within the intent of the regulation, the area must be a separate and discrete localized facility associated with a particular indirect source. Thus, to clear up much confusion reflected in the written comments, an urban renewal area is not itself an indirect source subject to review under the regulation merely because within the entire area there may be more than 1,000 parking spaces. Rather, it is necessary to look at discrete parking facilities within the urban renewal area to determine what, if any, construction within the area will be subject to review under the regulation.

For example, assume that twelve blocks of a city are being reconstructed pursuant to a redevelopment plan. Within the twelve blocks, there is to be a municipal auditorium with 1,500 parking spaces underneath it, an apartment building with 300 parking spaces adjacent to it to serve the residents, a 1,200-space municipal parking garage, many townhouses with single or double private garages for the use of their owners, and 500 spaces for curb-side on-street parking.

If such twelve blocks were within an SMSA, the municipal auditorium and the municipal parking garage will each be subject to the regulation as a separate indirect source since each will have a separate and discrete associated parking area of 1,000 spaces or more. The redevelopment project itself is not an "indirect source" subject to review under the regulation, however, merely because it includes in the aggregate more than 1,000 spaces.

Thus, to answer another point which has caused confusion, the construction, 5 years later, of a new apartment building with an associated parking area of 600 cars within the urban renewal area will not by itself trigger review under the regulation. First, this is not a "modification" within the contemplation of paragraph (b)(2)(i)(*b*) since it is not a modification of an associated parking area but rather a new separate and discrete parking area. Second, this is not an increment under paragraph (b)(2)(iv) since it is not an increment to an existing "indirect source" within the contemplation of the regulation.

If 500 spaces are later added to the apartment's parking facility, then this is a modification to a particular facility which triggers review. Similarly, additional spaces added to such facility from time to time will be considered as increments to that facility within the contemplation of paragraph (b)(2)(iv).

The foregoing also applies to other large-scale developments such as industrial parks, new towns, and large subdivision developments. These types of developments are not in and of themselves indirect sources subject to review under the regulation, although in each case they may contain many indirect sources subject to review.

An understanding of this concept helps answer other questions raised in public comments. For instance, a question frequently posed is whether commencing construction of one facility within an urban renewal area before 1975 will exempt all future construction in the area from review. The answer is "no". The urban renewal area is not itself an indirect source; facilities within the area which have associated parking areas of the requisite size are. Thus construction of a second facility within the area after December 31, 1974, which is otherwise subject to review under the regulation will not be exempt merely because other facilities commenced pursuant to a common plan were exempt.

The reason the phrase "or facilities" is included in paragraph (b)(1)(iii) is to assure that mere physical barriers between parking areas serving a single indirect source will not operate to exclude from review what is in essence a discrete associated parking area for a single source. For instance, a shopping mall which is to be constructed with 500 parking spaces on the north side of the mall and 500 spaces on the south, even though the two parking "facilities" are physically separate and do not have connecting roads between them, will be considered to have an "associated parking area" of 1,000 spaces.

Several questions have been raised regarding the phrase "owned and/or oper-

ated in conjunction with an indirect source" contained in paragraph (b)(1)(iii). The use of the word "owned" does not mean, as some who commented apparently feared, that a parking lot a particular developer owns in Tallahassee will be counted in determining the size of an associated parking area in Peoria. The key phrase is "in conjunction with," which is intended to convey an operational test looking to whether a particular parking area serves a particular facility under a common scheme of ownership and/or operation.

Parking facilities which are fortuitously constructed near an indirect source but over which the owner or operator of the source has no control, and which are not constructed pursuant to an understanding by which the facility will serve the indirect source, will not be considered an "associated parking area" of the source. For instance, if a developer constructs a shopping center with 600 parking spaces and a municipality erects a 500-space parking garage adjacent to the center completely independent of the shopping center development, there is not a single, 1100-space associated parking area within the contemplation of the regulation. However, if such parking garage were constructed pursuant to an explicit or even implied agreement with the shopping center developer to serve the shopping center, it would be considered part of the center's "associated parking area."

It is not necessary for an "associated parking area" to be directly contiguous to an indirect source to cause that source to be subject to review. For instance, a developer could not avoid review by constructing a large retail facility on one side of the street with forty parking spaces immediately adjacent to it, and constructing a 960-space parking facility across the street. All 1,000 spaces will be treated as an "associated parking area" within the contemplation of paragraph (b)(1)(iii) since they are owned and/or operated in conjunction with a particular indirect source. On the other hand, parking facilities located across the street from each other within an industrial park which serve two separate indirect sources will not constitute a single "associated parking area."

Many questions have arisen concerning "phased" development. As noted above, a major area-wide development such as an urban renewal project, an industrial park, or a "new town" will not be an indirect source itself but may instead contain several indirect sources separately reviewable under the regulation. In response to many comments, two points about phased development should be made clear at this time:

(1) Applicants will be able, and in fact are encouraged, to apply for approval of all indirect sources within their phased developments at the same time, so long as all the information required for the reviewing agency to perform an air quality impact analysis for each source can be provided. This will allow developers to proceed with major developments with a greater degree of certainty.

(2) Since a major area development is not in itself a discrete indirect source subject to review under the regulation, commencement of one phase of such development prior to 1975 will not operate to exempt subsequent indirect sources within such overall development plan which commence construction after December 31, 1974, from indirect source review.

One tangential issue which has been raised frequently relates to phased construction within a single indirect source subject to review under the regulation. For example, assume that a shopping center with a 3,000-space parking area is to have four major "anchor" department stores in addition to dozens of smaller retail and service establishments. The plan is to build the bulk of the shopping center initially, including all of the parking area, but for business reasons to withhold construction of two of the "anchor" stores for two or three years after the center first opens. The two questions which arise are: (1) If construction commences on the intial part of the center prior to 1975 will the subsequent construction of the two anchors trigger review for such two new stores? (2) Alternatively, will such subsequent construction mean that construction of the entire center is covered under the regulation under the theory that the construction which was commenced prior to 1975 was not "continuous"?

(1) The mere fact that two new stores are being added to the shopping center will not trigger indirect source review. The new construction is a modification to an existing indirect source (the shopping center with two "anchors" and 3,000 parking spaces), but modifications are not reviewed unless parking capacity is increased by 500 cars or more (1,000 cars or more in non-SMSA's). (2) The fact that the shopping center is not modified for two or three years after initial opening for business does not make the construction which commenced prior to 1975 non-"continuous" and therefore subject the entire project to indirect source review, because in essence a single indirect source (the shopping center with 3,000 parking spaces minus two anchors) was constructed in a continuous process which commenced prior to 1975.

Several persons questioned whether demolition is to be considered as "site clearance" as that term is used in the definitions of the phrases "to commence construction" and "to commence modification" in paragraph (b)(1)(v) and (vi). The Administrator considers demolition to be a form of site clearance. It is important to note, however, that the term "continuous" is crucial in the definition of these phrases. Demolition prior to 1975 will serve to exempt a project only where it is part of a continuous program of construction specifically designed for a particular indirect source. For example, where a developer demolished a structure on a particular site in 1973, then does no further physical site work until 1975, a source constructed on that site will not be exempt from review merely because the site clearance began in 1973.

Two points should be made regarding the "force majeure" (acts of God, strikes, etc.) language in paragraph (b)(1)(v). (1) The fact that construction failed to commence at all prior to 1975 because of "force majeure" reasons is irrelevant. Actual physical site work must commence in a continuous course before 1975 for the exemption to be valid. (2) Only breaks in construction attributable solely to the enumerated "force majeure" reasons will be considered in determining whether a project is exempt. For instance, if a site were demolished in 1973, then for business or other reasons, actual physical construction ceased, and a developer planned to commence continuous construction on the site in mid-1974 but was prevented from doing so until 1975 because of litigation, the source would not be exempted from review since factors other than the "force majeure" reasons played a role in rendering the construction noncontinuous.

Some comments urged that the basic coverage requirement set forth in paragraphs (b)(2)(i) and (ii) be amended to require that only those indirect sources for which a new associated parking area is constructed be subject to review. As the regulation is now written, an indirect source constructed on a presently existing associated parking area is subject to review as well.

Such an amendment would create unwarranted exemptions. One case would be that of a developer who has operated a large surface parking lot for several years, and then decides to construct an office building on part of the lot while retaining the remainder to serve as the parking lot for the building. Although the associated parking area would not be new, the office building should clearly be required to undergo pre-construction review as a new indirect source. Another example is the demolition of a large shopping center structure followed by the construction of a new shopping center on the same parcel of land using the same parking lot. In each case, it is reasonable to expect the developer to take air quality considerations into account in planning his basic design, and the construction will not be exempt from indirect source review.

A closely related matter which has drawn several questions is the status under the regulation of accidental destruction of an indirect source followed by new construction on the same parcel. Consistent with the foregoing line of reasoning, such construction would not be exempt from review. Again, the developer can fairly be expected to consider air quality in designing and planning for his new construction. New construction following destruction on a parcel would certainly be subject to more rigid building code requirements or zoning ordinances which had been enacted since the construction of the original improvements, and there is no reason to depart from this principle where a public health regulation is concerned.

Some have questioned whether a reviewing agency could use paragraph (b)

(10) to specify that an approved indirect source may be further modified without review by adding more parking spaces than the number which triggers review under paragraphs (b)(2)(i)(*b*) and (b)(2)(ii)(*b*). As discussed on February 25 (39 FR 7276), the intent of this provision is to allow a reviewing agency to reduce the number of new parking spaces that would trigger review for a particular indirect source if it is determined that such a minor modification could cause a violation of the national standards. Since it is difficult to accurately predict the extent which the area surrounding a proposed facility will grow between the approval of its initial application and any possible modification, the Administrator does not consider it appropriate to allow paragraph (b)(10) to be used to liberalize the requirements of paragraphs (b)(2)(i)(*b*) and (b)(2)(ii)(*b*). Paragraph (b)(10) has been modified to clarify this point.

Several persons have questioned whether an indirect source approval is transferable. The Administrator considers such approvals to be fully transferable between successive owners of the property for which an approval is granted so long as the indirect source is constructed and/or modified fully in accordance with the approved application and all conditions thereto.

As alluded to before, it is not possible to issue an interpretative ruling which will answer precisely every question that will arise in administering this regulation. Many questions concerning whether or not a facility is subject to review under the regulation will necessarily have to be answered on a case-by-case basis, with those administering the regulation using their sound discretion. In general, developers should assume that devices used in an attempt to evade review will be scrutinized carefully to determine whether a source actually subject to the regulation is commencing construction without the required approval. Those conducting review under the regulation should resolve doubts and close cases in favor of coverage since the purpose of the regulation is to review all new and modified indirect sources except those clearly and specifically exempted. This approach best serves the dictates of the Clean Air Act, which requires measures to "insure" the attainment and maintenance of the ambient standards.

The Administrator does not expect many evasion problems to arise in view of the significant risks developers and lenders would be taking. In commencing construction of a facility subject to the regulation without securing the necessary approval, the developer would be subject to the heavy criminal penalties of section 113 of the Clean Air Act. Moreover, further construction of the facility could be enjoined and a facility for which construction had been completed could be shut down. Thus it is doubtful whether prudent lenders will fund projects unless they are sure that a facility has either received indirect source approval or that none is needed.

In this regard, developers who plan to construct projects which they feel are exempt but which may be arguably subject to the regulation may apply for a determination of applicability ruling from EPA to achieve a greater degree of certainty in proceeding with their projects.

Such rulings should be requested in writing from the appropriate regional offices. Requests should fully recite the facts upon which the developer believes an exemption is based. In appropriate cases a ruling will be issued which will be carefully and strictly limited to the facts as understood by the agency. If construction commences in circumstances under which any material fact is at variance with those represented in the ruling request, or if a material fact were omitted from the request, then the ruling would be rendered inoperative. Applicants should be aware of section 113(c)(2) of the Clean Air Act, which provides that any person who knowingly falsifies information in any application required pursuant to the Act is subject to fine and/or imprisonment.

Specific Changes to the Regulation

The following changes have been made as a result of public comment on the February 25, 1974, regulations.

1. *Phased development.* Paragraph (b)(2)(iv), which is intended to prevent circumvention of the regulation through numerous minor modifications, is amended below to allow each phase of a project to be constructed without the issuance of a separate permit as long as the entire project had received approval at the outset. In addition, the information to be submitted in support of an application [Paragraph (b)(3)] has been clarified with respect to phased development projects. The traffic conditions at the time each phase becomes operational must be submitted so that the Administrator can determine the project's air quality impact at any time during the development process. This determination is necessary since a facility might be acceptable upon completion at some extended future date (due to the effects of the Federal Motor Vehicle Control Program), yet could cause a violation of air quality standards at some intermediate stage of development.

2. *Basis for disapproval for violations of the carbon monoxide standard.* The Federal indirect source regulation has been promulgated to conform to the requirements of 40 CFR 51.18, which requires all state implementation plans to have indirect source review procedures to prevent construction which "will interfere with attainment or maintenance" of ambient standards. The Federal regulations proposed on October 30, 1973, provided that construction must be prevented where the indirect source would "prevent or interfere with the attainment or maintenance" of ambient standards. (Proposed 40 CFR 52.22(b)(4)(i)(*b*), 38 FR 29896.) Because some comments in response to the October 30 proposal reflected concern as to the precise meaning of the quoted phrase, the Administrator endeavored to state the test with more specificity in the final regulation (40 CFR 52.22(b)(4)(i)(*b*)–(*c*), 39 FR 7277).

Upon further analysis and consideration of comments, the Administrator has determined that the test for carbon monoxide violations can be stated more simply than in the February regulation and more in conformity with the requirements of the Clean Air Act and 40 CFR 51.18. Moreover, the new statement of the test more closely follows the intent of the October 30 proposal.

The new statement of the test requires disapproval of a facility which would either cause a new violation or exacerbate any existing violation of a carbon monoxide standard, in any portion of any air quality control region. The test as stated in the February regulation could have permitted temporary new violations of the carbon monoxide standard to be created until the specified attainment date. This would be inconsistent with the requirements of the Clean Air Act, which requires attainment of primary ambient standards "as expeditiously as practicable," not merely by the statutory deadline. To allow violations to be created or exacerbated by the construction of a new source is consistent neither with this mandate nor with 40 CFR 51.18, since to allow a new source to create new violations would "interfere" with the attainment of the standards as expeditiously as practicable.

3. *Basis for decisions involving photochemical oxidant and nitrogen dioxide.* On several previous occasions (38 FR 29893 at 29894 and 39 FR 7270 at 7272), the Administrator has expressed reservations concerning the adequacy of available analytical techniques to accurately analyze the impact of a specific indirect source on ambient air quality concentrations of photochemical oxidant and nitrogen dioxide. The application of the proportional modeling technique specified in the February 25 regulations becomes quite subjective when applied to the incremental air quality impact of a single facility or project. Since the proportional model assumes that air quality is proportional to emissions, the key to analyzing the air quality impact of a highway or airport focuses on the definition of baseline emissions. If the baseline emissions are those presently emitted on the proposed site, the predicted air quality increase would be extremely large. If the baseline emissions are those of the entire region, the predicted air quality increase would in most cases, be quite small. As a result of these problems, the Administrator has chosen to eliminate the exclusive use of the proportional model, and to base decisions involving oxidant and nitrogen dioxide on considerations to be published shortly as a new Appendix to Part 52. While the Administrator does not desire to base photochemical oxidant and nitrogen dioxide decisions exclusively on the proportional model on a national scale, states are not precluded from using such a model where they feel it is appropriate for their local needs and conditions.

4. *Use of traffic flow characteristics for highway decisions.* As promulgated on February 25, the regulations specified the use of a diffusion model for analyzing the impact of highways on carbon monoxide air quality. In developing the traffic flow characteristics discussed below, it became apparent that such criteria would be equally applicable for analyzing localized carbon monoxide concentrations in the vicinity of roads and highway. Thus, the regulations are modified below to permit the use of such characteristics, with the option of using a diffusion model if either the applicant or the Administrator deems appropriate.

5. *Applicant's opportunity to respond to public comment.* The regulations are amended to permit the applicant to respond in writing, within 10 days after the close of the public comment period, on the comments submitted by the public. The Administrator is required to consider such response in making his final decision.

6. *Permit conditions and penalties.* One comment indicated that the requirement to "operate in accordance with the application" in paragraph (b)(11) was unreasonable, since it could be construed to require the applicant to obtain permission before changing store hours or other minor operating practices which may have been indicated in the application. It was not the Administrator's intent to provide that any minor operational factor which could have no reasonable impact upon air quality be an enforceable permit condition. Accordingly, the above-quoted phase has been omitted from paragraph (b)(11). On the other hand, in most cases there will be certain operational factors which will be crucial to the air quality impact of an indirect source. Accordingly, paragraph (b)(9) is amended to permit the reviewing agency to specify that such operating provisions will be enforceable permit conditions.

It is crucial to the effective operation of the indirect source program that the reviewing agency utilize the provisions of paragraph (b)(9) to specify any such operating factor which could affect air quality as a permit condition. Conditions which must be considered on a routine basis will be:

a. A requirement that the facility, or any incremental development phase, not be opened for business prior to the date specified by the reviewing agency. Because of the continuing emission reduction effected by the Federal Motor Vehicle Control Program, the vehicle mix on the date of expected opening (and resulting average vehicle emission rate) could be an important factor in determining whether air quality standards would be violated.

b. Specification of the type and degree of modification to the approved facility that must be subject to review. Since the regulation only requires review of modifications that result in addition of a specified number of parking spaces, the reviewing agency may also specify that certain structural or use changes which would adversely impact air quality shall also be subject to review.

7. *Invalidation of approval.* Numerous comments were received indicating that in many cases, on-site construction would not commence within 18 months after receipt of approval as required under subparagraph (12). Accordingly, this period has been extended from 18 to 24 months. Subparagraph (12) still contains a provision allowing the Administrator to extend this time period upon a satisfactory showing that an extension is justified. Since the regulation has been modified to permit the applicant to request an extension at the time of initial application, this subparagraph should not introduce uncertainty for developers acting in good faith.

8. *Data to be submitted by the applicant.* Paragraph (b)(3) is amended to eliminate the requirement that an applicant submit the intermediate information, such as trip inducement and existing volumes, that are used to estimate future traffic volumes. As amended, paragraph (b)(10) requires submission of only that data needed to determine the traffic flow characteristics on which the Administrator will base his decision with respect to localized carbon monoxide concentrations. An additional parameter, vehicle capacity of major roads and intersection in the vicinity of the indirect source, is included since it is needed for determinations based upon traffic flow characteristic guidelines. Pursuant to paragraph (b)(3)(i)(i), the Administrator may request any additional information needed to check the accuracy of the estimates submitted by the applicant.

9. *Examples of traffic flow characteristics.* As indicated below, the Administrator is issuing guidelines setting forth traffic flow characteristics which may be used in determining localized carbon monoxide concentration. Consequently, the examples of traffic flow characteristics previously listed in paragraph (b)(4)(ii) are no longer necessary and have been deleted.

10. *Necessity for "on-site construction".* In order to clear up confusion, the phrase "on-site" has been added to the definitions of "to commence construction" and "to commence modification." This is entirely consistent with the Administrator's intent as reflected in the February 25 preamble at 39 FR 7273.

11. *Sources Subject to "Management of Parking Supply" Regulations.* "Management of parking supply" regulations have been promulgated by EPA as part of the transportation control plans in 19 regions. In order to eliminate confusion as to whether the indirect source regulation is applicable to a particular facility in areas where both regulations appear to be in effect, the indirect source regulation has been amended to state that in such areas, sources which would otherwise be required to undergo review under both regulations will be subject to review only under the management of parking supply regulation. Thus, applicants will not be required to apply for permits from EPA through two separate procedures. The parking management regulations will require facilities of the size subject to indirect source review to undergo carbon monoxide impact analysis similar to that required by the indirect source regulation in addition to other parking management review requirements.

It should be noted, however, that the parking management regulations will not exempt from review sources of the size covered by the indirect source regulation merely because a general construction contract had been executed for such a source. Such sources shall be exempt only if they have commenced on-site construction or modification on or before January 1, 1975. The management of parking supply regulations will soon be refined by EPA in the respects noted above.

12. *Basis for Decisions on Carbon Monoxide Impact.* Paragraph (b)(4)(ii) has been clarified to emphasize that there are a number of analytical techniques which may be acceptable for evaluating the concentration of carbon monoxide in the vicinity of indirect sources. As discussed below, the Administrator has developed and published traffic flow characteristic guidelines which will be one method which may be used. The use of such guidelines, however, is not a requirement of the regulation.

As explained in the preamble to the February promulgation at 39 FR 7275, these guidelines will have the beneficial effect of allowing developers to plan their facilities so as to maximize their chances for approval. Such guidelines will frequently be used by EPA in conducting review since they provide a rather simple and expeditious method in analyzing carbon monoxide impact. Nevertheless, it is expected that in many cases other methods, such as diffusion modeling, will have to be relied on in making the determination. For instance, where basic technical assumptions used in developing the guidelines are not appropriate in a certain area, the guidelines would not be used as the basis for deciding whether a permit may be granted. Instead, a diffusion model or other technique which more accurately takes account of the actual conditions at a particular site would have to be used.

13. *Minor clarification changes.* There have been several other minor drafting changes made for clarification purposes which do not change the scope or intent of the regulation.

Analytical Techniques for Determining Carbon Monoxide Concentrations

In the preamble to the February 25 promulgation, the Administrator indicated that he would publish guidelines setting forth traffic flow characteristics which may be used in analyzing the carbon monoxide impact of indirect sources. Accordingly, the Agency is publishing Guidelines for the Review of the Impact of Indirect Sources on Ambient Air Quality which specify the analytical techniques the Agency will frequently use in determining the air quality impact of an indirect source on localized carbon monoxide concentrations. (See discussion under #12 above.)

These guidelines will be available for inspection and distribution at each Re-

gional Office as well as the EPA Freedom of Information Center, 401 M Street, S.W., Washington, D.C. 20460. As is true of any guidelines setting forth the Agency's procedures or practices, EPA welcomes any relevant written comments relating to these guidelines at any time. Interested persons may submit written comments to the Monitoring and Data Analysis Division, Environmental Protection Agency, Research Triangle Park, N.C. 27711.

The main body of the Guidelines contains a simplified methodology which relates certain key traffic flow characteristics to local carbon monoxide concentrations. Nine appendices are also included for conducting a more complete analysis, if necessary, of the impact of an indirect source on ambient air quality. Seven of the appendices discuss methods for estimating emissions from the different types of indirect sources, the eighth discusses the use of dispersion models which may be used in such an analysis as well as methods for estimating background concentrations, and the ninth appendix provides a compilation of indirect source monitoring studies. The Guidelines also include a discussion of several considerations for improving traffic flow characteristics, thus minimizing a facility's potential to contribute to a violation of the national standards for carbon monoxide.

Administrative Procedures and Delegation

Where the Administrator has not delegated the responsibility for implementing § 52.22(b) for indirect source review to a State or local agency, the implementation of the regulation will be the responsibility of the appropriate EPA Regional Administrator. A list of the States covered by each Regional Office and the Regional Office addresses are set forth in § 52.16 of Part 52. Questions concerning the applicability of the regulation and any other inquiries should be directed to the appropriate Regional Office. Application forms should be requested from the Regional Office and returned there for review. Since forms will not be available immediately, early applicants should contact the appropriate Regional Office for interim advice concerning the format for application. Those applicants wishing to submit the results of diffusion modeling or other analytical technique in support of their application are urged to contact the Regional Office first to discuss the appropriate input parameters and receptor sites which are of critical interest.

With respect to highways and airports, it is expected that all necessary technical data will be available in an Environmental Impact Statement (EIS) prepared pursuant to the National Environmental Policy Act (42 U.S.C. 4321). In such cases, all that is necessary to make application is a letter to the appropriate Regional Administrator from the initiating agency, accompanied by the EIS if not previously submitted, requesting permission to construct. If additional data are required, the Regional Office will notify the applicant within 20 days after receipt of the request.

Normally, the draft EIS for highway projects is prepared after the general corridor has been defined but before a specific location has been selected. A draft EIS is circulated on the various location alternatives and a public hearing is held on the EIS. Depending on the comments received, the State highway agency may decide to abandon the project due to its adverse environmental consequences, re-draft the EIS to contain additional alternatives, or issue the final EIS on the alternatives considered in the draft. Following the issuance of the final EIS, the State highway agency generally proceeds with the following steps leading to the eventual construction of the highway: selects preferred alternative; performs detailed highway design and development of specifications; holds design hearing; obtains approval and funding commitment from the Federal Highway Administration; acquires right-of-way land and appropriate easements; advertises for and analyzes bids; and awards construction contracts.

The application for approval under the indirect source regulations would normally be made as early in the above process as the necessary data are available, which would not be earlier than the location study phase. The highway agency may, of course, make application at any later phase prior to actual commencement of construction. Although the Administrator would prefer to consider only the selected alternative based on the final EIS, he will provide the highway agency with a decision on each of the alternatives specifically analyzed in the draft EIS. In addition, review based on the draft EIS coincides with EPA's present procedures for review and rating of EIS's. Although not required, the Administrator urges States or local agencies accepting delegation of these regulations to utilize administrative procedures similar to those outlined above.

The Administrator reiterates his desire to delegate the indirect source review procedures to States and/or local governments. States will soon be receiving communications from EPA's regional offices containing more details regarding delegation.

If a State agency has not officially requested delegation, the Administrator will entertain requests from local agencies. Local agencies may inquire about delegation procedures at the appropriate EPA Regional Offices. However, no delegation will be made directly to a local agency if a State agency has already received delegation. In addition to the guidance provided on February 25, 1974, as to what type of agency should receive delegation, the Administrator feels there are certain agencies which should not be delegated review responsibility where a conflict of interest could be created. For example, the Administrator will not delegate the indirect source review to agencies, such as State highway agencies, which are substantially responsible for originating projects subject to review under these regulations.

Since the amendments being published today are in response to public comments based upon the regulation published in February and review is to begin under the regulation immediately, the Administrator finds good cause not to subject the amendments to further public comment before finalization as such procedure would be unnecessary and impracticable. Appendix A is being promulgated in final form because interpretative rulings are exempt from the notice and public comment requirements of the Administrative Procedure Act. For the convenience of applicants, reviewing officials, and all other interested persons, the regulation is being reprinted in its entirety in its amended form. (Sections 110(a)(2)(B), 110(c), and 301(a) of the Clean Air Act, as amended (42 U.S.C. 1857c-5(a)(2)(B), 1857c-5(c), and 1857g(a)).)

Dated: June 28, 1974.

JOHN QUARLES,
Acting Administrator.

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

In § 52.22, paragraph (b) is revised to read as follows:

§ 52.22 Maintenance of standards.

* * * * *

(b) *Regulation for review of new or modified indirect sources.*

(1) All terms used in this paragraph but not specifically defined below shall have the meaning given them in § 52.01 of this chapter.

(i) The term "indirect source" means a facility, building, structure, or installation which attracts or may attract mobile source activity that results in emissions of a pollutant for which there is a national standard. Such indirect sources include, but are not limited to:

(*a*) Highways and roads.

(*b*) Parking facilities.

(*c*) Retail, commercial and industrial facilities.

(*d*) Recreation, amusement, sports and entertainment facilities.

(*e*) Airports.

(*f*) Office and Government buildings.

(*g*) Apartment and condominium buildings.

(*h*) Education facilities.

(ii) The term "Administrator" means the Administrator of the Environmental Protection Agency or his designated agent.

(iii) The term "associated parking area" means a parking facility or facilities owned and/or operated in conjunction with an indirect source.

(iv) The term "aircraft operation" means an aircraft take-off or landing.

(v) The phrase "to commence construction" means to engage in a continuous program of on-site construction including site clearance, grading, dredging, or land filling specifically designed for an indirect source in preparation for the fabrication, erection, or installation

of the building components of the indirect source. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or modification program is continuous.

(vi) The phrase "to commence modification" means to engage in a continuous program of on-site modification, including site clearance, grading, dredging, or land filling in preparation for a specific modification of the indirect source.

(vii) The term "highway section" means the development proposal of a highway of substantial length between logical termini (major crossroads, population centers, major traffic generators, or similar major highway control elements) as normally included in a single location study or multi-year highway improvement program as set forth in 23 CFR 770.201 (38 FR 31677).

(viii) The term "highway project" means all or a portion of a highway section which would result in a specific construction contract.

(ix) The term "Standard Metropolitan Statistical Area (SMSA)" means such areas as designated by the U.S. Bureau of the Budget in the following publication: "Standard Metropolitan Statistical Area," issued in 1967, with subsequent amendments.

(2) The requirements of this paragraph are applicable to the following:

(i) In an SMSA:

(*a*) Any new parking facility, or other new indirect source with an associated parking area, which has a new parking capacity of 1,000 cars or more; or

(*b*) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 500 cars or more; or

(*c*) Any new highway project with an anticipated average annual daily traffic volume of 20,000 or more vehicles per day within ten years of construction; or

(*d*) Any modified highway project which will increase average annual daily traffic volume by 10,000 or more vehicles per day within ten years after modification.

(ii) Outside an SMSA:

(*a*) Any new parking facility, or other new indirect source with an associated parking area, which has a parking capacity of 2,000 cars or more; or

(*b*) Any modified parking facility, or any modification of an associated parking area, which increases parking capacity by 1,000 cars or more.

(iii) Any airport, the construction or general modification program of which is expected to result in the following activity within ten years of construction or modification:

(*a*) New airport: 50,000 or more operations per year by regularly scheduled air carriers, or use by 1,600,000 or more passengers per year.

(*b*) Modified airport: Increase of 50,000 or more operations per year by regularly scheduled air carriers over the existing volume of operations, or increase of 1,600,000 or more passengers per year.

(iv) Where an indirect source is constructed or modified in increments which individually are not subject to review under this paragraph, and which are not part of a program of construction or modification in planned incremental phases approved by the Administrator, all such increments commenced after December 31, 1974, or after the latest approval hereunder, whichever date is most recent, shall be added together for determining the applicability of this paragraph.

(3) No owner or operator of an indirect source subject to this paragraph shall commence construction or modification of such source after December 31, 1974, without first obtaining approval from the Administrator. Application for approval to construct or modify shall be by means prescribed by the Administrator, and shall include a copy of any draft or final environmental impact statement which has been prepared pursuant to the National Environmental Policy Act (42 U.S.C. 4321). If not included in such environmental impact statement, the Administrator may request the following information:

(i) For all indirect sources subject to this paragraph, other than highway projects:

(*a*) The name and address of the applicant.

(*b*) A map showing the location of the site of indirect source and the topography of the area.

(*c*) A description of the proposed use of the site, including the normal hours of operation of the facility, and the general types of activities to be operated therein.

(*d*) A site plan showing the location of associated parking areas, points of motor vehicle ingress and egress to and from the site and its associated parking areas, and the location and height of buildings on the site.

(*e*) An identification of the principal roads, highways, and intersections that will be used by motor vehicles moving to or from the indirect source.

(*f*) An estimate, as of the first year after the date the indirect source will be substantially complete and operational, of the average daily traffic volumes, maximum traffic volumes for one-hour and eight-hour periods, and vehicle capacities of the principal roads, highways, and intersections identified pursuant to subdivision (i)(e) of this subparagraph located within one-fourth mile of all boundaries of the site:

(*g*) Availability of existing and projected mass transit to service the site.

(*h*) Where approval is sought for indirect sources to be constructed in incremental phases, the information required by this subparagraph (3) shall be submitted for each phase of the construction project.

(*i*) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(ii) For airports:

(*a*) An estimate of the average number and maximum number of aircraft operations per day by type of aircraft during the first, fifth and tenth years after the date of expected completion.

(*b*) A description of the commercial, industrial, residential and other development that the applicant expects will occur within three miles of the perimeter of the airport within the first five and the first ten years after the date of expected completion.

(*c*) Expected passenger loadings at the airport.

(*d*) The information required under subdivisions (i) (*a*) through (*i*) of this subparagraph.

(iii) For highway projects:

(*a*) A description of the average and maximum traffic volumes for one, eight, and 24-hour time period expected within 10 years of date of expected completion.

(*b*) An estimate of vehicle speeds for average and maximum traffic volume conditions and the vehicle capacity of the highway project.

(*c*) A map showing the location of the highway project, including the location of buildings along the right-of-way.

(*d*) A description of the general features of the highway project and associated right-of-way, including the approximate height of buildings adjacent to the highway.

(*e*) Any additional information or documentation that the Administrator deems necessary to determine the air quality impact of the indirect source, including the submission of measured air quality data at the proposed site prior to construction or modification.

(iv) For indirect sources other than airports and those highway projects subject to the provisions of paragraph (b)(6)(iii) of this section, the air quality monitoring requirements of paragraph (b)(3)(i) (*i*) of this section shall be limited to carbon monoxide, and shall be conducted for a period of not more than 14 days.

(4)(i) For indirect sources other than highway projects and airports, the Administrator shall not approve an application to construct or modify if he determines that the indirect source will:

(*a*) Cause a violation of the control strategy of any applicable state implementation plan; or

(*b*) Cause or exacerbate a violation of the national standards for carbon monoxide in any region or portion thereof.

(ii) The Administrator shall make the determination pursuant to paragraph (b)(4)(i)(*b*) of this section by evaluating the anticipated concentration of carbon monoxide at reasonable receptor or exposure sites which will be affected by the mobile source activity expected to be attracted by the indirect source. Such determination may be made by using traffic flow characteristic guidelines published by the Environmental Protection Agency which relate traffic demand and capacity considerations to ambient car-

bon monoxide impact, by use of appropriate atmospheric diffusion models (examples of which are referenced in Appendix O to Part 51 of this chapter), and/or by any other reliable analytic method. The applicant may (but need not) submit with his application, the results of an appropriate diffusion model and/or any other reliable analytic method, along with the technical data and information supporting such results. Any such results and supporting data submitted by the applicant shall be considered by the Administrator in making his determination pursuant to paragraph (b)(4)(i)(*b*) of this section.

(5)(i) For airports subject to this paragraph, the Administrator shall base his decision on the approval or disapproval of an application on the considerations to be published as an Appendix to this Part.

(ii) For highway projects and parking facilities specified under paragraph (b)(2) of this section which are associated with airports, the requirements and procedures specified in paragraphs (b)(4) and (6)(i) and (ii) of this section shall be met.

(6)(i) For all highway projects subject to this paragraph, the Administrator shall not approve an application to construct or modify if he determines that the indirect source will:

(*a*) Cause a violation of the control strategy of any applicable state implementation plan; or

(*b*) Cause or exacerbate a violation of the national standards for carbon monoxide in any region or portion thereof.

(ii) The determination pursuant to paragraph (b)(6)(i)(*b*) of this section shall be made by evaluating the anticipated concentration of carbon monoxide at reasonable receptor or exposure sites which will be affected by the mobile source activity expected on the highway for the ten year period following the expected date of completion according to the procedures specified in paragraph (b)(4)(ii) of this section.

(iii) For new highway projects subject to this paragraph with an anticipated average daily traffic volume of 50,000 or more vehicles within ten years of construction, or modifications to highway projects subject to this paragraph which will increase average daily traffic volume by 25,000 or more vehicles within ten years after modification, the Administrator's decision on the approval or disapproval of an application shall be based on the considerations to be published as an Appendix to this Part in addition to the requirements of paragraph (b)(6)(i) of this section.

(7) The determination of the air quality impact of a proposed indirect source "at reasonable receptor or exposure sites" shall mean such locations where people might reasonably be exposed for time periods consistent with the national ambient air quality standards for the pollutants specified for analysis pursuant to this paragraph.

(8)(i) Within 20 days after receipt of an application or addition thereto, the Administrator shall advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of paragraph (b)(8)(ii) of this section shall be the date on which all required information is received by the Administrator.

(ii) Within 30 days after receipt of a complete application, the Administrator shall;

(*a*) Make a preliminary determination whether the indirect source should be approved, approved with conditions in accordance with paragraphs (b)(9) or (10) of this section, or disapproved.

(*b*) Make available in at least one location in each region in which the proposed indirect source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Administrator's preliminary determination, and a copy or summary of other materials, if any, considered by the Administrator in making his preliminary determination; and

(*c*) Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed indirect source would be constructed, of the opportunity for written public comment on the information submitted by the owner or operator and the Administrator's preliminary determination on the approvability of the indirect source.

(iii) A copy of the notice required pursuant to this subparagraph shall be sent to the applicant and to officials and agencies having cognizance over the location where the indirect source will be situated, as follows: State and local air pollution control agencies, the chief executive of the city and county; any comprehensive regional land use planning agency; and for highways, any local board or committee charged with responsibility for activities in the conduct of the urban transportation planning process (3-C process) pursuant to 23 U.S.C. 134.

(iv) Public comments submitted in writing within 30 days after the date such information is made available shall be considered by the Administrator in making his final decision on the application. No later than 10 days after the close of the public comment period, the applicant may submit a written response to any comments submitted by the public. The Administrator shall consider the applicant's response in making his final decision. All comments shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(v) The Administrator shall take final action on an application within 30 days after the close of the public comment period. The Administrator shall notify the applicant in writing of his approval, conditional approval, or denial of the application, and shall set forth his reasons for conditional approval or denial. Such notification shall be made available for public inspection in at least one location in the region in which the indirect source would be located.

(vi) The Administrator may extend each of the time periods specified in paragraphs (b)(8)(ii), (iv), or (v) of this section by no more than 30 days, or such other period as agreed to by the applicant and the Administrator.

(9)(i) Whenever an indirect source as proposed by an owner or operator's application would not be permitted to be constructed for failure to meet the tests set forth pursuant to paragraphs (b)(4)(i), (b)(5)(i), or (b)(6)(i) and (iii) of this section, the Administrator may impose reasonable conditions on an approval related to the air quality aspects of the proposed indirect source so that such source, if constructed or modified in accordance with such conditions, could meet the tests set forth pursuant to paragraphs (b)(4)(i), (b)(5)(i), or (b)(6)(i) and (iii) of this section. Such conditions may include, but not be limited to:

(*a*) Binding commitments to roadway improvements or additional mass transit facilities to serve the indirect source secured by the owner or operator from governmental agencies having jurisdiction thereof;

(*b*) Binding commitments by the owner or operator to specific programs for mass transit incentives for the employees and patrons of the source; and

(*c*) Binding commitments by the owner or operator to construct, modify, or operate the indirect source in such a manner as may be necessary to achieve the traffic flow characteristics published by the Environmental Protection Agency pursuant to paragraph (b)(4)(ii) of this section.

(ii) The Administrator may specify that any items of information provided in an application for approval related to the operation of an indirect source which may affect the source's air quality impact shall be considered permit conditions.

(10) Notwithstanding the provisions relating to modified indirect sources contained in paragraph (b)(2) of this section, the Administrator may condition any approval by reducing the extent to which the indirect source may be further modified without resubmission for approval under this paragraph.

(11) Any owner or operator who fails to construct an indirect source in accordance with the application as approved by the Administrator; any owner or operator who fails to construct and operate an indirect source in accordance with conditions imposed by the Administrator under paragraph (b)(9); any owner or operator who modifies an indirect source in violation of conditions imposed by the Administrator under paragraph (b)(10); or any owner or operator of an indirect source subject to this paragraph who commences construction or modification thereof after December 31, 1974, without applying for and receiving approval hereunder, shall be subject to the penalties specified under section 113 of the Act and shall be considered in violation of an emission standard or limitation under section 304 of the Act. Subsequent modification to an approved indirect source may be made without applying for permission

pursuant to this paragraph only where such modification would not violate any condition imposed pursuant to paragraphs (b) (9) and (10) of this section and would not be subject to the modification criteria set forth in paragraph (b) (2) of this section.

(12) Approval to construct or modify shall become invalid if construction or modification is not commenced within 24 months after receipt of such approval. The Administrator may extend such time period upon a satisfactory showing that an extension is justified. The applicant may apply for such an extension at the time of initial application or at any time thereafter.

(13) Approval to construct or modify shall not relieve any owner or operator of the responsibility to comply with the control strategy and all local, State and Federal regulations which are part of the applicable State implementation plan.

(14) Where the Administrator delegates the responsibility for implementing the procedures for conducting indirect source review pursuant to this paragraph to any agency, other than a regional office of the Environmental Protection Agency, the following provisions shall apply:

(i) Where the agency designated is not an air pollution control agency, such agency shall consult with the appropriate State or local air pollution control agency prior to making any determination required by paragraphs (b) (4), (5), or (6) of this section. Similarly, where the agency designated does not have continuing responsibilities for land use planning, such agency shall consult with the appropriate State or local land use and transportation planning agency prior to making any determination required by paragraph (b) (9) of this section.

(ii) The Administrator of the Environmental Protection Agency shall conduct the indirect source review pursuant to this paragraph for any indirect source owned or operated by the United States Government.

(iii) A copy of the notice required pursuant to paragraph (b) (8) (ii) (c) of this section shall be sent to the Administrator through the appropriate Regional Office.

(15) In any area in which a "management of parking supply" regulation which has been promulgated by the Administrator is in effect, indirect sources which are subject to review under the terms of such a regulation shall not be required to seek review under this paragraph but instead shall be required to seek review pursuant to such management of parking supply regulation. For purposes of this paragraph, a "management of parking supply" regulation shall be any regulation promulgated by the Administrator as part of a transportation control plan pursuant to the Clean Air Act which requires that any new or modified facility containing a given number of parking spaces shall receive a permit or other prior approval, issuance of which is to be conditioned on air quality considerations.

[NOTE: Interpretative rulings regarding the above paragraph are published in Appendix A to this Part.]

APPENDIX A—INTERPRETATIVE RULINGS FOR § 52.22(b)—REGULATION FOR REVIEW OF NEW OR MODIFIED INDIRECT SOURCES

The purpose of this appendix is to set forth certain basic interpretations of the regulation for the review of new or modified indirect sources in § 52.22(b). It is not possible to issue an interpretative ruling which will answer precisely every question that will come up in the administration of that regulation. Many questions concerning whether a facility is subject to review must necessarily be answered on a case-by-case basis. Those administering the indirect source regulation should resolve doubts and close cases in favor of review since the regulation's intent is to review all indirect sources except those clearly and specifically exempted.

Since cases may arise in which developers plan to construct projects which they feel are exempt but which may be arguably subject to the regulation, developers may apply for a determination of applicability ruling from EPA to achieve a greater degree of certainty in proceeding with their projects. Such rulings should be requested in writing from the appropriate regional offices. Requests should fully recite the facts upon which the developer believes the exemption is based. In appropriate cases a ruling will be issued which will be strictly limited to the facts as understood by the Agency. If construction commences in circumstances under which any material fact is at variance with those represented in the ruling request or if a material fact were omitted from the request, then the ruling would be rendered inoperative.

One caveat should precede these interpretative rulings: the following is the Administrator's interpretation of his own regulation, 40 CFR 52.22(b). States which develop their own regulations which may be approved under 40 CFR 51.18 are not bound to interpret their regulations in the same manner, so long as their regulations operate to insure that the national standards will not be violated as a result of the construction of a new indirect source.

(1) The basic focus of the regulation is to review a new facility which will have an associated parking area of the requisite number of parking spaces. The list contained in 40 CFR 52.22(b) (1) (i) is merely a set of examples and should not be overemphasized. The key to determining which facilities must be reviewed is in paragraph (b) (2), which requires review of "a new parking facility, or other new indirect source with an associated parking area" of the requisite size. Thus, in every case, the most important factor will be to determine whether an "associated parking area" of the requisite size is to be "owned and/or operated in conjunction with" a facility. To be an "associated parking area" within the intent of the regulation, the area must be a separate and discrete localized facility associated with a particular indirect source.

(2) A major area development, such as an urban renewal project, industrial park, new town, or large residential development, is not considered an indirect source itself. Rather, such a project may contain a number of indirect sources, some of which may require preconstruction review under the regulation. For example, assume that twelve blocks of a city within an SMSA are being reconstructed pursuant to a redevelopment plan and within the twelve blocks there is to be a municipal auditorium with 1,500 parking spaces underneath it, an apartment building with 300 parking spaces adjacent to it to serve its residents, a 1,200-space municipal parking garage, many townhouses with single or double private garages for the use of their owners, and 500 spaces for curbside on-street parking. The municipal auditorium and the municipal garage will each be subject to the regulation as a separate indirect source since each will have a separate and discrete associated parking area of 1,000 spaces or more. The redevelopment project itself is not an "indirect source" subject to review under the regulation, however, merely because it includes in the aggregate more than 1,000 spaces. The construction, 5 years later, of a new apartment building with an associated parking area of 600 cars within the urban renewal area will not trigger review under the regulation. First, this is not a modification of an associated parking area but rather a new separate and discrete parking area. Second, this is not an increment under § 52.22(b) (2) (iv) since it is not an addition to an existing "indirect source" within the contemplation of the regulation. On the other hand, if 500 spaces are later added to the apartment building's parking facility, this is a modification to a particular facility which triggers review. Similarly, additional spaces added to such facility from time to time will be considered as increments to that facility within the contemplation of § 52.22(b) (2) (iv).

(3) The phrase "or facilities" is included in § 52.22(b) (1) (iii) to assure that mere physical barriers between parking areas serving a single indirect source will not operate to exclude from review what is in essence a discrete associated parking area for a single source. For example, a shopping mall which is to be constructed with 500 parking spaces on the north side of the mall and 500 spaces on the south, even though the two parking "facilities" are physically separate and do not have connecting roads between them, will be considered to have an "associated parking area" of 1,000 spaces.

(4) The term "owned and/or operated in conjunction with" which is used to define an associated parking area is intended to convey an operational test as to whether a particular parking area serves a particular facility under a common scheme ownership and/or operation. Thus,

(i) Two parking facilities owned by the same person which are located in different areas of a city will not be considered a single associated parking area.

(ii) Parking facilities which are fortuitously constructed near an indirect source but over which the owner or operator of the source has no control, and which are not constructed pursuant to an understanding by which the facility will serve the indirect source, will not be considered an "associated parking area" of the source. For example, if a developer constructs a shopping center with 600 parking spaces and a municipality erects a 500-space parking garage adjacent to the center completely independent of the shopping center development, there is not a single 1100-space associated parking area within the contemplation of the regulation. However, if such parking garage were constructed pursuant to an explicit or even implied agreement to serve the shopping center, it would be considered part of the center's "associated parking area."

(5) It is not necessary for an "associated parking area" to be directly contiguous to an indirect source to cause that source to be subject to review. For instance, a developer could not avoid review by constructing a large retail facility on one side of the street with 40 parking spaces immediately adjacent to it, and constructing a 960-space parking facility across the street. All 1,000 spaces would be treated as an "associated parking area" within the contemplation of § 52.22(b)(1)(iii) since they are owned and/or operated in conjunction with a particular indirect source. On the other hand, parking facilities located across the street from each other which serve two separate indirect sources would not constitute a single "associated parking area."

(6) The following is a clarification of a number of issues concerning the phased development of individual indirect sources and of major area developments, such as an urban renewal project.

(i) In all cases applicants are allowed, and in fact encouraged, to apply for approval of all phases of the project at the same time, so long as all the information required for the reviewing agency to perform an air quality impact analysis is provided.

(ii) Since a major area development is not in itself a discrete indirect source subject to review under the regulation, commencement of construction of one phase of such development or of a single facility within the development prior to 1975 will not operate to exempt subsequent indirect sources within such overall development plan which commence construction after 1974.

(iii) In the phased development of a single indirect source, if construction for the initial phase commences prior to 1975, additional phases would be considered modifications or increments and would require review only by addition of the requisite number of parking spaces. For example, assume that a shopping center with a 3000-space parking area began construction prior to 1975 and was to have four major "anchor" department stores in addition to dozens of smaller retail and service establishments. The plan is to build the bulk of the shopping center in the first phase, including the entire parking area, and to build two of the "anchor" stores in the second phase some time after the center begins operation. Neither phase of construction of this shopping center would require indirect source review since the first phase of construction began prior to 1975, and the second phase did not provide for the addition of the requisite number of parking spaces.

(iv) Similarly, in the phased development of a single indirect source, a break in construction between phases would not make the construction which commenced prior to 1975 "noncontinuous" and therefore subject the entire project to indirect source review, because in essence a single source (the result of the first phase) was constructed in a continuous process which commenced prior to 1975. For example, neither phase of the shopping center discussed above would be subject to review simply because there was a break in construction between the distinct phases.

(v) In cases where applicants apply for approval of all phases of a project at the same time, the information required by § 52.22(b)(3) must be submitted for each phase of the development. It is necessary that the air quality analysis be performed for each phase as it opens and not merely for the last phase. For example, assume that analysis of a phased project indicated that operation of the facility following completion of the first phase would cause a violation of the national standards, but operation following completion of the following phases would not. Approval of the project would not be granted until essential design or operational changes were made to the first phase so that the national standards would not be violated.

(7) Demolition can be considered to be a form of "site clearance" as that term is used in the definitions of the phrases "to commence construction" and "to commence modification" in § 52.22(b)(1)(v) and (vi). It is important to note, however, that demolition prior to 1975 will serve to exempt a project only where it is part of a continuous program of construction specifically designed for a particular indirect source. Thus, where a developer demolishes a structure on a particular site in 1973, then does no further physical site work until 1975, a source constructed on that site will not be exempt from review merely because the site clearance began in 1973.

(8) The *force majeure* language in § 52.22(b)(1)(v) (acts of God, litigation, strikes, etc.) applies only in the determination of whether construction of an indirect source is "continuous." Thus,

(i) The fact that construction failed to commence at all prior to 1975 because of force majeure reasons is irrelevant. Actual physical site work must commence in a continuous course before 1975 for the exemption to be valid.

(ii) Only breaks in construction attributable solely to the enumerated force majeure reasons will be considered in determining whether a project is exempt. For example, assume a developer demolished a site in 1973 and for business or other reasons discontinued actual physical construction, then planned to commence continuous construction on the site in mid-1974 but was prevented from doing so until 1975 because of litigation. The source would not be exempted from review since factors other than the force majeure reasons played a role in rendering the construction non-continuous.

(9) Section 52.22(b)(2) requires review of "any new parking facility, or other new indirect source with an associated parking area." Thus, if either the parking facility or the indirect source with the associated parking area are new, an indirect source review would be necessary. For example, if a developer who has operated a large surface parking lot for several years decided to construct an office building on part of the lot while retaining the remainder to serve as the parking lot for the building, the project would be required to undergo preconstruction review as a new indirect source. Another example is the demolition or accidental destruction of an indirect source followed by the construction of similar facility on the same parcel of land using the same parking lot. Again this new indirect source would be required to undergo preconstruction review.

(10) Indirect source approvals are fully transferable between successive owners of the property for which an approval is granted so long as the indirect source is constructed and/or modified fully in accordance with the approved application and all conditions thereto.

(11) Section 52.22(b)(9) provides that the reviewing agency may specify any operating factor which could affect air quality as a condition to approval of the permit application. Conditions which must be considered when necessary to insure attainment and maintenance of the national standards are:

(i) A requirement that the facility, or any incremental development phase, not be opened for business prior to the date specified by the reviewing agency.

(ii) Specification of the type and degree of further modification that would be subject to another review. This may include specification of fewer parking spaces than required by § 52.22(b)(2) or specifying certain structural or use changes which may increase traffic associated with the indirect source.

[FR Doc.74-15534 Filed 7-8-74;8:45 am]

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