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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 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT EXEMPTED AND GENERALLY LICENSED ITEMS CONTAINING BYPRODUCT MATERIAL

Revisions of Quality Assurance Practices; Corrections

In FR Doc. 74-14090, appearing at page 22129 in the issue for June 20, 1974, the following changes should be made:

1. In § 32.55, the fourth line of paragraph (c)(1) on page 22129 should read "quantity of tritium or promethium 147 in".

2. In § 32.62, the second line of the prefatory language of paragraph (c) on page 22130 should read "shall take a random sample of the size re-".

3. In § 32.62, paragraph (e)(2) on page 22130 should read:

(2) Any inspection lot which has been rejected as a result of the procedures in § 32.110 or alternative procedures in paragraph (d) of this section, unless the defective units have been sorted and removed or have been repaired or reworked and have then met the tests set out in paragraph (c) of this section.

Dated at Bethesda, Md., this 12th day of July 1974.

For the Atomic Energy Commission.

L. MANNING MUNTZING,
Director of Regulation.

[FR Doc.74-16508 Filed 7-18-74;8:45 am]

Title 12—Banks and Banking

CHAPTER VIII—FEDERAL FINANCING BANK

PART 810—FEDERAL FINANCING BANK BILLS

Establishment of Chapter

The Federal Financing Bank Act of 1973 created a body corporate to be known as the Federal Financing Bank. The Bank, which is subject to the general supervision and direction of the Secretary of the Treasury, is an instrumentality of the United States. It is authorized, with the approval of the Secretary of the Treasury, to issue publicly obligations having such maturities and bearing such rate or rates of interest as may be determined by the Bank.

A new Chapter VIII, entitled "Federal Financing Bank", containing a new Part 810, entitled "Federal Financing Bank Bills", is added to Title 12 of the Code of Federal Regulations. The new Part sets forth the regulations contained in Federal Financing Bank Circular No. 1-74. As these regulations relate to the fiscal policy of the United States notice and public procedures thereon are unnecessary.

In consideration of the foregoing, Title 12 of the Code of Federal Regulations is amended by the addition of a new Chapter VIII, as set forth below, effective July 10, 1974.

Dated: July 10, 1974.

[SEAL] J. F. BENNETT,
President,
Federal Financing Bank.

Part 810 is added to read as follows:

Sec.
810.0 Authority for issue and sale.
810.1 Description of Federal Financing Bank bills.
810.2 Public notice of offering.
810.3 Payment at maturity.
810.4 Acceptance of FFB bills for various purposes.
810.5 Taxation.
810.6 Exemption.
810.7 Federal Reserve Banks as fiscal agents.
810.8 Reservations as to terms of circular.

AUTHORITY: Secs. 9-11, 87 Stat. 939, 940; (12 U.S.C. 2288, 2289, 2290).

§ 810.0 Authority for issue and sale.

The Federal Financing Bank is authorized under the Federal Financing Bank Act of 1973, to issue publicly, with the approval of the Secretary of the Treasury, obligations having such maturities and bearing such rate or rates of interest as may be determined by the Bank. Pursuant to this authority, Federal Financing Bank bills, referred to herein as "FFB bills," are offered for sale from time to time and tenders invited therefor, through the Federal Reserve Banks. The FFB bills so offered, the tenders made, and all subsequent transactions therein are subject to the terms and conditions of the public notice offering the bills for sale, this circular, and to the extent not inconsistent with such notice and circular, to Department of the Treasury Circular No. 418, current revision, the regulations governing United States Treasury bills, and all other regulations governing United States securities.

§ 810.1 Description of Federal Financing Bank bills.

(a) *General.* Federal Financing Bank bills are bearer obligations of the Federal Financing Bank, the terms of which provide for payment of a specified amount on a specified date. They are issued only by Federal Reserve Banks and Branches, pursuant to tenders accepted by the Federal Financing Bank, and are available in both definitive and book-entry form. Where issued as a definitive security, it shall not be valid unless the issue date, the maturity date and the CUSIP number are imprinted thereon.

(b) *Denominations.* Federal Financing Bank bills will be issued in denominations of $10,000, $15,000, $50,000, $100,000, $500,000 and $1,000,000 (maturity value).

§ 810.2 Public notice of offering.

On the occasion of an offering of FFB bills, tenders therefor will be invited through public notices issued by the Federal Financing Bank. Each notice will set forth the amount offered, the issue date, the date they will be due and payable, the place and the date of the closing hour for the receipt of tenders and the date on which payment for accepted tenders must be made or completed.

§ 810.3 Payment at maturity.

Each FFB bill will be paid in its face amount at maturity upon presentation and surrender to any Federal Reserve Bank or Branch or to the Department of the Treasury, Bureau of the Public Debt, Securities Transaction Branch, Washington, D.C. 20226. If a FFB bill is presented and surrendered for redemption after it has become overdue, the Federal Financing Bank may require satisfactory proof of ownership, as provided in § 306.25 of Department of the Treasury Circular No. 300, current revision.

§ 810.4 Acceptance of FFB bills for various purposes.

Federal Financing Bank bills are lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or possession of the United States. They are eligible for purchase by national banks, and will be accepted at maturity value to secure public moneys.

§ 810.5 Taxation.

All FFB bills shall be subject to Federal taxation to the same extent as obligations of private corporations are taxed.

§ 810.6 Exemption.

Obligations of the Federal Financing Bank are deemed to be exempted securities within the meaning of section 3(a)

(2) of the Securities Act of 1933 (15 U.S.C. 77c(a)(2), of section 3(a)(12) of the Securities Exchange Act of 1934 (15 U.S.C. 78(a)(12)), and of section 304(a)(4) of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd(a)(4)).

§ 810.7 Federal Reserve Banks as fiscal agents.

The Federal Reserve Banks, as fiscal agents of the United States, have been authorized by the Department of the Treasury to perform all such acts as may be necessary to carry out the provisions of this and other circulars of the Department of the Treasury as may be applicable to FFB bills, and of any public notice or notices issued in connection with any offering of these securities.

§ 810.8 Reservations as to terms of circular.

The Federal Financing Bank reserves the right to amend, supplement, revise or withdraw all or any of the provisions of this circular at any time or from time to time.

[FR Doc.74-16519 Filed 7-18-74;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-SW-19]

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

Extension of Effective Date

On May 28, 1974, FEDERAL REGISTER document 74-12133 was published in FEDERAL REGISTER (39 FR 18426) changing the effective date for the commissioning of the relocated Monroe, La., VORTAC from July 18, 1974, to August 15, 1974. The realignment of V-18, V-71 and V-94 is dependent on the commissioning of Monroe VORTAC. Due to persistent technical and engineering problems encountered by this relocation, the commissioning date for the Monroe VORTAC and realignment of the associated VOR Federal Airways is further delayed to October 10, 1974.

Since the delay of the commissioning date of the relocated VORTAC is due to technical problems it is an administrative matter, and one upon which the public would have no particular reason to comment, therefore, notice and public procedure thereon are unnecessary and this amendment to the FEDERAL REGISTER document may become effective immediately.

In consideration of the foregoing, effective upon publication in the FEDERAL REGISTER, FEDERAL REGISTER document 74-12133 is amended, as hereinafter set forth.

"effective August 15, 1974" is deleted and "effective October 10, 1974" is substituted therefor.

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

Issued in Washington, D.C., on July 15, 1974.

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

[FR Doc.74-16479 Filed 7-18-74;8:45 am]

[Airspace Docket No. 74-WA-23]

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

Alteration of the Pittsburgh, Pa., Terminal Control Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to make editorial changes in the description of the Pittsburgh, Pa., Group II Terminal Control Area (TCA).

The Imperial, Pa., VORTAC will be relocated approximately two miles east of its present site and is expected to be commissioned in early 1975, as the Montour, Pa., VORTAC. Areas B and C of the Pittsburgh, Pa., Terminal Control Area are described in part by reference to the Imperial VORTAC, therefore, the geographical coordinates of the present Imperial VORTAC site will be used in lieu of Imperial VORTAC.

Since this action simply redescribes the TCA with no alteration to airspace dimensions, it is a minor matter in which the public is not particularly interested. Therefore, notice and public procedure thereon are unnecessary, and it can be made effective immediately.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately as hereinafter set forth.

Section 71.401(B) (39 FR 636 and 7576) is amended as follows:

1. In "Boundaries", delete the text and substitute therefor, "(Based on Latitude 40°29'12" N., Longitude 80°14'03" W.)".

2. In "AREA B" delete the text and substitute therefor, "That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL within a 10-mile radius of latitude 40°29'12" N., longitude 80°14'03" W., and between the 10-mile and 11-mile radii of latitude 40°29'12" N., longitude 80°14'03" W., extending from the 076° bearing clockwise to the 106° bearing and from the 259° bearing clockwise to the 288° bearing; excluding Area A."

3. In "AREA C" delete the text and substitute therefor, "That airspace extending upward from 4,000 feet MSL to and including 8,000 feet MSL within a 20-mile radius of latitude 40°29'12" N., longitude 80°14'03" W., and between the 20-mile and 30-mile radii of latitude 40°29'12" N., longitude 80°14'03" W., extending from the 076° bearing clockwise to the 106° bearing and from the 259° bearing clockwise to the 288° bearing; excluding Area A and B."

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

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

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

[FR Doc.74-16480 Filed 7-18-74;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 1—GENERAL PROCEDURES

PART 4—MISCELLANEOUS RULES

Amendments Terminating Confidentiality of Registered Identification Numbers

By notice published May 11, 1972, in the FEDERAL REGISTER, 37 FR 9498, the Federal Trade Commission announced it was considering the abolishment of the system of issuance and use of registered identification numbers as required identification under the Wool Products Identification Act, 15 U.S.C. 70, et seq., Fur Products Labeling Act, 15 U.S.C. 69, et seq., and the Textile Fiber Products Identification Act, 15 U.S.C. 70, et seq., hereinafter sometimes referred to as the "Labeling Acts." (The specific regulations providing for registered identification numbers are 16 CFR 300.4, 301.26, and 303.20.) Written comments on this matter were invited from interested persons for a 60 day period after the notice.

Comments favoring abolishment of the system were received from a number of governmental units, mostly local units concerned with local labeling laws and regulations; three consumer groups; the AFL-CIO; and a member of the President's Advisory Council; eighteen in all. Points raised in these comments generally were that the consumer is entitled to the widest information he can get to enable him to make the wisest buying decisions; secrecy protects unscrupulous manufacturers; consumers need to know the identities of manufacturers in order to direct complaints to them when necessary; and abolishment of registered numbers is consonant with the Model State Packaging and Labeling Regulation.

Thirty seven comments were received from the fabric and apparel industry, including 22 from trade associations. All were opposed to abolishment of the system except one from a union within the industry, which was neutral. It appeared from these comments that registered identification numbers are widely used within the fabric and apparel industry and are often an established part of business practice. The industry strongly opposes their abolishment. The reason most often cited was that various manufacturers, distributors, and wholesalers need the anonymity afforded by registered numbers because some of them, at times, and for a variety of business reasons, (1) sell the same products for resale at many different types of retail outlets, sometimes to retail at different prices, (2) sell products for resale at retail outlets not consonant with the manufacturer's or seller's public image, or (3) sell under circumstances where other customers, if they knew, would object, as where, for example, a manufacturer secretly competes with his own distributors by selling directly to retailers.

Other objections in the industry comments could be summarized as follows:

(1) The disclosure of the names of various business entities in the chain of distribution which would result from names on labels would serve no real purpose to a consumer but would make it easier for textile and apparel businesses to pirate customers and/or supply sources from competitors. It would also make it easier for distributors, wholesalers, and sometimes retailers and importers to be by-passed in the distribution chain.

(2) If a number cannot be used, then the full name of the company must be used. This is long and cumbersome and would make the labels more expensive, less attractive, or too big. Some companies use a registered number along with an attractive trade mark, symbol, or brand name. Inclusion of the full company name would ruin the effect of trade symbols and cause confusion.

(3) Placement of the name of a company on a label encourages consumer complaints to be directed to the company named, rather than to the retailer. Retailers are the ones to handle complaints and, where necessary, to contact manufacturers about them. The service to a consumer in connection with a complaint is hampered when the complaint is directed to the manufacturer instead of the retailer.

(4) The registered number system is useful to the industry for keeping track of products. Various inventory and recordkeeping systems employ it and are dependent on it.

This reexamination of the subject of registered identification numbers was occasioned by the Commission's concern that these numbers might have become detrimental to the interests of consumers in keeping from them information, primarily the identity of manufacturers, that might be useful in evaluating the quality, price, and safety of textile and apparel products. After a study of this matter the Commission has concluded that information of this sort does tend to be helpful to consumers and that the Commission should attempt to increase its availability to them. On the other hand, the Commission recognizes that the extent to which abolishment of the registered number system would result in consumers being furnished more names of manufacturers and basic sources of apparel and fabric products is unknown, since all three of the Labeling Acts provide that various entities in the chain of distribution may be named on required labels in the first instance and that various entities in the chain of distribution may substitute their own name, for labeling previously affxed under the Labeling Acts. Sections 5, 4(a), Wool Products Labeling Act; sections 3(e), 4(2)(E), Fur Products Labeling Act; and sections 5(b), 4(b)(3), Textile Fiber Products Identification Act. Also, from the industry comments it appears that registered identification numbers, during the more than 30 years since their inception, have become an important and integral part of the fabric and apparel industry, very widely used, not just for secrecy, but also for convenience and utility.

It appears likely that a complete abolition of the registered number system would cause substantial disruption in the labeling practices of the apparel industry. However, it should be noted that six textile and apparel trade associations and two individual corporations submitted comments suggesting that registered numbers be made public, while two more associations and another individual company suggested that their confidentiality be liberalized somewhat.

In view of these factors, and after full consideration of this matter, the Commission has determined to retain the registered number system, but to terminate the confidential status of registered numbers after allowing holders thereof who so desire an opportunity for 90 days from date of publication herein to cancel their numbers.

This will make available to consumers all the information provided for by the Labeling Acts, and probably result in less label substitution than would abolishment of the registered number system. At the same time, there will be no disruption to the industry by virtue of the release of the identity on a specific request basis. Those members of the industry who still feel they must have secrecy will continue to be able to substitute the identity of another in the chain of distribution, as allowed by the Labeling Acts.

Holders of registered identification numbers who do not wish to have their identities revealed should request in writing, on or before October 17, 1974, that their numbers be withdrawn and canceled. Such requests should be submitted to the Division of Special Statutes, Federal Trade Commission, Washington, D.C. 20580.

Accordingly, the Commission announces the following amendments to Subchapter A, Chapter I, of Title 16 of the Code of Federal Regulations:

§ 1.32 [Amended]

1. Section 1.32, *Registered identification numbers*, is amended to delete the last sentence and substitute therefor the following sentence: "The identity of holders of registered identification numbers issued by the Commission is released upon oral or written request directed to the Division of Special Statutes.

2. In § 4.9, paragraph (b) is amended to add thereto a new subparagraph (16) to read as follows:

§ 4.9 Public records.

* * * * *

(b) * * *

(16) The identities of holders of registered identification numbers issued by the Commission pursuant to § 1.32 of this chapter.

* * * * *

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46))

These amendments shall become effective on October 17, 1974.

By the Commission.

Issued: July 9, 1974.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.74-16570 Filed 7-18-74;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

Field Station Committees on Waivers and Compromises

On page 18667 of the FEDERAL REGISTER of May 29, 1974, there was published a notice of proposed regulatory development to transfer functions to the field station Committee on Waivers and Compromises and to expand the jurisdiction of the field station Committee. The Central Office Board on Waivers and Compromises and the Department of Medicine and Surgery Board on Collections and Compromises have been abolished. Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

No written comments have been received. However, in § 1.960 references to § 2.6(f)(4) have been changed to § 2.6(e)(4) in view of the recent revision of that section. The proposed regulations as amended are hereby adopted and are set forth below.

Effective date. These VA Regulations are effective July 15, 1974.

Approved: July 15, 1974.

By direction of the Administrator.

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

PART 1—GENERAL PROVISIONS

1. In Part 1, a new centerhead and §§ 1.955 through 1.970 are added to read as follows:

FIELD STATION COMMITTEES ON WAIVERS AND COMPROMISES

Sec.

1.955 Field station Committees on Waivers and Compromises.
1.956 Jurisdiction.
1.957 Committee authority.
1.958 Finality of decisions.
1.959 Records and certificates.
1.960 Legal and technical assistance.
1.961 Releases.
1.962 Waiver of overpayments.
1.963 Waiver; other than loan guaranty.
1.963a Waiver; erroneous payment of pay and allowances.
1.964 Waiver; loan guaranty.
1.965 Application of standard.
1.966 Scope of waiver decisions.
1.967 Refunds.
1.968 Educational benefits.
1.969 Revision of decisions; waiver and school liability.
1.970 Standards for compromise.

AUTHORITY: 38 U.S.C. 1820(a)(4) and 3102; 5 U.S.C. 5584.

FIELD STATION COMMITTEES ON WAIVERS AND COMPROMISES

§ 1.955 Field station Committees on Waivers and Compromises.

(a) *Delegation of authority and establishment.* (1) Section 1.955 et seq. are issued to implement 38 U.S.C. 1820 (a)(4) and 3102 and 5 U.S.C. 5584. The duties, delegations of authority and all actions required of the Committee, are to be accomplished under the direction of, and authority vested in, the Director of the field station.

(2) There is established in each field station with Department of Veterans Benefits activities, a Committee on Waivers and Compromises to perform the duties and assume the responsibilities delegated by §§ 1.956 and 1.957.

(b) *Committee on Waivers and Compromises*—(1) *Composition.* The Committee shall consist of a Chairman and five members at stations having loan guaranty activities or four members at other stations. Members shall be selected so that in each of the debt claims activities of compensation, pension and education, insurance, loan guaranty (at station having such activities), and finance, there is at least one member with special competence. An alternate Chairman and alternate members may be designated to act in the absence of their principals, when needed.

(2) *Selection.* The Director shall designate the employees to serve as Chairman, members and alternates. Except upon specific authorization of the Chief Benefits Director, when workload warrants a full-time committee, such designation will be part-time additional duty upon call of the Chairman.

(3) *Control and staff.* The Division Chief of the Fiscal activity is accountable for the administrative control of the Committee functions. The quality control of the Committee and its professional and clerical staff is the responsibility of the Chairman.

(4) *Overall control.* The Controller is delegated complete management authority, including planning, policy formulation, control, coordination, supervision and evaluation of Committee operations.

(c) *Panels.* When a claim is properly referred to the Committee, the Chairman shall ordinarily designate a panel of three (of whom the Chairman may be one, and one other shall be specially qualified in the program field in which the debt arose), who shall consider and determine the action to be taken. If their decision is unanimous, it will be the Committee decision. Otherwise, the case will be considered by the entire membership of the Committee and a majority shall determine the decision. In such cases the Chairman shall not vote except when necessary on four-member committees to break a tie.

(d) *Single signature authority.* Where a request is for waiver of collection of a debt of $500 or less, exclusive of interest, the Chairman shall designate one person with special competence in the program area where the debt arose, to consider the request. His signature alone to the decision will suffice.

§ 1.956 Jurisdiction.

(a) The field station Committees are authorized, except as to determinations under § 2.6(e)(4)(i) of this chapter where applicable, to consider and determine as limited in §§ 1.955 through 1.970, questions of school liability, settlement of breached career residency contracts, compromise and/or waiver concerning the following debts and overpayments:

(1) Arising out of operations of the Department of Veterans Benefits:

(i) Overpayment or erroneous payments of pension, compensation, dependency and indemnity compensation, burial allowances, plot allowance, subsistence allowance, education or insurance benefits, clothing allowance and automobile or other conveyance and adaptive equipment allowances.

(ii) Debts arising out of the loan program under 38 U.S.C. ch. 37 after liquidation of security, if any.

(iii) Such other debts as may be specifically designated by the Chief Benefits Director.

(2) Arising out of operations of the Department of Medicine and Surgery:

(i) Debts resulting from services furnished in error (§ 17.62(a) of this chapter).

(ii) Debts resulting from services furnished in a medical emergency (§ 17.62(b) of this chapter).

(iii) Settlement of breached career residency contracts.

(iv) Other claims arising in connection with transactions of the Department of Medicine and Surgery (§ 17.64(c) of this chapter).

(3) Claims for erroneous payment of pay and allowances made to employees (section 5584, title 5, United States Code).

(b) The Chief Benefits Director may, at his discretion, assume original jurisdiction and establish an ad hoc Board to determine a particular issue arising within this section.

§ 1.957 Committee authority.

(a) *Field station Committee.* On matters covered in § 1.956, the field station Committee is authorized to determine the following issues:

(1) *Waivers.* A decision may be rendered to approve or deny waiver of collection of a debt in excess of $500 except for erroneous payment of pay and allowances. Where the amount is $500 or less, exclusive of interest, a single signature to the decision will suffice.

(2) *Compromises*—(i) *Loan program debts.* Accept or reject a compromise offer irrespective of the amount of the debt (loan guaranty matters under 38 U.S.C. ch. 37, are unlimited as to amount).

(ii) *Other than loan program debts.* (*a*) Accept or reject a compromise offer on a debt which exceeds $1,000 but which is not over $20,000 (both amounts exclusive of interest).

(*b*) Accept or reject a compromise offer on a debt of $1,000 or less, exclusive of interest, where there has not been a prior denial of waiver.

(3) *School liability.* Liability of a school, or liability of both the school and the veteran or eligible person.

(4) *Breached career residency contracts.* Final settlement of any breached career residency contract in which terms are different than those provided in the contract, which will result in the payment of less than liquidated value or in an extension of time in which to pay damages.

(b) *Fiscal officer.* The Division Chief of the Fiscal activity has authority to:

(1) Suspend or terminate collection action on all debts of $20,000 or less, exclusive of interest.

(2) Accept or reject a compromise offer for other than loan program debts of $1,000 or less, exclusive of interest, where there has been a prior denial of waiver.

§ 1.958 Finality of decisions.

A decision by the field station Committee operating within the scope of its authority, denying waiver of all or a part of an overpayment is subject to appeal. There is no right of appeal from a decision rejecting a compromise offer or that a school is liable for the amount of an overpayment.

§ 1.959 Records and certificates.

The Chairman of the Committee shall execute or certify any documents pertaining to its proceedings. He will be responsible for maintaining needed records of the transactions of his Committee and preparation of any administrative or other reports which may be required.

§ 1.960 Legal and technical assistance.

Legal questions involving a determination under § 2.6(e)(4) of this chapter will be referred to the Chief Attorney for action in accordance with delegations of the General Counsel, unless there is in existence a General Counsel's opinion or an approved Chief Attorney's opinion dispositive of the controlling legal principle. As to matters not controlled by § 2.6(e)(4) of this chapter, the chairman of the field station Committee or at his instance, a member, may seek and obtain advice from the Chief Attorney on legal matters within his jurisdiction and from other division chiefs in their areas of responsibility, on any matter properly before the Committee. Guidance may also be requested from the Central Office Staff.

§ 1.961 Releases.

On matters within its jurisdiction, the Committee may authorize the release of any right, title, claim, lien or demand, however acquired, against any person obligated on a loan guaranteed, insured, or made by the Veterans Administration under the provisions of 38 U.S.C. ch. 37, or on an acquired loan, or on a vendee account.

§ 1.962 Waiver of overpayments.

The term "overpayment" means payments made and determined to be erroneous, indebtedness resulting from services erroneously furnished and indebtedness of a veteran-borrower or veteran-transferee under the loan guaranty program or the indebtedness of the spouse, under laws administered by the Veterans Administration.

(a) Benefits subject to waiver include indebtedness due the Veterans Administration because of or in connection with hospitalization, domiciliary care, or treatment of a veteran, a person who claimed he or she was a veteran, or a person to whom such benefits were granted on the assumption that he or she was an eligible veteran.

(b) In any case where there is an indication of fraud or misrepresentation of a material fact on the part of the debtor or any other party having an interest in the claim, action on a request for waiver will be deferred pending appropriate disposition of the matter. However, the existence of a prima facie case of fraud shall, nevertheless, entitle a claimant to an opportunity to make a rebuttal with countervailing evidence; similarly, the misrepresentation must be more than non-willful or a mere inadvertence. The Committee may act on a request for waiver concerning such debts, after the Chief Attorney has determined that prosecution is not indicated, or the Department of Justice has notified the Veterans Administration that the alleged fraud or misrepresentation does not warrant action by that department, or the Department of Justice or the appropriate United States Attorney specifically authorized action on the request for waiver.

§ 1.963 Waiver; other than loan guaranty.

(a) *General.* Recovery of overpayments of any benefits made under laws administered by the Veterans Administration shall be waived if recovery of the indebtedness from the payee who received such benefits would be against equity and good conscience.

(b) *Application.* Request for waiver of an overpayment will be considered only if received within 2 years following the date of notice to the payee.

(c) *Third persons.* Waiver of recovery may be authorized, if warranted, where Veterans Administration payments have come into the possession of a person other than the person entitled.

§ 1.963a Waiver; erroneous payment of pay and allowances.

(a) Pay is defined in 4 CFR 91.2 to mean salary, wages, pay, compensation, emoluments and remuneration for services. It includes, but is not limited to, overtime pay; night, Sunday standby, irregular and hazardous duty differential; pay for Sunday and holiday work; payment for accumulated and accrued leave, and severance pay. It does not include expenses of travel and transportation or expenses of transportation of household goods.

(b) Allowances as they relate to an employee include, but are not limited to, payments for quarters, uniforms, and overseas cost of living expenses, but exclude travel and transportation expenses and relocation allowances. All requests for waiver of salary overpayments and allowances shall be referred for consideration of waiver before any determinations are made as to compromise or suspension or termination of collection action as follows:

(1) If the erroneous payment of pay or allowances was more than $500 in the aggregate, the request for waiver, after review and necessary development, shall be referred to the VA Controller for transmittal to the General Accounting Office, or

(2) If the erroneous payment of pay or allowances was not more than $500 in the aggregate, the request for waiver shall be referred to the Chief of the Fiscal or Finance activity for review and necessary development before transmittal to the Committee on Waivers and Compromises.

(c) Waiver action may not be taken on claims arising out of erroneous payments of pay or allowances made to or in behalf of an employee unless:

(1) Application for waiver is submitted within 3 years immediately following the date on which the erroneous payment of pay was discovered, or

(2) Application for waiver is submitted within 3 years immediately following the date on which the erroneous payment of allowances was discovered, or October 2, 1975, whichever is later.

(d) Claims arising out of erroneous payment of pay or allowances may be waived in whole or part whenever collection would be against equity and good conscience and not in the best interests of the United States. Generally those criteria will be met by a finding that the erroneous payment of pay or allowances occurred through administrative error and that there is no indication of fraud, misrepresentation, fault or lack of good faith on the part of the employee or any other person having an interest in obtaining a waiver of the claim. The foregoing elements, instead of the elements set forth in § 1.965, will be applied to waiver consideration of erroneous payment of pay and allowances to an employee.

(e) There shall be no right of appeal to the Board of Veterans Appeals from a determination made under this section denying a waiver of erroneous payment of pay or allowances.

§ 1.964 Waiver; loan guaranty.

(a) *General.* An indebtedness of a veteran or the indebtedness of the spouse may be waived only when both of the following factors are determined to exist:

(1) Following default there was a loss of the property which constituted security for the loan guaranteed, insured or made under chapter 37 of title 38, United States Code; and

(2) Collection of such indebtedness would be against equity and good conscience.

(b) *Spouse.* The waiver of a veteran's indebtedness shall inure to the spouse of such veteran insofar as concerns said indebtedness, unless the obligation of the spouse is specifically excepted. However, the waiver of the indebtedness of the veteran's spouse shall not inure to the benefit of the veteran unless specifically provided for in the waiver decision.

(c) *Widow (widower) or former spouse.* A widow or widower of a veteran or the former spouse of a veteran may be granted a waiver of the indebtedness provided the requirements of paragraph (a) of this section are met.

(d) *Preservation of Government rights.* In cases in which it is determined that waiver may be granted, the action will take such form (covenant not to sue, or otherwise) as will preserve the rights of the Government against obligors other than the veteran or the spouse.

(e) *Application.* There is no time limit for filing an application for waiver of indebtedness under this section.

(f) *Exclusion.* Except as otherwise provided in this section, the indebtedness of a nonveteran obligor under the loan program is excluded from waiver.

§ 1.965 Application of standard.

(a) The standard "Equity and Good Conscience", will be applied when the facts and circumstances in a particular case indicate a need for reasonableness and moderation in the exercise of the Government's rights. The decision reached should not be unduly favorable or adverse to either side. The phrase "equity and good conscience" means arriving at a fair decision between the obligor and the Government. In making this determination, consideration will be given to the following elements, which are not intended to be all inclusive:

(1) Fault of debtor: Where actions of the debtor contribute to creation of the debt.

(2) Balancing of faults: Weighing fault of debtor against Veterans Administration fault.

(3) Undue hardship: Whether collection would deprive debtor or family of basic necessities.

(4) Defeat the purpose: Whether withholding of benefits or recovery would nullify the objective for which benefits were intended.

(5) Unjust enrichment: Failure to make restitution would result in unfair gain to the debtor.

(6) Changing position to one's detriment: Reliance on Veterans Administration benefits results in relinquishment of a valuable right or incurrence of a legal obligation.

(b) In applying this single standard for all areas of indebtedness, the following elements will be considered, any one of which, if found, will preclude the granting of waiver:

(1) Fraud or misrepresentation of a material fact (see § 1.962(b)).

(2) Material fault: The inexcusable commission or omission of an act that directly results in the creation of a debt to the Government.

(3) Lack of good faith: Absence of an honest intention to abstain from taking unfair advantage of the holder and/or the Government.

§ 1.966 Scope of waiver decisions.

(a) Decisions will be based on the evidence of record. A hearing may be held at the request of the claimant or his representative. No expenses incurred by a claimant, his representative, or any witness incident to a hearing will be paid by the Veterans Administration.

(b) A field station Committee may:

(1) Waive recovery as to certain persons and decline to waive as to other persons whose claims are based on the same veteran's service.

(2) Waive or decline to waive recovery from specific benefits or sources, except that:

(i) There shall be no waiver of recovery out of insurance of an indebtedness secured thereby; i.e., an insurance overpayment to an insured. However, recovery may be waived of any or all of such indebtedness out of benefits other than insurance then or thereafter payable to the insured.

(ii) There shall be no recovery, by withholding or setoff against benefits payable under laws administered by the Veterans Administration, of an indebtedness arising out of any loan under the loan guaranty program made to, assumed by, or guaranteed or insured on account of the debtor, unless the written consent of the debtor is first obtained.

§ 1.967 Refunds.

(a) Voluntary payments and offsets whether voluntary, or involuntary, made from Veterans Administration benefits on or after the date of receipt by the Veterans Administration of a request for waiver will be refunded if waiver is granted, except as provided in paragraph (b) of this section.

(b) Refund of payments made on a loan guaranty indebtedness will not be made when only a part of the debt is waived or when collection of the balance of the indebtedness by the Veterans Administration from obligors, other than the husband or wife of the person requesting waiver, will be adversely affected.

(c) Amounts which have been recovered by the U.S. Government prior to the date of receipt by the Veterans Administration of a request for waiver, will not be refunded and will be excluded from waiver. However, amounts repaid because of erroneous payment of pay or allowances to employees will be considered for waiver action and, if waived, refund will be made to the employee, provided application for refund is made no later than 2 years following the date of waiver.

§ 1.968 Educational benefits.

(a) *General.* The amount of an overpayment of educational assistance allowance or special training allowance on behalf of a veteran or eligible person constitutes a liability of the school if it is determined that the overpayment was made as the result of (1) willful or negligent failure of the school to report, as required by § 21.4203 or § 21.4204 of this chapter, excessive absences from a course, or discontinuance or interruption of a course by the veteran or eligible person, or (2) false certification by the school. If it appears that the falsity or misrepresentation was deliberate, no administrative collection may be pursued pending a determination whether the matter should be referred to the Department of Justice for possible criminal or civil action. However, the amount of the overpayment may be recovered from the school by administrative collection procedure when the false certification or misrepresentation is the consequence of an administrative error or a mistake of fact, or where it is determined that no criminal or civil action is warranted. Any amount so collected from the school will be reimbursed if the overpayment is recovered from the veteran or eligible person. This provision does not preclude the imposition of any civil or criminal liability under this or any other law. (38 U.S.C. 1785)

(b) *Reporting.* If a school is required to make periodic or other certifications, failure to report facts which resulted in an overpayment will be considered prima facie evidence of willfulness or negligence. Similarly, the submission of an incorrect certification as to fact will be considered prima facie evidence of a false certification. In either instance the prima facie showing is subject to rebuttal.

(c) *Field station Committees.* The field station Committee in the field station having jurisdiction over the area in which the school is located is authorized to find:

(1) Whether recovery may be waived as to the veteran or eligible person.

(2) Liability of the school, or liability of both the school and the veteran or eligible person.

(d) *Extent of liability.* Waiver of collection of an overpayment as to a veteran or eligible person will not relieve the school of liability for the overpayment. Recovery in whole or in part from the veteran or eligible person will limit such liability accordingly. If an overpayment has been recovered from the school and the veteran or eligible person subsequently repays the amount in whole or in part, the amount repaid will be reimbursed to the school.

(e) *Notice to school.* If the school is found liable for an overpayment, the school will be notified of the decision and the right to request an administrative review of the decision within 60 days from the date notice of the decision is mailed to the school. The 60-day time limit may be extended to 90 days at the discretion of the field station Committee. The request must be in writing, setting forth fully all of the contentions and errors assigned.

(f) *Administrative reviews.* A request for an administrative review will be forwarded to Central Office where it will be considered by an ad hoc Board convened for that purpose. The Board's decision will serve as authority for instituting collection proceedings, if appropriate, or for discontinuing collection proceedings instituted on the basis of the original decision of the field station Committee in any case where the ad hoc Board reverses a finding made by the Committee that the school is liable.

(g) *Review and modification.* The Board may review and modify its decision upon submission of new and material evidence. The field station Committee will forward such evidence with its recommendation.

(h) *Finality of decisions.* The Board has authority to act for the Administrator in making administrative reviews of determinations that a school is or is not liable for an overpayment to a veteran or an eligible person. There is no right of appeal to the Board of Veterans Appeals.

§ 1.969 Revision of decisions; waiver and school liability.

(a) *Jurisdiction.* A decision involving waiver or school liability may be reversed or modified on the basis of new and material evidence, fraud, a change in law or interpretation of law specifically stated in a Veterans Administration issue, or clear and unmistakable error shown by the evidence in file at the time the prior decision was rendered by the same or any other field station Committee if the decision was rendered by a field station Committee.

(b) *Finality of decisions.* Except as provided in paragraph (a), a decision involving waiver or school liability rendered by the Committee having jurisdiction is final, subject to the provisions of:

(1) Sections 3.104(a), 19.153 and 19.154 of this chapter as to finality of decisions except as provided in § 1.968(h);

(2) Sections 3.105 (a) and (b) of this chapter as to revision of decisions, except that the Central Office Staff may postaudit or make an administrative review of any decision of a field station Committee;

(3) Sections 3.103, 19.113 and 19.114 of this chapter as to notice of disagreement and the right of appeal, except as provided in § 1.968(h);

(4) Section 19.124 of this chapter as to the filing of administrative appeals and the time limits for filing such appeals.

(c) *Difference of opinion.* Where reversal or amendment of a decision involving waiver is authorized under § 3.105(b) of this chapter because of a difference of opinion, the effective date of waiver will be governed by the principle contained in § 3.400(h) of this chapter.

§ 1.970 Standards for compromise.

Decisions of the Committee respecting acceptance or rejection of a compromise offer shall be in conformity with the standards in §§ 1.900 through 1.937. In loan guaranty cases the offer of a veteran or other obligor to effect a compromise must relate to an indebtedness established after the liquidation of the security, if any, and shall be reviewed by the

Committee. An offer to effect a compromise may be accepted if it is deemed advantageous to the Government.

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

§§ 13.200–13.217 [Revoked]

2. Sections 13.200 through 13.217, Central Office Board on Waivers and Compromises, are revoked.

PART 17—MEDICAL

3. Section 17.64 is revised to read as follows:

§ 17.64 Referrals of compromise settlement offers.

Any offer to compromise or settle any charges or claim for $20,000 or less asserted by the Veterans Administration in connection with the medical program shall be referred as follows:

(a) *To Chiefs of Fiscal activities.* If the debt represents charges made under § 17.62(a), the compromise offer shall be referred to the Chief of the Fiscal activity of the station for application of the collection standards in § 1.900 et seq. of this chapter, provided:

(1) The debt does not exceed $1,000, and

(2) There has been a previous denial of waiver of the debt by a field station Committee on Waivers and Compromises.

(b) *To Chief Attorneys.* If the debt in any amount represents charges for medical services for which there is or may be a claim against a third party tort-feasor or under workman's compensation laws or Public Law 87–693; 76 Stat. 593 (see § 1.903 of this chapter) or involves a claim contemplated by § 1.902 of this chapter over which the Veterans Administration lacks jurisdiction, the compromise offer (or request for waiver or proposal to terminate or suspend collection action) shall be promptly referred to the field station Chief Attorney having jurisdiction in the area in which the claim arose, or

(c) *To Committee on Waivers and Compromises.* If one of the following situations contemplated in paragraph (c) (1) through (3) of this section applies

(1) If the debt represents charges made under § 17.62(a), but is not of a type contemplated in paragraph (a) of this section, or

(2) If the debt represents charges for medical services made under § 17.62(b), or

(3) A claim arising in connection with any transaction of the Department of Medicine and Surgery for which the instructions in paragraph (a) or (b) of this section or in § 17.65a(c) are not applicable, then, the compromise offer should be referred for disposition under § 1.900 et seq. of this chapter to the field station Committee on Waivers and Compromises which shall take final action.

4. In § 17.65, paragraph (a) is amended to read as follows:

§ 17.65 Terminations and suspensions.

Any proposal to suspend or terminate collection action on any charges or claim for $20,000 or less asserted by the Veterans Administration in connection with the medical program shall be referred as follows:

(a) *Of charges for medical services.* If the debt represents charges made under § 17.62(a) or (b) questions concerning suspension or termination of collection action shall be referred to the Chief of the Fiscal activity of the station for application of the collection standards in § 1.900 et seq. of this chapter, or

* * * * *

5. Section 17.65a is revised to read as follows:

§ 17.65a Waivers.

Applications or requests for waiver of debts or claims asserted by the Veterans Administration in connection with the medical program generally will be denied by the station Fiscal activity on the basis there is no legal authority to waive debts, unless the question of waiver should be referred as follows:

(a) *Of charges for medical services.* If the debt represents charges made under § 17.62(a), the application or request for waiver should be referred for disposition under § 1.900 et seq. of this chapter to the field station Committee on Waivers and Compromises which shall take final action, or

(b) *Of claims against third persons and other claims.* If the debt is of a type contemplated in § 17.64(b), the waiver question should be referred in accordance with the same referral procedures for compromise offers in such categories of claims, or

(c) *Other debts.* If the debt represents any claim or charges other than those contemplated in paragraphs (a) and (b) of this section, and is a debt for which waiver has been specifically provided for by law or under the terms of a contract, initial action shall be taken at the station level for referral of the request for waiver through channels for action by the appropriate designated official. If, however, the question of waiver may also involve a concurrent opportunity to negotiate a compromise settlement, the application shall be referred to the Committee on Waivers and Compromises.

§ 17.96a [Revoked]

6. Section 17.96a, Authority to compromise claims and terminate or suspend collection action, is revoked.

§§ 17.300–17.306 [Revoked]

7. Sections 17.300 through 17.306, Board on Collections and Compromises, are revoked.

[FR Doc.74–16558 Filed 7–18–74;8:45 am]

PART 2—DELEGATIONS OF AUTHORITY

Revocations

§§ 2.88 and 2.89 [Revoked]

Chapter I, Part 2, is amended by revoking §§ 2.88 and 2.89. These delegations of authority are identical to the delegations in §§ 17.96a and 17.300a of this chapter which are revoked by FR Doc. 74–16558 appearing in this issue.

Approved: July 15, 1974.

By direction of the Administrator.

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

[FR Doc.74–16559 Filed 7–18–74;8:45 am]

Title 39—Postal Service

CHAPTER I—U.S. POSTAL SERVICE

PART 601—PROCUREMENT OF PROPERTY AND SERVICES

Mail Transportation Contracting

The purpose of this document is to revise the description of the contents of the Postal Contracting Manual contained in § 601.103. Paragraph (n) of § 601.103 presently shows that section 19 of the Postal Contracting Manual, along with other sections, has been reserved for future use. However, section 19 is no longer reserved. It has been used to cover mail transportation contracting.

Accordingly, effective immediately, in 39 CFR 601.103 paragraphs (n), (o), and (p) are amended and new paragraph (q) is added to read as follows:

§ 601.103 Content of Postal Contracting Manual.

* * * * *

(n) Section 19 establishes policies and procedures for the procurement of mail transportation and directly related ancillary services by contract.

(o) Among others, sections 20–27 are reserved for future use.

(p) Appendix A sets forth the rules of practice before the Postal Service Board of Contract Appeals (Part 955 of this chapter).

(q) Appendix B contains the rules of practice in proceedings relative to debarment and suspension from contracting (Part 957 of this chapter).

(5 U.S.C. 552(a), 39 U.S.C. 401, 404, 410, 411, 2008, 5001–5605)

LOUIS A. COX,
General Counsel.

[FR Doc.74–16555 Filed 7–18–74;8:45 am]

Title 49—Transportation

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC–46; Notice No. 74–19]

PART 391—QUALIFICATIONS OF DRIVERS

APPENDIX C—QUESTIONS FOR WRITTEN EXAMINATION

Revision of Questions and Answers for Drivers Written Examination

Correction

In FR Doc. 74–13677, appearing at page 20795 in the issue of June 14, 1974, the following changes should be made:

1. The last word in question 30 on page 20797, now reading "fuses", should read "fusees".

2. The section number in question 37 on page 20797, now reading "392.6", should read "392.61".

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-26; Notice 1]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

New Pneumatic Tires, Tire Selection and Rims for Passenger Cars

This amendment adds certain tire size designations to 49 CFR 571.109 (Federal Motor Vehicle Safety Standard No. 109) and adds alternative and test rim sizes to 49 CFR 571.110 (Federal Motor Vehicle Safety Standard No. 110).

On October 5, 1968, guidelines were published in the FEDERAL REGISTER (33 FR 14964) by which routine additions could be made to Appendix A, § 571.109 and to Appendix A, § 571.110. Under these guidelines the additions become effective 30 days from publication in the FEDERAL REGISTER, if no objections are received. If objections are received, rulemaking procedures for the issuance of motor vehicle safety standards (49 CFR Part 553) are followed.

Accordingly Appendix A of 49 CFR 571.109 and Appendix A of 49 CFR 571.110 are amended, subject to the 30-day provision indicated above, as specified below.

Effective date: August 19, 1974, if objections are not received.

§ 571.109 [Amended]

A. The following changes are made to Appendix A of § 571.109 Standard No. 109; New Pneumatic Tires:

Amendments Requested By The Rubber Manufacturers Association.

1. In Table I–B, the following new tire size designation and corresponding values are added:

TABLE I–B.—*Tire load ratings, test rims, minimum size factors, and section widths for "70 series" bias ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
B70-13	780	840	890	930	980	1,030	1,070	1,110	1,150	1,190	1,230	1,270	1,300	5	30.86	7.35

2. In Table I–J, the following new tire size designation and corresponding values are added:

TABLE I–J.—*Tire load ratings, test rims, minimum size factors, and section widths for "78 series" bias ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
A78-14	720	770	810	860	900	940	980	1,020	1,060	1,090	1,130	1,160	1,200	4½	30.31	6.45

3. In Table I–M, the following new tire size designation and corresponding values are added:

TABLE I–M.—*Tire load ratings, test rims, minimum size factors, and section widths for "78 series" radial ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
AR78-14	720	770	810	860	900	940	980	1,020	1,060	1,090	1,130	1,160	1,200	4½	30.08	6.40

4. In Table I–V, the following new tire size designation and corresponding values are added:

TABLE I–V.—*Tire load ratings, test rims, minimum size factors, and section widths for "50 series" bias ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
D50-13	890	950	1,010	1,070	1,120	1,170	1,220	1,270	1,320	1,360	1,410	1,450	1,490	6½	32.29	9.85

5. In Table I–W, the following new tire size designation and corresponding values are added:

TABLE I–W.—*Tire load ratings, test rims, minimum size factors, and section widths for "50 series" radial ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
CR50-13			950	1,000	1,050	1,100	1,140	1,190	1,230	1,270	1,320	1,360	1,400	6½	31.48	9.40

Amendments requested by the European Tyre and Rim Technical Organisation.

1. In Table I–A, the following new tire size designation and corresponding value are added:

TABLE I–A.—*Tire load ratings, test rims, minimum size factors, and section widths for conventional and low section height bias ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
5.00-16	715	765	815	860	910	975	990	1,030	1,070	1,110	1,150	1,185	1,220	3	31.03	5.15

2. In Table I–N, the following new tire size designation and corresponding values are added:

TABLE I–N.—*Tire load ratings, test rims, minimum size factors, and section widths for "70 series" radial ply tires*

Tire size designation	Maximum tire loads (pounds) at various cold inflation pressures (pounds per square inch)													Test rim width (inches)	Minimum size factor (inches)	Section width (inches)
	16	18	20	22	24	26	28	30	32	34	36	38	40			
145/70R12	500	515	535	550	570	590	605	620	640	660	675	695	710	4	25.50	5.67

§ 571.110 [Amended]

B. The following changes are made to Appendix A of § 571.110, Standard No. 110; Tire Selection and Rims.

Amendments Requested by the Rubber Manufacturers Association:

1. In Table I–B, the 5–JJ test rim size and the 6–JJ alternative rim size are added for the B70–13 tire size designation.

2. In Table I–G, the 7–JJ alternative rim size is added for the ER70–14 tire size designation.

3. In Table I–J, the 4½–JJ test rim size is added for the A78–14 tire size designation.

4. In Table I–M, the 4½–JJ test rim size is added for the AR78–14 tire size designation. The 4½–JJ and 6–JJ alternative rim sizes are added for the CR78–14 tire size designation. The 6–JJ alternative rim size is added for the JR78–14 tire size designation. The 5½–K alternative rim size is added for the CR78–15 tire size designation. The 5–JJ alternative rim size and the 5½–K test rim size are added for the FR78–15 tire size designation. The 6–JJ alternative rim size is added for the NR78–15 tire size designation.

5. In Table I–V, the 6½–JJ test rim size is added for the D50–13 tire size designation.

6. In Table I–W, the 6–JJ alternative rim size is added for the BR50–13 tire size designation. The 6½–JJ test rim size is added for the CR50–13 tire size designation. The 7–JJ alternative rim size is added for the GR50–14 tire size designation.

Amendments Requested by the European Tyre and Rim Technical Organisation:

1. In Table I–A, the 3.00D test rim size is added for the 5.00–16 tire size designation.

2. In Table I–N, the 4–JJ test rim size is added for the 145/70R12 tire size designation.

FMVSS No. 110—APPENDIX A

TABLE I

(Following is tabulation of changes made by this amendment)

Tire size	*Rims*
Table I–A	
5.00–16	*3.00D*
Table I–B	
B70–13	*5–JJ, 6–JJ*
Table I–G	
ER70–14	*7–JJ*
Table I–J	
A78–14	*4½–JJ*
Table I–M	
AR78–14	*4½–JJ*
CR78–14	*4½–JJ, 6–JJ*
JR78–14	*6–JJ*
CR78–15	*5½–K*
FR78–15	*5–JJ, 5½–K*
NR78–15	*6–JJ*
145/70R12	*4–JJ*
Table I–V	
D50–13	*6½–JJ*
Table I–W	
145/70R12	*6–JJ*
CR50–13	*6½–JJ*
GR50–14	*7–JJ*

Italic designations denote test rims. Where JJ rims are specified in the above table J and JK rim contours are permissible. Table designations refer to tables listed in Appendix A of Standard No. 109 (§ 571.109).

(Secs. 103, 119, 201 and 202, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1407, 1421 and 1422); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8).

Issued on July 11, 1974.

FRANCIS ARMSTRONG,
Acting Associate Administrator,
Motor Vehicle Programs.

[FR Doc.74–16294 Filed 7–18–74;8:45 am]

Title 7—Agriculture

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

[Lemon Reg. 648]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period July 21–27, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.948 Lemon Regulation 648.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons continues about unchanged, active on all sizes and grades, but supplies out are still excessive in several auctions. Average f.o.b. price was $6.02 per carton the week ended July 13, 1974, compared to $6.03 per carton the previous week. Track and rolling supplies at 180 cars were down 27 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this

meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 16, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period July 21, 1974, through July 27, 1974, is hereby fixed at 275,000 cartons.

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

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

Dated: July 17, 1974.

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

[FR Doc.74–16748 Filed 7–18–74;8:45 am]

[Peach Reg. 14]

PART 919—PEACHES GROWN IN MESA COUNTY, COLORADO

Regulation by Grade and Sizes

This regulation requires that all Colorado peaches shipped to points outside of Colorado grade at least U.S. No. 1, and be at least 2⅛ inches in diameter during the period July 22, through September 20, 1974. This action is necessary to assure that the peaches shipped will be of suitable quality and size in the interest of consumers and producers.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in the County of Mesa in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This regulation is based on the Department's appraisal of the crop and current and prospective market conditions for Colorado peaches. The grade and size requirements provided herein are necessary to prevent the handling, on and after July 22, 1974, of any peaches which do not comply with such requirements, so as to provide good quality fruit in the interest of producers and consumers pursuant to the declared policy of the act.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that, as hereinafter set forth, the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than July 22, 1974. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop thereof, and adequate information thereon was not available to the Administrative Committee until July 11, 1974, on which date an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such peaches. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were submitted to the Department on July 12, 1974; shipments of the current crop of such peaches are expected to begin on or about the effective date hereof; this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this regulation are identical with the aforesaid recommendation of the committee; information concerning such provisions and effective time has been disseminated among handlers of such peaches; and compliance with the provisions of this regulation will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

§ 919.315 Peach Regulation 14.

Order. (a) During the period July 22, through September 20, 1974, no handler shall ship:

(1) Any peaches of any variety which do not grade at least U.S. No. 1;

(2) Any peaches of any variety which are of a size smaller than 2⅛ inches in diameter: *Provided,* That any lot of peaches shall be deemed to be of a size not smaller than 2⅛ inches in diameter (i) if not more than 10 percent, by count, of such peaches in such lot are smaller than 2⅛ inches in diameter; and (ii) if not more than 15 percent, by count, of the peaches contained in any individual container in such lot are smaller than 2⅛ inches in diameter.

(b) *Definitions.* As used herein, "peaches", "handler", "ship", and "variety" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U.S. No. 1", "diameter", and "count" shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.1210–51.1223).

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

Dated: July 17, 1974.

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

[FR Doc.74–16674 Filed 7–18–74;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

Correction

In FR Doc. 15598, appearing at page 25219 of the issue of Tuesday, July 9, 1974, the following changes should be made:

1. In the table in Column 1 on page 25220, the sixth county listed under California, now reading "Clusa", should read "Colusa" and the eleventh county, now reading "Homboldt", should read "Humboldt".

2. In the second column on page 25221, the second rate listing under Wisconsin, now reading "$08.7", should read "$0.87".

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

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1974 Crop Rye Loan and Purchase Program

Correction

In FR Doc. 74–15599, appearing at page 25222 of the issue of Tuesday, July 9, 1974, the following changes should be made on page 25223, in column 2:

1. Under South Carolina, the entry "All other counties", now divided between two columns of the table, should appear only in the second.

2. The rate listing in the last line of the column, under Utah, should read "$0.84".

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION

PART 11—ACCOUNTING

Unbilled Accrued Costs on Federal-State Programs

As part of the Federal Highway Administration's program of converting the

Agency's Policy and Procedure Memorandum to regulations, the following new part is added to title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 30–7 on Unbilled Accrued Costs on Federal-State Programs to Part 11, Subpart C of title 23 of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Sec.
11.301. Purpose.
11.302. Monthly reporting by State highway departments.
11.303. Distribution of costs.

AUTHORITY: 31 U.S.C. 66.

§ 11.301 Purpose.

The purpose of this directive is to outline the procedures by which States shall be required to submit reports of unbilled accrued costs on Federal-aid programs. United States Code, title 31 requires, in part, that each Federal agency maintain its accounting records on an accrual basis; therefore, Federal Highway Administration (FHWA) accounts must include the cost of work performed by and for the States that has not been billed to FHWA, in addition to the cost of work performed and previously billed.

§ 11.302 Monthly reporting by State Highway Departments.

Each State shall submit a report of unbilled costs as of the last day of each month, signed and dated by an authorized official of the State highway department.

(a) Right-of-Way—amounts (1) paid former owners; (2) placed in escrow for future payment; and (3) paid for appraisal fees and other incidental costs of right-of-way.

(b) Construction—amounts paid to contractors, State construction employees, or vendors for work performed and material received.

(c) Railroad and Utility—amounts paid to railroad and utility companies.

(d) Preliminary and Construction Engineering—amounts paid for engineering services or materials.

§ 11.303 Distribution of costs.

Unbilled accrued costs incurred against the Highway Trust Fund are to be reported for Federal-aid by class of funds, Emergency Relief, and Bridges over Federal dams. Unbilled accrued costs incurred against other appropriations are to be reported separately by appropriation.

Effective date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16540 Filed 7-18-74;8:45 am]

SUBCHAPTER B—PAYMENT PROCEDURES

PART 130—ADVANCE OF FUNDS

Policy and Procedures

Chapter I of title 23, Code of Federal Regulations is amended by adding a new Subpart B, Part 130 as set forth below. Subpart A of Part 130 is reserved for future issuance. Subpart B codifies policies and procedures contained in the Federal Highway Administration's Policy and Procedure Memorandum 30–1.

In that this material relates to a grant-in-aid program, provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rule making, opportunity for public participation, and delay in effective date are inapplicable.

These regulations are issued under the authority of 23 U.S.C. 315 and the delegation of authority in 49 CFR 1.48(b). These regulations are effective on the date of issuance set forth below.

Effective Date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Subpart B—Advance Fund Accounts

Sec.
130.201 Purpose.
130.202 Authority.
130.203 Request for advance.
130.204 Use of advanced funds.
130.205 Custodian of funds.
130.206 Deposit of funds.
130.207 Accounting by State Highway Department.
130.208 Replenishment vouchers.
130.209 Interest.

AUTHORITY: 23 U.S.C. 124, 23 U.S.C. 315, 49 CFR 1.48(b).

§ 130.201 Purpose.

To prescribe procedures and accounting requirements for advances of funds to States.

§ 130.202 Authority.

23 U.S.C. 124 authorizes the Secretary of Transportation, if he determines it is necessary for expeditious completion of Federal-aid projects, to advance to any State, the Federal share of the cost of projects on any of the Federal-aid systems, including the Interstate System, to enable the State highway department to make prompt payment for acquisitions of rights-of-way and for construction as it progresses.

§ 130.203 Request for advance.

(a) Any State desiring an advance of funds under the provisions of the legislation cited above must submit a properly executed request for advance of funds. The request must contain the following:

Pursuant to the provisions of The United States Code, Title 23, Section 124, an advance of funds is requested in the amount of _____ dollars, $_____ and the highway department and the Treasurer (or other official authorized under the laws of the State to receive Federal-aid Highway funds) of the State of _____ do hereby agree to receive, deposit and disburse the funds advanced under this and any supplemental request(s) in conformity with the provisions of the regulations issued thereunder and the procedures prescribed by the Federal Highway Administrator; and the undersigned do hereby certify that the bond of the treasurer (or other official acting as the Custodian of said fund) shall embrace and cover the proper accounting for any funds so advanced.

Four copies of the request for advance (only one shall be signed are to be submitted to the Division Engineer of the Federal Highway Administration (FHWA), together with a copy of the agreement (where applicable) referred to in § 130.206(b) and a statement of the necessity for the advance, referred to in § 130.203(c). The request and its accompanying documents will be transmitted, with the Division Engineer's recommendations, through the regional office to the Washington Headquarters. Upon approval, one copy of the request will be returned to the State with the check.

(b) The amount of the advance will be limited to the anticipated obligations that will mature during the first thirty day period. If the initial advance should prove to be insufficient, a supplemental request should be submitted in the same manner as the original request, except that no supplemental agreement with the financial institution is necessary. At no time, however, will the advance be more than one-fourth of the latest year's apportionment made by the Secretary of Transportation to the State for the Primary, Secondary, and Interstate Systems.

(c) A determination of necessity must be made by the Federal Highway Administrator before an advance of funds may be made to any State. The State, therefore, must submit with its request for an advance, or an increase in its advance, a statement showing the need for the advance or increase.

§ 130.204 Use of advanced funds.

(a) Funds advanced to a State may be disbursed only upon vouchers approved by the State highway department.

(b) Funds advanced to a State shall be eligible to pay costs of projects, which projects have been covered by project agreement or are to be covered by project agreement in the immediate future, as follows:

(1) For lands or interests in lands acquired pursuant to the laws of the State and subsequent to the issuance of the authorization by the Division Engineer to proceed with the right-of-way acquisitions other than those advance acquisitions described under 23 U.S.C. 108(c), *Provided*:

(i) The Division Engineer has approved the location of the project and the approximate right-of-way limits therefor,

(ii) A sound parcel appraisal of each tract was made prior to negotiation or institution of condemnation proceedings and,

(iii) If negotiations (including consent judgments) exceed appraisals, justifications of settlements are of record. Such disbursements may include payments for associated items, and may be made to the parties of interest, into courts of jurisdiction where condemnation or other taking proceedings are to be heard, or into other proper depositories that have authority to disburse from such sums in escrow to or for the parties of interest. Such disbursements may also include payments required of the State for court deposits and guardianship fees.

(2) For construction work which has actually been performed and approved for the purposes of this Subpart, the concurrence in the award of contract by the Division Engineer shall be construed as constituting approval of construction.

§ 130.205 Custodian of funds.

(a) The advance will be made to the order of the State official authorized under the State laws as custodian of Federal-aid highway funds.

(b) The Custodian of Funds shall keep a separate ledger account with each depository and a control account designated "Trust Account-Federal-Aid Highway Act," to which shall be posted the original and any subsequent advance, and daily detail or daily totals of receipts and disbursements. Unless precluded by State law or administrative policy, he shall use a separate series of serially numbered checks for payments from the Trust Account and each such check shall show on its face the date, payee, voucher and/or warrant number for which payment is made, and the words "Trust Account-Federal-Aid Highway Act," and he shall sign checks only on proper vouchers approved by the State highway department, or, where the State fiscal system requires, upon warrants supported by such vouchers. His accounts and paid checks must be available for audit by an authorized representative of the Federal Government.

(c) The Custodian of Funds shall notify the State highway department promptly of all advances and reimbursements received from the FHWA and shall submit to the State highway department a monthly statement of receipts, disbursements, and opening and closing balances of this account.

§ 130.206 Deposit of funds.

(a) Unless specifically prohibited by State law or for other cause or reason acceptable to the Federal Highway Administrator all sums advanced to a State shall be deposited in a special account in a financial institution. Where funds advanced are so deposited, such funds shall not be mingled with funds of the State.

(b) The financial institution in which deposit of the advance is to be made must agree in writing to accept the account and to furnish the FHWA, or its representative, certification of balance whenever requested and to permit audit of the account by representatives of the Federal Government. An authenticated copy of such agreement must accompany the State's initial request for an advance.

§ 130.207 Accounting by State highway department.

(a) The State highway department shall keep a chronological journal, register or abstract, according to its accounting system, of all vouchers forwarded to the Custodian of Funds for payment.

(b) The State highway department shall set up an account receivable with the FHWA showing the amount of each replenishment voucher submitted for reimbursement to the Trust Account and the amount of each repayment thereto.

(c) The State highway department shall maintain a subsidiary project ledger. For each project financed in whole or in part from the Trust Account there shall be maintained a separate account to which detailed postings are to be made currently.

(d) Those State highway departments that can temporarily finance surveys and plans, construction engineering and force account work from regular State funds should do so, and then periodically, preferably at the time of closing the accounts for the month or at the end of an accounting period, draw a voucher on the Trust Account authorizing the transfer of such sundry amounts back to the State fund in total in order to avoid clearing a large number of small payments through the special account. Where the needs of the State highway department demand, no objection will be raised if the State highway department pays from the Trust Account 100 percent of the amount due grantors of land or construction contractors provided that not less frequently than once a month or at the end of the regular accounting period the State deposits into the Trust Account the State's share of all transactions through the Trust Account.

§ 130.208 Replenishment vouchers.

(a) Replenishment vouchers for construction of rights-of-way disbursements from the Trust Account are to be submitted to the FHWA promptly and in accordance with Volume 1, Chapter 4, section 6 of the Federal-Aid Highway Program Manual. It is realized that where, for example, condemnation proceedings are involved, there will be a delay in the submission of final vouchers particularly where the State has no authority to negotiate a settlement between itself and FHWA. However, even in those cases, the State is expected to process progress vouchers within the limit set out in Volume 1, Chapter 4, section 6 of the Federal-Aid Highway Program Manual for disbursements made from the Trust Account. The State should show on all such replenishment vouchers, following the name of the payee, the words "Trust Account" in parenthesis.

(b) If a disallowance is made by the FHWA on a replenishment voucher, the balancing entry should be recorded in the account receivable and on the project ledger as a disallowance. Any payments made by the State from this fund that are disallowed by the FHWA shall be either deducted from other vouchers in the hands of the FHWA or repaid to said Trust Fund in the State.

§ 130.209 Interest.

Any interest received on advanced funds deposited in a special account as set forth in § 130.206 must be paid promptly to the FHWA by check drawn to the order of the "Federal Highway Administration."

[FR Doc.74-16536 Filed 7-18-74;8:45 am]

PART 130—ADVANCE OF FUNDS

Defense Access Road Projects

Chapter I of title 23, Code of Federal Regulations is amended by adding a new Subpart C, Part 130 as set forth below. Subparts A and B of Part 130 are reserved for future issuance. Subpart C codifies policies and procedures contained in the Federal Highway Administration's Policy and Procedure Memorandum 30-1.1.

In that this material relates to a grant-in-aid program, provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

These regulations are issued under the authority of 23 U.S.C. 315 and the delegation of authority in 49 CFR 1.48(b). These regulations are effective on the date of issuance set forth below.

Effective date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Subpart C—Advance Fund Accounts (Defense Access Road Projects)

Sec.

130.301 Purpose.
130.302 Authority.
130.303 Request for advance.
130.304 Use of advanced funds.
130.305 Custodian of funds.
130.306 Deposit of funds.
130.307 Accounting by State Highway Department.
130.308 Vouchers of record.
130.309 Interest.
130.310 Repayments.

AUTHORITY. 23 U.S.C. 210(g), 23 U.S.C. 315, 49 CFR 1.48(b).

§ 130.301 Purpose.

To prescribe procedures and accountability requirements for advances of Defense Access Road Funds to States.

§ 130.302 Authority.

23 U.S.C. 210(g) provides that, in order to expedite completion of any defense access road project, the Secretary of Transportation may, if he determines it necessary, advance to any State, out of Defense Access Road Funds transferred and available to the Department of Transportation, the Federal share of the cost of such project, to enable the State highway department to make payments for the acquisition of rights-of-way and for construction as it progresses.

§ 130.303 Request for advance.

(a) Any State desiring an advance of funds under the provisions of the legislation cited above must submit a properly executed request for advance of funds for each defense access road project. The request must contain the following:

Pursuant to the provisions of The United States Code, Title 23, Section 210, as amended, an advance of defense access road funds is requested in the amount of _____ _____ dollars, $_____ and the highway department and the Treasurer (or other official authorized under the laws of the State to receive Federal highway funds) of the State of _____ do hereby agree to receive, deposit and disburse the funds advanced under this and any supplemental request(s) in conformity with the provisions of said Act, as amended, the regulations issued thereunder and the procedures prescribed by the Federal Highway Administrator; and the undersigned do hereby certify that the bond of the Treasurer (or other official acting as the Custodian of said fund) shall embrace and cover the proper accounting for any funds so advanced.

The State agrees, upon its own finding or upon receipt of a notification of a finding by the Federal Highway Administration that the advance or any portion thereof is in excess of the needs for which the advance was made, to repay without delay, such access. If such excess is to be repaid by means of application thereof against current reimbursement vouchers, the State agrees to promptly notify the Federal Highway Administration as to which vouchers should be used for repayment.

One signed and three unsigned copies of each request for an advance are to be submitted to the Division Engineer of the Federal Highway Administration (FHWA), together with a signed copy of the agreement (where applicable) referred to in § 130.306(b) and a statement of the necessity for the advance, referred to in § 130.303(d). The request and its accompanying documents will be transmitted, with the Division Engineer's recommendations through the regional office to the Washington Headquarters. Upon approval, one copy of the request will be returned to the State.

(b) The amount of the advance will be limited to the Federal share of the obligations anticipated to be incurred by the State in connection with the defense access road project over a single construction season. If the project requires more than one construction season or it becomes apparent that the initial advance will prove to be insufficient, a supplemental request shall be submitted no more than sixty days prior to its actual need and in the same manner as the original request, except that no supplemental agreement with the financial institution is necessary. The amount of any supplemental advance together with the total amount already advanced for the particular project involved shall not exceed the total Federal funds under agreement. The supplemental request shall contain the following:

The advance herein requested, $_____ together with the amount(s) advanced, $_____ does not exceed the total Federal funds under agreement.

(c) Advances will only be made for defense access projects covered by a project agreement.

(d) A determination of necessity must be made by the Federal Highway Administrator before an advance of funds may be made to any State. The State therefore, must submit with its request for an advance, or an increase in the advance, a statement showing the need for the advance or increase. The request and showing of necessity for the initial advance of Defense Access Road Funds does not necessarily require financial statements since the showing of necessity need not be based on insufficient State highway department funds. In such instances, it is expected that the statement will cite the State law that prohibits the expenditure of State funds on defense access projects or such other conditions and circumstances as may justify the advance.

§ 130.304 Use of advanced funds.

(a) Funds advanced to a State may be disbursed only upon vouchers approved by the State highway department.

(b) Sums advanced shall be available for the exclusive use of the project for which advanced.

§ 130.305 Custodian of funds.

(a) The advance for each defense project will be made to the order of the State official authorized under the State laws as custodian of Federal highway funds.

(b) The Custodian of Funds shall keep a separate ledger account with each depository and a control account designated "Trust Account, Federal Highway Act, Defense Access Road Project," to which shall be posted the original and any subsequent advance and the daily detail totals of receipts and disbursements. He shall use a separate series of serialy numbered checks for payments from the Trust Account and each such check shall show on its face the date, payee, voucher and/or warrant number for which payment is made, and the words "Trust Account, Federal Highway Act, Defense Access Road Projects." He shall issue checks only on proper vouchers approved by the State highway department, or, where the State fiscal system requires, upon warrants supported by vouchers relating to defense access road projects for which the advance was made. His accounts and paid checks must be available for audit by the authorized representatives of the Federal Government.

(c) The Custodian of Funds shall notify the State highway department promptly of all advances received from the FHWA and shall submit to the State highway department a monthly statement of receipts, disbursements, and opening and closing balances of this account.

§ 130.306 Deposit of funds.

(a) Unless specifically precluded by State law or for other good cause or reason acceptable to the Federal Highway Administrator all sums advanced to a State shall be deposited in a special account in a financial institution. Where funds advanced are so deposited, such funds shall not be deposited to State fund accounts in such financial institution or otherwise mingled with the funds of the State.

(b) The financial institution in which deposit of the advance is to be made must agree in writing to accept the account and to furnish the FHWA or its representative certification of balance whenever requested and to permit audit of the account by the FHWA. An authenticated copy of such agreement must accompany the State's initial request for an advance.

§ 130.307 Accounting by State highway department.

(a) The State highway department shall keep a chronological journal, register or abstract, according to its accounting system, of all vouchers forwarded to the Custodian of Funds for payment.

(b) The State highway department shall maintain a subsidiary project ledger. For each project financed from the Trust Account there shall be maintained a separate account to which detailed postings are to be made currently.

(c) It is recommended that those State highway departments that can temporarily finance surveys and plans, construction engineering and force account work from regular State funds do so, and then periodically, preferably at the time of closing the accounts for the month or at the end of an accounting period, draw a voucher on the Trust Account authorizing the transfer of such sundry amounts back to the State fund in total in order to avoid clearing a large number of small payments through the special account.

§ 130.308 Vouchers of record.

(a) At the close of each accounting period the State shall report the extent of work completed through submission of "no payment" vouchers. Such vouchers will be prepared in accordance with Volume 1, Chapter 4, Section 6 of the Federal-Aid Highway Program Manual except that the total construction or rights-of-way disbursements to date will be entered in the spaces provided on the voucher form for "total participating cost," "total amount claimed from U.S." and "less previous payments," with zero dollars shown in the space provided for "net amount claimed." Upon completion of the work, a final voucher will be submitted promptly. The State should show on all such vouchers following the name of the payee, the words "Trust Account, Federal Highway Act, Defense Access Road Projects" in parenthesis.

(b) Any payments made by the State from this fund that are disallowed by the FHWA shall be repaid to said Trust Fund and the project ledgers adjusted accordingly or deduction made against vouchers currently in the hands of the FHWA.

§ 130.309 Interest.

Any interest received on advanced funds deposited in a special account as set forth in section 130.306 must be paid promptly to the FHWA by check drawn to the order of the "Federal Highway Administration."

§ 130.310 Repayments.

Funds determined to be in excess of immediate requirements during the life of the project or funds released at the final voucher stage shall be repaid by reduction of amounts claimed on reimbursement vouchers submitted by the State for regular Federal-aid projects or, by a check or checks made payable to the "Federal Highway Administration" or both.

[FR Doc.74-16533 Filed 7-18-74;8:45 am]

PART 140—REIMBURSEMENT

Subpart C—Percentage Reimbursement for Construction Engineering

As part of the Federal Highway Administration's program of converting the agency's Policy and Procedure Memoranda to regulations, the following new part is added to title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 30-2.1 on Percentage Reimbursement for Construction Engineering to Part 140, Subpart C of Chapter I of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Sec.
140.301 Purpose.
140.302 Definition.
140.303 Billing.
140.304 Request for and approval of percentage rate.

AUTHORITY: 23 U.S.C. 120(h).

§ 140.301 Purpose.

The purpose of this directive is to provide a simplified optional method for State highway departments to claim reimbursement for construction engineering and inspection costs on Federal-aid and other highway projects undertaken cooperatively with the Federal Highway Administration (FHWA).

§ 140.302 Definition.

For the purpose of this directive, the term "construction cost" means the actual cost of building a project and all expenses incidental thereto except for the costs of preliminary engineering, construction engineering, and rights-of-way.

§ 140.303 Billing.

(a) States may be reimbursed for construction engineering and inspection costs on the basis of an approved percentage of the participating construction cost in lieu of itemized actual costs of those items.

(b) The approved percentage rate shall be applicable to future projects and to current projects for which final vouchers have not been submitted by the States as of the date the percentage rate is approved.

(c) If a State desires to use a percentage rate, all claims from the State for construction engineering and inspection costs, except as noted in paragraph 3a, shall be submitted on the approved percentage rate.

§ 140.304 Request for and approval of percentage rate.

(a) A State desiring to take advantage of the simplified billing procedure shall submit to the Division Engineer of the FHWA, a request for approval of a rate which does not exceed the average reimbursable cost of construction engineering and inspection and which is not in excess of the rate limitations prescribed by section 121 of title 23.

(b) Upon receipt of the State's request, the Division Engineer shall arrange for an adequate examination of the State's records of Federal-aid projects completed during the preceding 12-month period to verify the percentage rate requested. Where records are not maintained to show the construction costs and costs of construction engineering on Federal-aid projects completed in the State over a period of 12 months, it will be satisfactory for the Division Engineer to base his verification of the requested rate on the comparison of the totals of construction and reimbursable construction engineering and inspection costs of a representative sample of projects completed by the State or counties within the preceding year. In determination of the percentage rate, proper weight shall be given to the volume of projects within the State financed from the four classes of Federal-aid funds, namely, primary, secondary, urban, and Interstate. The rate will be computed to the nearest 1/10 of one percent.

(c) A reevaluation of the percentage rate shall be made annually.

Effective date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16538 Filed 7-18-74;8:45 am]

PART 140—REIMBURSEMENT

Subpart D—Percentage Reimbursement for Preliminary Engineering

As part of the Federal Highway Administration's program of converting the Agency's Policy and Procedure Memoranda to regulations, the following new part is added to title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 30-2.2 on Percentage Reimbursement for Preliminary Engineering to Part 140, Subpart D of Chapter I of Title 23 of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Sec.
140.401 Purpose.
140.402 Definitions.
140.403 Percentage rate reimbursement.
140.404 Procedures.

AUTHORITY: 23 U.S.C. 120(h).

§ 140.401 Purpose.

The purpose of this directive is to provide a simplified optional method for the State highway departments to claim reimbursement for preliminary engineering on Federal-aid projects.

§ 140.402 Definitions.

(a) Preliminary engineering—the work necessary to produce construction plans, specifications, and estimates to the degree of completeness required for undertaking construction thereunder, including locating, surveying, designing, and related work.

(b) Construction cost—the actual cost of building a project, exclusive of costs of preliminary engineering, construction engineering and rights-of-way.

§ 140.403 Percentage rate reimbursement.

(a) States may be reimbursed for preliminary engineering costs on the basis of an approved percentage applied to total participating construction cost in lieu of actual preliminary engineering costs.

(b) The approved percentage rate shall be applicable to all claims presented within 1 year of the effective date of approval.

(c) Where outside engineers or consultants are utilized, contract approval shall be required for reimbursement of any claim.

§ 140.404 Procedures.

(a) The State shall submit a request to the FHWA Division Engineer for development of a percentage rate.

(b) The Division Engineer shall direct an audit of the State's records and the development of a rate for approval.

(c) The Regional Federal Highway Administrator shall approve the rate.

(d) A redetermination of the percentage rate shall be accomplished annually.

Effective date: July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16537 Filed 7-18-74;8:45 am]

PART 140—REIMBURSEMENT

Subpart E—Federal-Aid Projects; State Legal Expenses—Contract Claims

As part of the Federal Highway Administration's program of converting the agency's Policy and Procedure Memoranda to regulations, Chapter I of title 23, Code of Federal Regulations, is amended by adding a new Part 140, Subpart E—Federal-Aid Projects; State Legal Expenses—Contract Claims.

This part converts Policy and Procedure Memorandum 30–2.4 on Federal-Aid Projects; State Legal Expenses—Contract Claims to Part 140, Subpart E of title 23 of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation and delay in effective date are inapplicable.

Sec.
140.501 Purpose.
140.502 Definition.
140.503 Reimbursable costs.
140.504 Documentary support.

AUTHORITY: 23 U.S.C. 315.

§ 140.501 Purpose.

This regulation established the basis of eligibility for reimbursement of administrative settlement costs, and other legal expenses, including attorney salaries and fees, in the defense of contract claims on Federal-aid projects, including any Federal projects performed by a State under Federal-aid procedures.

§ 140.502 Definition.

Administrative Settlement Costs shall include the salary of a contracting officer or his representative and members of State boards of arbitration, appeals boards or similar tribunals, which are allocable to the findings and determination of contract claims, but shall not include expenditures for the establishment, maintenance, general administration, supervision, and other overhead of such officials or entities, including the State highway department.

§ 140.503 Reimbursable costs.

(a) Federal-aid funds may participate on the same pro rata basis applicable to the project in the following costs which are related to the defense and settlement of Federal-aid contract claims, provided such costs are:

(1) Actual incurred costs,

(2) Directly allocable to a specific Federal-aid project,

(3) Accrued subsequent to a notice of claim,

(4) Supported by itemized records of time, and

(5) For the employment of special counsel for the review and defense of contract claims where recommended by the State Attorney General or legal counsel for the State highway department, and where approved in advance by the Division Engineer for the State, with the advice of the Regional Counsel.

(b) No reimbursement shall be made to the extent it is determined by the Federal Highway Administration, that there was negligence or wrongdoing of any kind by State officials with respect to the claim.

§ 140.504 Documentary support.

(a) The State's request for reimbursement of items of costs shall be accompanied by a statement, certified by the State's attorney, setting forth the nature of the claim and the outcome.

(b) Records and accounts evidencing the State control over costs or expenses shall be maintained. Where management needs do not require such records and accounts, a cost distribution or other auditable records shall be maintained.

(c) Travel and related transportation expenses shall be in accordance with State highway department policy and practices.

(d) Reimbursable costs shall be claimed in the voucher submission PR–20 or PR–21.

Effective date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74–16534 Filed 7–18–74;8:45 am]

PART 140—REIMBURSEMENT

Subpart F—Reimbursement for Bond Issue Projects

As part of the Federal Highway Administration's program of converting the agency's Policy and Procedure Memoranda to regulations, the following new part is added to title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 21–9 on Reimbursement for Bond Issue Projects to Part 140, Subpart F of Chapter I of Title 23 of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Sec.
140.601 Purpose.
140.602 Requirements and conditions.
140.603 Programs.
140.604 Approval actions.
140.605 Project agreements.
140.606 Construction
140.607 Progress and final vouchers.
140.608 Conversion from bond issue to funded project status.
140.609 Determination of bond retirement.

AUTHORITY: 23 U.S.C. 122, 23 U.S.C. 315.

§ 140.601 Purpose.

The purpose of this regulation is to prescribe policies and procedures for the use of Federal funds in aiding the States in the retirement of the principal of bonds, pursuant to 23 U.S.C. 122.

§ 140.602 Requirements and conditions.

(a) Any State that shall use the proceeds of bonds issued by the State or political subdivisions of the State for the construction of projects on the Federal-aid primary or Interstate System, or extensions of any of the Federal-aid highway systems in urban areas, may claim payment of any portion of the sums apportioned to it for expenditures on such system to aid in the retirement of the principal of such bonds at their maturities, to the extent that the proceeds of such bonds have been actually expended in the construction of such projects.

(b) The Federal share payable cannot exceed the legal pro rata in effect at the time the original project agreement was executed covering a bond issue project.

(c) Deposits of reimbursements into State accounts to be used to pay off bonds may precede by not more than 60 days the scheduled rate of retirement of the bonds. This provision should not be construed as preventing a State from requesting approval for converting bond issue projects to regular funded projects at such time as is necessary to meet the requirements of reimbursement planning procedures.

(d) Federal funds are not eligible for payment into sinking funds created and maintained for the subsequent retirement of bonds.

(e) Bond issue projects have no application to the Federal-aid secondary highway system or to Federal funds authorized and apportioned for expenditure on said system, except in connection with the use of Federal-aid secondary or urban funds for improvement of extensions of the secondary system in urban areas, as provided by 23 U.S.C. 103(c).

(f) Highways constructed as bond issue projects shall be free from tolls of all kinds.

§ 140.603 Programs.

Programs covering projects to be financed from the proceeds of bonds, with separate listings of such projects to be financed from each fund, shall be prepared and submitted in the manner prescribed by the Federal-Aid Highway Program Manual Volume 6, Chapter 3, Section 2, Subsection 2. The programs shall be identified as "Bond Issue Projects—Interstate" or "Bond Issue Projects—Urban," etc., as the case may be. Project designations shall be the same as for regular Federal-aid projects except that the prefix letter "B" for bond issue shall be used as the first letter of each project designation, e.g., "BI" or "BU."

§ 140.604 Approval actions.

(a) Authorizations to proceed with preliminary engineering and acquisition of rights-of-way shall be issued in the same manner as for regularly financed Federal-aid projects.

(b) Plans, specifications, and estimates shall be submitted in the same manner and in the same detail as for regularly financed Federal-aid projects. The State shall be notified of the approval of the plans, specifications and estimates, and shall be authorized in the usual manner.

(c) When the State is authorized to proceed with all or any phase of the work under a bond project, the project is to be identified as an E project and as such shall be subject to the appropriate reimbursement schedule for E projects, in accordance with the Federal-Aid Highway Program Manual Volume 6, Chapter 3, Section 2, Subsection 7.

(d) The concurrence in the award of contracts shall be in accordance with the Federal-Aid Highway Program Manual Volume 6, Chapter 4, Section 1, Subsection 6.

§ 140.605 Project agreements.

Project agreements, Form PR–2, shall be prepared and executed.

§ 140.606 Construction.

Construction shall be supervised by the State highway department in the same manner as for regularly financed Federal-aid projects. Engineers of the Federal Highway Administration (FHWA) will make construction inspections and reports in accordance with Volume 6, Chapter 4, Section 2, Subsection 8 of the Federal-Aid Highway Program Manual.

§ 140.607 Progress and final vouchers.

(a) Progress vouchers prepared in accordance with the Federal-Aid Highway Program Manual, Volume 1, Chapter 4, Section 6 may be submitted for the Federal share of bonds retired or about to be retired, the proceeds of which have actually been expended in the construction of the project subject to the conversion requirements set forth under paragraph 9.

(b) Upon completion of a bond issue project, a final voucher prepared in accordance with the Federal-Aid Highway Program Manual, Volume 1, Chapter 4, Section 6 shall be submitted by the State. After final review, the State will be advised as to the total cost and Federal fund participation for the project. Pending conversion action, approved final vouchers for bond issue projects shall be maintained in a separate file in the division office.

§ 140.608 Conversion from bond issue to funded project status.

(a) At such time as the State elects to apply available apportioned Federal-aid funds to the retirement of bonds, its claim shall be supported by appropriate certification as follows:

I hereby certify that the following bonds, _____, the proceeds of which have been actually expended in the construction of bond issue projects authorized by United States Code, Title 23, Section 122 have been retired on _____, or (2) mature and are scheduled for retirement on _____, or (3) are scheduled for retirement on _____, which is in advance of the maturity date of _____.

(b) The State's request for full conversion of a completed project(s) or partial conversion of an active or completed project(s) may be made by letter, inclusive of the appropriate certification as described in paragraph 9a giving reference to any progress payments received or the final voucher(s) previously submitted and approved in accordance with paragraph 7.

(c) Approval of the conversion action shall be at the level of delegated authority for approval of regular Federal-aid programs. Acceptance of the State's request and transmission of the voucher for payment shall constitute the approval action.

(d) The State's request for partial conversion of an active or completed bond issue project shall provide for (1) conversion to funded project status of the portion to be financed out of the unprogramed balance of currently available apportioned funds, and (2) retention of the unfunded portion of the project in the bond program.

(e) Where the State's request involves the partial conversion of a completed bond issue project, payment of the Federal funds made available under the conversion action shall be accomplished through use of Form PR–20 prepared in the division office and appropriately cross-reference to the final voucher previously submitted and approved. The final voucher will be reduced by the amount of the approved reimbursement and retained in accordance with the provisions of paragraph 7.

(f) Upon receipt of the State's request for final conversion, the final voucher previously submitted shall be combined with the request and certification and processed for payment.

(g) Payment of the amount of Federal funds made available under the conversion action shall be subject to procedures covering converted E projects contained in Attachment 1, Volume 6, Chapter 3, Section 2, Subsection 7, Federal-Aid Highway Program Manual.

§ 140.609 Determination of bond retirement.

Division Engineers shall be responsible for the prompt review of the State's records to determine that bonds issued to finance the projects and for which reimbursement has been made are in fact retired pursuant to the State's certification rquired by paragraph 9a, and that such action is documented in the project file.

Effective Date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74–16535 Filed 7–18–74;8:45 am]

SUBCHAPTER B—PAYMENT PROCEDURES

PART 140—REIMBURSEMENT

Subpart G—Reimbursement for Employment of Public Employees on Federal-Aid Projects.

As part of the Federal Highway Administration's program of converting the agency's Policy and Procedure Memoranda to regulations, the following new part is added to Title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 30–5 on Reimbursement for Employment of Public Employees on Federal-Aid Projects to Part 140, Subpart G of Chapter I of Title 23 of the Code of Federal Regulations.

In that this material is a matter relating to a grant program, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

Title 23 is amended by adding a new Part 140 as follows:

Sec.
140.701 Purpose.
140.702 Application.
140.703 Definitions.
140.704 Salaries and wages.
140.705 Overtime or compensatory leave in lieu of overtime.
140.706 Travel and transportation.
140.707 Annual leave, sick leave, paid holidays, military leave, jury leave.
140.708 Social Security and/or retirement and other payroll benefits.

AUTHORITY: 23 U.S.C. 315.

§ 140.701 Purpose.

To prescribe policies and procedures governing the extent to which Federal funds may participate in the cost of salaries and wages and related labor costs, incurred by public forces of State highway departments, counties, cities, or other political subdivisions.

§ 140.702 Application.

The policies and procedures herein apply to all Federal-aid and other highway projects undertaken cooperatively with the Federal Highway Administration (FHWA) wherein force account labor is employed, except projects involving force account labor of railroads and public utilities.

§ 140.703 Definitions.

The following definitions apply for the purposes of this directive.

(a) Preliminary Engineering—the work of locating and designing, making surveys and maps, sinking test holes, making foundation investigations, preparing plans, specifications and estimates, center line, right-of-way and incidental construction staking, to the extent such staking is necessary to review construction plans, and related general engineering preparatory to the letting of a contract for construction.

(b) Construction Engineering—the work of supervising construction activities, the inspection of construction and related mechanical aspects, e.g., staking as described in a. above together with those staking activities necessary for the State to control construction operations, testing of materials incorporated into construction, check shop drawings, and measurements for the preparation of progress and final estimates.

(c) Acquisition of Rights-of-Way—the preparation of right-of-way plans, the making of economic studies, and other related preliminary work, the appraisal for the purpose of parcel acquisition, the review of appraisals, the preparation for and/or trial of condemnation cases, the management of properties acquired, the furnishing of relocation advisory assistance, and necessary related labor expenses such as mapping and recording.

(d) Highway Planning—the work or orderly and continuing assembly and analysis of information about highways, including the history of highway development and their extent, dimensions and conditions, use, economic and social effects, costs, and future needs.

(e) Research and Development—the search for more complete knowledge of the basic characteristics of the geometry, traffic flow and safety, structural capabilities, economics, financing and administration of highway systems, and the evaluation and translation of the results of research.

(f) State Legal Expenses—Contract Claims—contract claims services related to the review and defense of project claims, as provided.

(g) Miscellaneous Functions—labor costs incurred in or related to project activities, e.g., advertising or the audit of subsidiary contracts which are properly attributable to highway projects but not subject to classification under any of the functions described above, and costs of labor, travel, and subsistence of State employees engaged in specific project activities.

§ 140.704 Salaries and wages.

(a) Subject to appropriate programing and authorization, Federal funds may participate in the cost of salaries and wages at actual or average rates covering productive labor hours of public employees, excluding the administrative organization of the operating unit involved for all except § 140.703 (d) and (e), for periods of time actively or incidentally engaged in (1) preliminary engineering, (2) construction engineering, (3) acquisition of rights-of-way, (4) highway planning, (5) research and development, (6) State legal expenses—contract claims, and (7) miscellaneous functions.

(b) With regard to the highway planning unit and the research and development unit, Federal funds may participate in the costs of salaries and wages of the administrative organizations of these units in the ratio that the time spent on the participating portion of the work of the unit bears to the total working hours. Federal funds may participate in the costs of services rendered by employees generally classified as administrative only when such employees are assigned for short periods of time, to perform on a full-time basis the type of services described in paragraph 4a.

§ 140.705 Overtime or compensatory leave in lieu of overtime.

When earned on a project may be reimbursed to the extent they are determined to be a liability of the State or political subdivision.

§ 140.706 Travel and transportation.

(a) Federal funds may participate in the cost of commercial transportation, privately owned automobiles, and per diem or subsistence which is essential to the prosecution or project work.

(b) Reimbursement for use of privately owned automobiles, per diem or subsistence shall be consistent with overall reimbursement policy of the State or political subdivision.

§ 140.707 Annual leave, sick leave, paid holidays, military leave, and jury leave.

(a) Where the employer has established a standard procedure for allowing employees a specified number of days per annum of annual leave, sick leave, paid holidays, military leave, and jury leave, the cost of such leave which accrues to the credit of employees while working on Federal projects will be reimbursed to the extent that it is determined to be the liability of the employer.

(b) Computations of predetermined percentage rates to be applied to current labor costs for recovery of annual leave, and cost of sick leave, paid holidays, military leave, or jury leave, may be based upon experience adjusted by anticipated known current year variations, recomputed periodically as appropriate to recover costs for the current year. Under this method, a clearing account or other generally accepted accounting procedure is a prerequisite to reimbursement. Such accounting procedure shall assure an equitable assignment of such costs to both Federal-aid and non-Federal-aid projects and provide accounting control of the actual and accrued liability.

§ 140.708 Social Security and/or retirement and other payroll benefits.

(a) Federal funds may participate in the cost of contributions for social security and/or retirement, hospitalization, and similar costs incident to employment, applicable to base salaries and wages of public employees engaged in work on Federal projects.

(b) Computation of percentage rates to be applied for recovery of costs incident to employment shall be based upon cost experience adjusted by anticipated known current year variations. Under this method, a clearing account or other generally accepted accounting procedure is a prerequisite to reimbursement. Such accounting procedure shall assure an equitable assignment of such costs to both Federal-aid and non-Federal-aid projects and provide accounting control of the actual and accrued liability.

Effective date. July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16527 Filed 7-18-74;8:45 am]

PART 160—STATE FISCAL PROCEDURES AND REPORTS

Subpart A—Transfer of Federal-Aid Highway Funds

Chapter I of Title 23, Code of Federal Regulations, is amended by adding a new Subpart A—Transfer of Federal-Aid Highway Funds—to Part 160—State Fiscal Procedures and Reports—as set forth below. The new Subpart A codifies policies and procedures formerly contained in Federal Highway Administration Policy and Procedure Memorandum 20-3 pertaining to the transfer of Federal-aid highway funds between Federal-aid highway systems.

This amendment to Title 23, Code of Federal Regulations was prepared under the authority of 23 U.S.C. §§ 104 and 315 and the delegation of authority by the Secretary of Transportation at 49 CFR 1.48(b).

Sec.
160.101 Purpose.
160.102 Requirements and conditions.
160.103 Applicability.
160.104 Submission of request.

AUTHORITY: 23 U.S.C. 104, 315; 49 CFR 1(.48(b).

§ 160.101 Purpose.

The purpose of this subpart is to prescribe the procedures for transfer of funds under § 104 (c) and (d) of Title 23, United States Code, as amended by section 111 of the Federal-Aid Highway Act of 1973.

§ 160.102 Requirements and conditions.

(a) Total transfers from an apportionment may not decrease the original apportionment by more than 40 per centum.

(b) Total transfers to an apportionment may not increase the original apportionment by more than 40 per centum.

(c) Funds transferred to any apportionment are to be expended under the provisions of law governing the expenditure of the apportionment to which the transfer is made.

(d) Funds under project agreement will not be eligible for transfer.

(e) Transfers are to be requested by the State highway department and approved by the Governor of the State and the Secretary of Transportation as being in the public interest. Requests for transfer of funds apportioned in accordance with 23 U.S.C. 104(b)(6) and allocated to any urbanized area of 200,000 population or more under 23 U.S.C. 150 shall also be approved by the local officials of such urbanized area. Pursuant to existing delegations of authority, the Federal Highway Administrator will act for the Secretary in approving such requests.

§ 160.103 Applicability.

(a) Transfer provisions of 23 U.S.C. 104(c) are applicable to primary, secondary, rural primary and rural secondary funds.

(b) Transfer provisions of 23 U.S.C. 104(d) are applicable to urban extension, urban system and TOPICS funds.

§ 160.104 Submission of request.

The request for transfer of funds is to be addressed to the Division Engineer and forwarded through the regional office to the Washington office for approval, accompanied by the recommendations of the Division Engineer and Regional Federal Highway Administrator.

Issued on July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16539 Filed 7-18-74;8:45 am]

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 630—PRECONSTRUCTION PROCEDURES

Subpart D—Geodetic Markers

Policy and Procedure Memorandum 20-9, which contains FHWA requirements for including the establishment of geodetic markers in Federal-aid highway projects, has been incorporated into the Federal-Aid Highway Program Manual. Portions of the Manual are hereby published.

General notice of proposed rulemaking is not required inasmuch as the material published relates to benefits or contracts pursuant to 5 U.S.C. 553(a)(2). The regulations will become effective on the date of issuance set forth below.

Issued on July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Title 23 is amended by adding a Part 630 as follows:

Sec.
630.401 Purpose.
630.402 Policy.
630.403 Initiation of projects.
630.404 Standards.

AUTHORITY: 23 U.S.C. §§ 101(a), 315; 23 CFR 1.48

§ 630.401 Purpose.

The purpose of this subsection is to prescribe procedures for conducting geodetic control surveys when participation with Federal-aid highway funds in the cost thereof is proposed and to encourage inter-agency cooperation in setting station markers, surveying to measure their position, and preserving the control so established.

§ 630.402 Policy.

(a) Geodetic surveys along Federal-aid highway routes may be programmed as Federal-aid highway projects.

(b) All geodetic survey work performed as a Federal-aid highway project will conform to National Ocean Survey (NOS) specifications. NOS will, as the representative of FHWA, be responsible for the inspection and verification of the work to ascertain that the specifications for the work have been met. Final project acceptance by FHWA will be predicated on a finding of acceptability by NOS.

§ 630.403 Initiation of projects.

All projects shall be coordinated by the FHWA Division Engineer, the State highway department and the National Ocean Survey.

§ 630.404 Standards.

(a) Highway purposes may best be served by the establishment of station markings for horizontal control along Federal-aid highway routes at spacings of three to eight kilometers (about 2 to 5 miles) and station markers for vertical control of spacings no closer than one kilometer. These requirements may be waived only with the approval of the Administrator.

(b) Projects should be of sufficient scope to permit efficient use of field parties. Projects should extend at least 30 kilometers. Projects may be coordinated with adjoining States to attain greater efficiency.

(c) Where geodetic station markers cannot be established initially at points readily accessible from the Federal-aid route, or where unavoidable circumstances result in their being established within construction limits, supplemental projects may later be approved to set and survey markers at satisfactory permanent points, preferably within the right-of-way but at points where their use does not introduce traffic hazards.

[FR Doc.74-16530 Filed 7-18-74;8:45 am]

PART 630—PRECONSTRUCTION PROCEDURES

Subpart G—Advance Construction of Federal-Aid Projects

As part of the Federal Highway Administration's program of converting the Agency's Policy and Procedure Memorandum to Regulations, the following new part is added to Title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 21-8 on Advance Construction of Federal-Aid Projects to Part 630 of Title 23 of the Code of Federal Regulations.

As no substantive change is made in current substantive policies or procedures, this part is made effective on date of issuance.

Title 23 is amended by adding a new Part 630 as follows:

Sec.
630.701 Purpose.
630.702 Requirements and Conditions.
630.703 Approval Actions.
630.704 Conversion to Federal-Aid projects.

AUTHORITY: 23 U.S.C. 104; 23 U.S.C. 113; 23 U.S.C. 115.

§ 630.701 Purpose.

The purpose of this regulation is to prescribe procedures for the construction by a State of projects on any of the Federal-aid systems, including the Interstate System in advance of apportionment of Federal-aid funds, and for the subsequent reimbursement to the State of the Federal share of the cost of the project, pursuant to 23 U.S.C. 115 as amended.

§ 630.702 Requirements and conditions.

(a) The State must have obligated the funds apportioned to it under 23 U.S.C. 104 of the particular class of funds for which the project is proposed.

(b) Any such project shall conform to the applicable standards adopted for roads on that system on which the project is located.

(c) The plans and specifications shall be approved prior to construction in the same manner as for other projects on the Federal-aid system involved.

(d) The prevailing wage rate provisions of 23 U.S.C. 113, as amended, shall apply.

(e) Advance construction projects are limited to the State's expected apportionment of Federal-aid funds authorized by the Congress but not yet apportioned to the States.

§ 630.703 Approval actions.

(a) Authorizations to proceed with preliminary engineering and the acquisition of rights-of-way shall be issued in the same manner as for regularly financed Federal-aid projects.

(b) Plans, specifications and estimates shall be submitted in the same manner and in the same detail as for regularly financed Federal-aid projects.

§ 630.704 Conversion to Federal-aid projects.

An advance construction project may be converted to a regularly financed Federal-aid project by approval of a State's written request for such action whenever sufficient apportioned Federal-aid funds of the particular class are available to cover the Federal pro rata share of the cost. Approval of the conversion action shall be at the level of delegated or redelegated authority for approval of regular Federal-aid programs.

This regulation will be effective on the date of issuance set forth below.

Issued on: July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16532 Filed 7-18-74;8:45 am]

PART 655—TRAFFIC OPERATIONS

Urban Traffic Operations Program To Increase Capacity and Safety (TOPICS)

Two Federal Highway Administration (FHWA) directives, Policy and Procedure Memorandum 21-18 and Instructional Memorandum 21-5-66, have heretofore set forth the Federal-aid provisions applicable to the Urban Traffic Operations Program to Increase Capacity and Safety or TOPICS. These directives have been consolidated, revised and prepared for addition to the Federal-Aid Highway Program Manual as Volume 6, Chapter 8, Section 2, Subsection 2.

Inasmuch as portions of this addition to the Program Manual prescribe policies, procedures and requirements of the FHWA relating to the expenditure of Federal-aid highway funds for the continuation of urban area traffic operations improvement programs under 23 U.S.C. 135, those portions are hereby published and will appear in the Code of Federal Regulations in Title 23, Chapter I, Subchapter G, Part 655, at Subpart A.

The matters affected relate to grants, benefits or contracts within the purview of 5 U.S.C. 553(a)(2), thus general notice of proposed rulemaking is not required and the regulations will be effective on the date of issuance set forth below.

Issued on July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Title 23 is amended by adding Part 655 as follows:

Subpart A—Urban Traffic Operations Programs To Increase Capacity and Safety (TOPICS)

Sec.
655.101 Purpose.
655.102 Definitions.
655.103 Policy.

Sec.
655.104 Procedures.
655.105 Eligibility.
655.106 Maintenance of traffic operations improvements.
655.107 Evaluation.

AUTHORITY: 23 U.S.C. 135; 23 U.S.C. 101(a); 23 U.S.C. 315; and 49 CFR 1.48(b).

§ 655.101 Purpose.

These regulations prescribe policies and procedures of the Federal Highway Administration (FHWA) relating to the expenditure of Federal-aid highway funds in urban areas for the continuation of the established urban traffic operations program to increase capacity and safety, henceforth referred to as TOPICS.

§ 665.102 Definitions.

The terms used in these regulations shall be defined in accordance with the definitions and usage of Title 23 of the United States Code (23 U.S.C.).

§ 655.103 Policy.

(a) Congress has found it to be in the national interest for each State to have a continuing program within the designated boundaries of urban areas designed to reduce traffic congestion and to facilitate the flow of traffic.

(b) TOPICS has been designed to provide the kinds of improvements which will achieve the maximum potential for capacity and safety of the city street system as it presently exists. TOPICS projects are projects of a traffic engineering nature and are operational kinds of improvements involving limited capital construction.

§ 665.104 Procedures.

(a) The Division Engineer of the FHWA shall determine that feasible traffic engineering measures have been fully considered in the development of short range transportation improvement programs for each urban area of more than fifty thousand population in accordance with the continuing, coordinated comprehensive transportation planning process (3C process) under 23 U.S.C. 134. This means that each urban area of more than fifty thousand population must have a short range transportation improvement program which includes traffic operational improvements arranged on a priority basis. In urban areas which do not have an ongoing 3C process, the Division Engineer shall determine that a continuing traffic engineering function is being carried out by the responsible local officials before approval of projects on any Federal-aid system.

(b) TOPICS projects shall be implement under normal Federal-aid urban and urban system program project procedures as established by this title, including the requirements of the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970", unless other procedures as approved by the Administrator are applicable.

(c) TOPICS projects are made up of miscellaneous kinds of work that are generally considered minor items on regular urban highway construction projects. Therefore, in accordance with 23 U.S.C. 101(e), the Division Engineer may authorize certain timesaving procedures for specific projects or for a program of projects, as follows:

(1) Clearinghouse requirement. Certain types of projects are of such a nature or magnitude that they will have no effect on decisions or public works activities of concern to clearinghouse agencies established under the Office of Management and Budget Circular A-95. The Division Engineer should work with the State to identify such types of projects and have the State develop agreements with appropriate areawide clearinghouses for the exemption of these projects from notification and review requirements or arrange for rapid screening.

(2) 3C Planning requirement. The Division Engineer may determine that the urban transportation planning process requirements promulgated under 23 U.S.C. 134 are not applicable if the project or projects will not result in an alteration of land use or traffic flow patterns that would require a significant change in planning completed or underway.

(3) Environmental statement requirement. Under the provisions of the Council on Environmental Quality (CEQ) Guidelines (40 CFR Part 1500) and the regulations of this agency promulgated thereunder, it may be determined that the project is of such a nature than an environmental impact statement is not required.

(4) Public hearing requirement. The Division Engineer may determine that the provisions of 23 CFR Part 790 which require public hearings and notification thereof are not applicable if the abbreviated procedures in (c) (1), (2), and (3) of this section are all utilized. If the State has an approved Action Plan containing public hearing procedures which was developed pursuant to 23 CFR Part 795, the hearing procedures of the State's Action Plan will apply.

(5) In addition to the procedures outlined in (c) (1) through (4) of this section, the Division Engineer should encourage the utilization of other timesaving procedures such as use of abbreviated plans, grouping of improvements as a single project, combining project action, and simplified inspection procedures.

§ 665.105 Eligibility.

(a) All types of traffic engineering improvements on the Federal-aid urban system and extensions of the Federal-aid primary and secondary systems in urban areas are eligible for Federal-aid funding.

(b) An offstreet replacement parking facility may be approved for participation with Federal-aid funds provided the following conditions are met:

(1) A determination is made that a TOPICS improvement cannot be successfully implemented unless replacement parking is provided as an integral part of the project.

(2) The removal of onstreet parking is an integral and necessary part of a highway project which will improve the safety and capacity of the facilities involved.

(3) Analysis of the utilization of existing on and offstreet parking space (both public and private) clearly establishes a need for replacement of parking space which will be eliminated by the proposed improvement project.

(4) The development of an offstreet parking facility is compatible with the masterplan and appropriate transportation improvement plans of the community and has the approval of the responsible local officials.

(5) Development of the offstreet parking facility does not result in displacement of people or businesses and does not require the acquisition of extensive right-of-way.

(6) The facility replaces onstreet parking spaces to be eliminated by the project and is located so as to serve the same businesses and clientele previously served by the onstreet parking spaces.

(7) Ownership of the offstreet parking facility is assumed by a public agency (State or city) which will be responsible for its maintenance and operation.

(8) Any fees charged for the use of the offstreet facility are to be used to control parking usage or to offset the cost for maintenance and operation of the facility, or both, but are not to be used to repay obligations incurred by the owner in connection with developing the facility.

(9) A showing is made that all feasible alternates have been considered prior to development of the recommended scheme including (a) the investigation of alternate sites for the offstreet facility, (b) modification in parking policies and enforcement of parking restrictions to discourage long term usage in pirme commercial locations, and (c) development of fringe and corridor parking facilities in combination with public transit in lieu of replacement parking in downtown areas.

(c) The Division Engineer is authorized to approve projects under section 655.105(a). Until further notice, projects for offstreet replacement parking facilities, section 655.105(b), must be submitted to the Regional Office of the FHWA for review and approval.

§ 655.106 Maintenance of traffic operations improvements.

Where the city or other local jurisdiction has a functional traffic engineering unit within its own organization, provision 10 of the Federal-Aid Project Agreement should be modified so that prior approval of changes in traffic and parking regulations will not be required. The existence of a functioning traffic engineering unit shall be determined by the State and concurred in by the Division Engineer, based on the demonstrated ability of the unit to apply and maintain sound traffic operations and control.

§ 655.107 Evaluation.

(a) The State shall annually evaluate its TOPICS program and make the results of the evaluation available to the FHWA so that an annual TOPICS report can be made to Congress as required by 23 U.S.C. 135(c).

(b) Evaluation programs may be financed under 23 U.S.C. 104(f), 307(c) and 402.

Effective date. The regulations in this subpart will take effect on July 15, 1974.

[FR Doc.74-16528 Filed 7-18-74;8:45 am]

SUBCHAPTER H—RIGHT-OF-WAY AND ENVIRONMENT

PART 710—RIGHT-OF-WAY—GENERAL

This amendment adds a new part, Part 710, to the regulations of the Federal Highway Administration.

Part 710 contains general requirements that govern the acquisition of real property for federally assisted highway projects.

It codifies requirements contained in Volume 7, Chapter 1 of the Federal-Aid Highway Program Manual. Many of these requirements were formerly contained in Policy and Procedure Memorandum (PPM) 80-1.

In consideration of the foregoing, effective immediately, Chapter 1 of Title 23, Code of Federal Regulations is amended by adding a new part "Part 710—Right-of-Way—General."

Subpart A—General Policy and Definitions

Sec.
710.101 Purpose.
710.102 Applicability.
710.103 Policy.
710.104 Definitions.

Subpart B—State Highway Department Responsibilities

710.201 Purpose.
710.202 Applicability.
710.203 General responsibilities.
710.204 Title III asurances.
710.205 Right-of-Way manuals.
710.206 Real property acquisition report.

Subpart C—Reimbursement Provisions

710.301 Purpose.
710.302 Applicability.
710.303 Reimbursement requirements and limitations.
710.304 Reimbursement policy.
710.305 Support for claims.
710.306 Withholding Federal participation.

Subpart D—Civil Rights

710.401 Purpose.
710.402 Applicability.
710.403 Definitions.
710.404 Policies.

AUTHORITY: (23 U.S.C. 315, 42 U.S.C. 4601 et seq.), 49 CFR Part 25, 23 CFR 1.4, 23 CFR 1.32, (42 U.S.C. 2000d et seq.), Executive Orders 11246, 11247, and 11375, 49 CFR Part 21.

Subpart A—General Policy

§ 710.101 Purpose.

(a) To prescribe the general policy of the Federal Highway Administration (FHWA) pertinent to the acquisition of real property for highway and related purposes.

(b) To define some fundamental terms used in FHWA right-of-way acquisition directives.

§ 710.102 Applicability.

The provisions of this subpart are applicable to all States and political subdivisions thereof in the acquisition of real property for any highway or highway related project in which Federal funds will participate in any part of the cost of the project.

§ 710.103 Policy.

It is the policy of the FHWA to encourage and cooperate with the States to expedite the acquisition of real property by agreement, to avoid litigation and relieve congestion in the courts, to assure consistent, equitable treatment of owners of property acquired for Federal and Federal-aid highway programs, and to promote public confidence in land acquisition practices related to those programs.

§ 710.104 Definitions.

(a) *FHWA.* The Federal Highway Administration.

(b) *State.* Any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and the Trust Territory of the Pacific Islands.

(c) *State Highway Department (SHD).* That department, commission, board or official of any State charged by its laws with the responsibility for highway construction.

(d) *Acquiring Agency.* (1) The State highway department, or

(2) Another State agency, or

(3) A political subdivision of the State, or

(4) The Federal Highway Administration.

(e) *To the Greatest Extent Practicable Under State Law.* For the purpose of implementing Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651, et seq.), "to the greatest extent practicable under State law" means if permitted by State law.

(f) *Initiation of Negotiations for the Parcel.* The date the acquiring agency makes the first personal contact with the owner, or his designated representative, of the parcel or property to be acquired for a Federal or Federal-aid project, where price is discussed.

(g) *Uneconomic Remant.* A remaining part of land, after a partial acquisition, that is of little or no utility or value to the owner.

(h) *Public Sale.* To offer for sale to the general public, either by sealed bid, public auction, or other method whereby the general public is given an opportunity to purchase under open, competitive conditions.

(i) *Right-of-Way Activities.* Those activities, including the acquisition of rights-of-way and relocation assistance, involved in providing right-of-way for Federal or federally assisted projects.

Subpart B—State Highway Department Responsibilities

§ 710.201 Purpose.

(a) To prescribe the general responsibility of a State highway department (SHD) relative to acquisition of rights-of-way for the Federal-aid highway systems.

(b) To provide for the submission of assurances by each SHD relative to Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651, et seq.).

(c) To prescribe the requirements for the preparation of an operational right-of-way manual by each SHD.

(d) To provide for the submission of an annual report by each SHD on its real property acquisition for Federal and federally assisted highway programs and projects.

§ 710.202 Applicability.

The provisions of this subpart are applicable to all States which receive Federal financial assistance in connection with the Federal-aid highway program.

§ 710.203 General responsibilities.

(a) *Acquisition.* The SHD has overall responsibility for the acquisition of right-of-way on all Federal-aid highway systems.

(b) *Right-of-Way Organization.* Each SHD shall have a right-of-way organization adequately staffed, equipped, and organized to discharge its right-of-way responsibilities.

(c) *Use of Other Public Right-of-Way Organizations.* The SHD may, by means of a written agreement, use the services of land acquisition organizations of counties, municipalities, or other State or local governmental agencies for acquiring rights-of-way for Federal-aid projects. Any such organization may be used only if it is adequately staffed, equipped, and organized to provide such services and if its practices and procedures are in substantial conformity with the SHD's accepted procedures or it will follow the SHD's accepted procedures. It is the responsibility of the SHD to fully inform political subdivisions of their responsibilities in connection with federally assisted highway projects. The SHD shall monitor real property acquisition activities conducted by political subdivisions to ascertain that right-of-way is acquired in accordance with provisions of State and Federal laws and as required by Federal Highway Administration (FHWA) directives.

(d) *Adequacy of Right-of-Way.* The interest acquired in all rights-of-way for Federal-aid highways shall be adequate for the construction, operation, and maintenance of the highway and for the protection of both the transportation facilities and the traveling public.

§ 710.204 Title III assurances.

(a) Each SHD shall submit to FHWA the assurances required by section 305 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4655).

(b) Unless statewide assurances that are acceptable to FHWA have been received, FHWA may not authorize:

(1) A State to proceed on any Federal-aid project with work which will result in an acquisition of an interest in real property, or

(2) Any federally assisted construction work to proceed on any rights-of-way acquired without Federal participation.

(c) The required assurances are:

(1) To the greatest extent practicable under State law, it will be guided in acquiring real property by the land acquisition policies in section 301 (42 U.S.C. 4651) and the provisions of section 302 (42 U.S.C. 4652), and

(2) Property owners will be paid or reimbursed for necessary expenses as specified in sections 303 and 304 (42 U.S.C. 4653–4654).

(d) Compliance with the provisions of sections 303 and 304 is mandatory.

(e) In the event a SHD maintains that it is legally unable to comply with any provision of section 301 or 302, it shall submit an opinion from the chief SHD legal officer, or other appropriate legal officer setting forth citations to the statutes, or other established legal authority which would prevent such compliance. In the absence of such legal opinion, the SHD shall be expected to comply with the provisions of sections 301 and 302.

(f) Assurances accepted by FHWA prior to the issuance of this directive remain in force. Revised assurances shall be submitted to FHWA if previously accepted assurances are affected by changes in State law.

§ 710.205 Right-of-way manuals.

(a) Each SHD shall submit in duplicate to FHWA for acceptance a manual which clearly describes the SHD's right-of-way organization and the policies, procedures, and practices it will follow where right-of-way is acquired for Federal-aid highway projects.

(b) In general, the manual should be developed for the SHD's internal use and be designed to assist SHD right-of-way personnel in complying with both State and Federal laws, regulations, directives and standards. The manual must be in sufficient detail to adequately describe particular functions, and the operational procedures through which those functions will be accomplished. It should be in sufficient depth to guide the operating right-of-way employee in how he is to perform his assigned duties. All phases of the acquisition program shall be covered.

(c) The SHD may use a format that meets its own needs.

(d) Until the SHD's manual is accepted under the provisions of this subpart, previously accepted policy and procedure statements currently applicable will remain in effect.

(e) The SHD is responsible for full compliance with FHWA requirements whether or not its manual currently reflects proper coverage of the requirements. Changes to a manual, because of new FHWA requirements or changes in State law, etc., shall be submitted to FHWA for acceptance within a reasonable period of time. FHWA approval of manual changes is not required prior to implementation by the SHD. In-house administrative type manual changes should be transmitted to FHWA for informational purposes.

§ 710.206 Real property acquisition report.

(a) For each fiscal year ending June 30, each SHD shall submit an annual report of its real property acquisitions for Federal and federally assisted highway programs. The report shall consist of:

(1) Statistical data. The statistical portion of the report shall include separate reports by highway systems, on Form FHWA–1434 (RCS HRW–10–07), for the total of all Federal and federally assisted highway program acquisitions. Acquisitions undertaken with only State or other funding shall not be reported.

(2) Narrative comments. The SHD should offer comment when significant actions have been accomplished, are contemplated or underway, or when otherwise appropriate, on the following items:

(i) A description of the actions taken by the SHD to establish uniform and equitable land acquisition policies for federally assisted highway programs.

(ii) The positive action plans, such as the preparation and promulgation of implementing rules and regulations, undertaken by the SHD to achieve uniform and equitable treatment for all persons having real property acquired for federally assisted highway programs.

(iii) The staffing and training performed and projections of staffing requirements and training programs required for the continuous administration of consistent, uniform and equitable treatment of owners from whom real property is acquired for federally assisted highway programs at the State, county, and city levels, as appropriate.

(iv) The provisions adopted by the SHD for coordination with Federal, other State, and local acquisition agencies.

(v) The progress of the SHD in implementing the provisions of 42 U.S.C. 4651–4655 (Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970), including its success, its problems, and the adverse effects, if any, on acquisition programs it conducts or administers.

(vi) The SHD's recommendations for further improvement in land acquisition programs and policies, and implementing laws and regulations, including any proposals for amendments or revisions to:

(*a*) Federal guidelines,

(*b*) Other agencies' regulations,

(*c*) Federal legislation, and

(*d*) State legislation.

(b) Annual reports are due in the Washington office of FHWA not later than August 1.

Subpart C—Reimbursement Provisions

§ 710.301 Purpose.

To set forth provisions governing reimbursement to a State highway department (SHD) for right-of-way costs incurred in connection with a Federal or Federal-aid highway project.

§ 710.302 Applicability.

The provisions of this subpart are applicable to all State claims for Federal-aid right-of-way reimbursement.

§ 710.303 Reimbursement requirements and limitations.

Participation in right-of-way costs incurred by the SHD for highway or highway related projects shall be under the circumstances and to the extent set forth below:

(a) When there has been approval of a program and the SHD has been authorized to proceed with right-of-way activities and, after the effective date of the authorization, the SHD legally obligates itself under State law to pay right-of-way costs.

(b) When costs are incurred in conformity with State law and Federal Highway Administration (FHWA) directives.

(c) When costs are recognized and recorded as an obligation in the accounts of the SHD.

(d) Federal-aid participation may not exceed the statutory limitation for the particular Federal-aid funds used.

(e) On projects financed under 23 U.S.C. 120(d) for the elimination of hazards of railway-highway crossings, participation in the right-of-way cost may not exceed 70 percent, with no increase in public land States.

(f) On public land highways and on defense access roads as defined in Title 23 U.S.C. 101a and 210, the extent of Federal participation will be in accordance with specific agreements between FHWA and the SHD.

(g) Reimbursement of costs shall be made only after the project agreement has been executed.

§ 710.304 Reimbursement policy.

(a) *Real Property Acquisition.* Federal funds may participate in payments made by the SHD for real property or interests therein acquired in accordance with applicable State and Federal law and FHWA directives. Unless otherwise provided, Federal funds may not participate in the costs of real property not incorporated into the final highway right-of-way.

(b) *Incidental Expenses.* (1) Federal funds may participate in any expenditure of a type normal to the operation of the SHD and incidental to the acquisition of rights-of-way, whether the acquisition is by negotiation or condemnation.

(2) Federal participation will not be allowed in charges for the administrative and overhead expenses of either the headquarters or field offices of the SHD

or other publicly maintained land acquisition organizations. When a supervisory or administrative employee is engaged in work chargeable to a specific project, Federal participation may be allowed in claims for salary and related expenses on that project in accordance with Volume 1, Chapter 4, Section 5, of the Federal-Aid Highway Program Manual.

(3) Federal funds may participate in the usual costs and disbursements chargeable to a condemning authority under State law as part of a valid bill of costs approved by a court in a condemnation proceeding. However, whether or not the costs are included in court judgments or awarded as court costs in litigated cases, Federal participation will not be permitted in the cost of a property owner's attorney fees, appraiser fees, expert witness fees, or similar costs which are paid by the SHD in connection with acquisition of rights-of-way, with the following exceptions:

(i) Where the final judgment is that the property cannot be acquired by condemnation, or

(ii) The proceeding is abandoned by the acquiring agency, or

(iii) An inverse condemnation proceeding is successfully maintained.

In any of the foregoing exceptions, participation will be limited to such sum as will in the opinion of the court or the head of the agency on whose behalf the proceeding was instituted, reimburse the owner for reasonable costs, disbursements, and expenses he actually incurred, including reasonable attorney, appraisal, and engineering fees.

(4) Federal funds may participate in payments by the SHD to a property owner for the following costs necessarily incurred in transferring property to the State:

(i) Recording fees, transfer taxes, and similar expenses incidental to conveying real property.

(ii) Penalty costs for prepayment of preexisting recorded mortgage entered into in good faith.

(iii) The pro rata portion of real property taxes paid which are allocable to a period subsequent to vesting of title in the SHD or effective date of possession by the SHD, whichever is earlier.

(c) *Taxes.* Federal participation will not be permitted in the payment of special assessments or in the payment of taxes, except as provided in subparagraphs (b) (4) and (d) (1) of this section.

(d) *Property Management.* (1) Federal funds may participate in the net cost incurred by the SHD in the leasing, rental, maintenance, disposal of improvements, protection, rodent control, and clearance of real property acquired for right-of-way purposes. Taxes or payments in lieu of taxes required to be paid by a SHD are a legitimate property management expense and may be deducted from the gross rentals received.

(2) Federal funds may not participate in property management or demolition costs on excess lands acquired by the SHD when Federal participation in the costs of the related right-of-way acquisition is based on the provisions of subparagraph (m) (1) of this section.

(3) Federal funds may participate in the net costs incurred by the SHD in the leasing, rental, maintenance, rodent control, protection and sale of excess lands when Federal participation in the cost of the related right-of-way acquisition is in accordance with subparagraph (m) (2) of this section. In such instances, Federal funds may participate in the disposal or removal of improvements only when required by law or when such action will clearly enhance the value of the excess.

(4) Where right-of-way is acquired for future construction, the SHD may desire to close out the project before the net amount of rentals or salvage has been established. In such event, Federal participation may be established on the basis of the present worth of the estimate future net rentals and salvage.

(e) *Access Rights.* (1) Where full or partial control of access is obtained on an existing highway, Federal funds may participate in the cost of access rights, whether or not other real property interest is acquired, providing the payments for the loss or impairment of access is based upon elements of damage generally compensable in eminent domain. Participation in these costs is not contingent upon further construction of the highway facility.

(2) Federal funds may not participate in payments for access rights where the controlled access highway is on a new location.

(f) *Material Sites.* Subject to the provisions of Volume 6, Chapter 4, Section 1, Subsection 6, of the Federal-Aid Highway Program Manual, Federal funds may participate as either a right-of-way or construction item in the costs of acquiring land or interests therein outside the normal right-of-way for the purpose of obtaining road building material to be made available to the contractor.

(g) *Permanent and Temporary Easements.* The cost of acquiring interests in lands outside the normal right-of-way is eligible for Federal participation as a right-of-way or construction item:

(1) For permanent use; such as for drainage or slope easements.

(2) For temporary use; such as for construction purposes or for right-of-way clearance.

(h) *Damages.* Federal funds may participate in severance or consequential damages, or both resulting from a highway project upon an affirmative showing that the acquiring agency is obligated to pay such damages under applicable law, provided that such damages are of a type generally compensable in eminent domain, and are determined by FHWA to be generally reimbursable on Federal-aid highway projects. Payments made for personal property (except as otherwise provided), loss of business or goodwill, circuity of travel, diversion of traffic, and other items of damage not generally compensable in eminent domain are not eligible for Federal participation.

(i) *Utility and Railroad Real Property.* (1) If a utility or railroad is displaced by a federally assisted highway project, Federal funds may participate in the cost of real property acquired by a SHD, utility, or railroad to replace real property owned by the railroad or utility and conveyed to the SHD for highway right-of-way as provided in Volume 1, Chapter 4, Sections 3 and 4, of the Federal-Aid Highway Program Manual.

(2) Federal funds may participate in the cost of acquisition of non-operating real property of a utility or railroad in the same manner as for other privately owned property.

(j) *Court Deposits and Interest Thereon.* (1) Federal funds may participate in the amount deposited in court in connection with the condemnation of a parcel when the deposit is:

(i) the amount of the SHD's approved estimate of just compensation, or

(ii) the amount established by court order, or

(iii) the amount established by other means required under State law as a condition of the SHD's obtaining possession of the right-of-way.

When the amount deposited exceeds the amount of the final settlement or award, the Federal share of the excess deposit shall be promptly credited to the project or be deducted from any payment due the SHD from FHWA on any Federal-aid project.

(2) Where, in the opinion of FHWA, the total payments on progress vouchers for the Federal share of court deposits become excessive, further payment may be withheld until the situation is remedied. The Federal share of the total amount of court deposits, plus the Federal share of other eligible expenses incurred on a project may not exceed the Federal funds included in the project agreement.

(3) Federal funds may participate in the cost of interest on the amount of the deposit into court for a period of not to exceed 45 days, from the date of deposit, where due to court procedures the deposit is not immediately available to the owner. Federal funds may not participate in such interest costs where the deposit is available but the owner chooses not to withdraw it.

(4) Where a condemnation settlement or award exceeds the amount deposited into court, Federal participation may be allowed in interest paid on the amount in excess of the deposit from the date of the original deposit until the date of settlement or award. Where court procedures prevent the amount from being delivered immediately following settlement or award, Federal participation may be allowed in interest paid on the excess amount for a period not to exceed 45 days following such settlement or award. When the SHD appeals an award, Federal participation may be allowed in the required interest payment on the excess until 45 days after the final determination.

(5) Federal participation shall not be allowed in interest cost on payments to

an owner where the SHD accepts a voluntary right of entry instead of making such payment available to the owner, either directly or by deposit with the court, except in cases of unusual circumstances with prior approval by FHWA. Where the final settlement or award exceeds the amount which could have ben deposited or paid, Federal participation in interest costs on the amount of the excess may be allowed from the date of physical entry upon the parcel, in accordance with subparagraph (j)(4) of this section.

(k) *Tenant Owned Improvements.* Federal participation may be allowed in payments made to a tenant for his buildings, structures, or other improvements which are acquired by a State to the extent that such payment is not a duplication of any payments otherwise authorized by law.

(l) *Exchanges of State Owned Lands.* When State owned lands are exchanged for lands required for highway purposes, Federal funds may participate in the current fair market value of the land being exchanged. This concept is conditioned in that participation in the total consideration, including land, any cash payments, and any construction features to mitigate damages, may not exceed the pro rata share of the fair market value of the land required for highway purposes plus damages.

(m) *Excess Acquisitions.* When only a portion of a property is required for highway right-of-way or highway related needs and the SHD elects to acquire a larger portion or the whole property, Federal participation will be in accordance with one of the following alternatives selected by the SHD for statewide application, as set forth in its Right-of-Way Operations Manual. The provisions of this paragraph do not apply to uneconomic remanants.

(1) First alternative:

Federal participation in the fair market value of the portion of the property required for the highway project plus damages, if any, to the remainder.

(2) Second alternative:

(i) The purpose of this alternative is only to provide an alternative means of establishing the amount of damages where only a part of a property is required for federally assisted highway project purposes. There will be no Federal participation in any relocation costs associated with that part of the tract acquired which is outside the right-of-way.

(ii) An initial installment of the Federal pro rata share of the cost of the land required for the project determined by apportioning the land cost of the entire tract between the part required and part remaining solely on the basis of area, plus the cost of improvmeents necessarily removed for the project, less salvage value of the improvements.

(iii) A final installment, representing the Federal share of damages to the remainder, will be the difference between the initial costs of the excess property, prorated as in subdivision (ii) above, and the price realized at a public sale of the excess property. The sale must be accomplished prior to submission of the final voucher for the project or not later than 2 years from the time the highway facility is opened to traffic, whichever is earlier. Should condemnation proceedings prevent sale of the excess property within the time limits described, the excess may be disposed of within 12 months of when the SHD can legally do so.

(iv) Two or more excess areas may be combined and sold in one transaction if the SHD anticipates a higher overall return by such action.

(v) Should the SHD not dispose of the excess property within the time limits set forth in subdivision (iii) of this subparagraph, Federal participation shall be limited as under subdivision (ii) of this subparagraph unless an exception is granted by FHWA or unless an alternative disposal procedure has been accepted by FHWA.

(n) *Uneconomic Remnants.* Federal funds may participate in the acquisition costs of uneconomic remnants whether or not the remnants are incorporated in the highway right-of-way.

(o) *Acquisition in Connection with other Federal or Federally Assisted Programs.* (1) Rights-of-way may be acquired by the SHD for a Federal-aid highway in coordination or cooperation with other Federal or federally assisted programs. The SHD and the agency involved shall set forth in an agreement or memorandum of understanding the responsibilities of each in the acquisition of real property involved and the basis for the sharing of costs. Such agreements should be executed during early stages of project development, and will not jeopardize future Federal participation in costs to the SHD, if the agreement does not constitute a binding request for conveyance of specified lands. The agreement should be in effect when a request for authorization to acquire is submitted to FHWA.

(2) Federal funds may participate in obligations for costs incurred by a SHD after FHWA authorization to proceed. For purposes of paragraph (o) of this section an obligation is incurred by the SHD on the date that the SHD commits itself to the acquiring agency through a binding request for conveyance of specified lands.

(3) Federal (FHWA) participation in costs incurred by the SHD shall be determined on the following basis, unless prior approval is obtained from FHWA for participation on some other basis:

(i) Where the project of the acquiring agency, such as an urban renewal agency, is developed without consideration of the highway project, and the land has been cleared at the time the SHD requests conveyance of specified lands, Federal (FHWA) participation may not exceed its pro rata share of the appraised value of the cleared land required. The appraised value shall be mutually acceptable to the SHD and the other agency involved. Where the same conditions exist except that improvements have not been removed at the time of request for conveyance, Federal (FHWA) participation may not exceed the fair market value as determined by costs to the acquiring agency.

(ii) Where the project of the acquiring agency, such as an urban renewal agency, was continued after written knowledge that highway project would be involved, whether or not the exact location thereof was known, Federal (FHWA) participation may not exceed the fair market value as determined by cost to the acquiring agency. It would not matter whether any improvements were removed before or after a request for conveyance is submitted. The SHD must assure itself that such real property acquisitions are in compliance with Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4651, et seq.).

(iii) "Cost to the acquiring agency," for purposes of Federal (FHWA) participation, may include the fair market value payment, incidental acquisition expenses, settlement costs, and clearance and demolition costs, subject to the agreement between the parties, but shall exclude interest on borrowed money, and administrative and overhead expenses. (See also § 740.9(d) of this subchapter regarding relocation matters.)

(iv) When the "cost to acquiring agency" forms the basis of value for participation, FHWA may accept either a parcel by parcel cost or an overall proration based on total area without regard to location of improvements within the acquiring agency's project area. Where a parcel by parcel basis is used, costs may be prorated on an area basis where only a part of a parcel is required for highway purposes.

(4) Where an urban renewal or any other such federally assisted agency performs work in connection with acquisition of rights-of-way for Federal or Federal-aid highway projects, FHWA may accept certifications of another Federal agency that the work has been performed in accordance with its governing regulations.

(p) *Separation of Functions.* (1) Except as provided in 23 CFR Part 750, Subpart D, Federal funds may not participate in the cost of acquisition of a property, or related incidental costs, where:

(i) Negotiations were conducted by a person who made an appraisal of or was the reviewing appraiser for the property, or

(ii) Payments have been delivered in person by those who have negotiated, appraised, or acted as reviewing appraiser for the property, or

(iii) Payments have been delivered in person by the attorney who negotiated a settlement with the owner.

(2) The provisions of paragraph (p)(1) of this section apply whether such person was a salaried employee of the SHD or other acquiring agency, or was retained on a fee basis.

(q) *Construction in Mitigation of Damages.* Costs of construction performed by the SHD in order to mitigate

damages to a remainder of real property are eligible for Federal participation, provided that such construction results in an appropriate reduction in compensation to be paid the owner.

§ 710.305 Support for claims.

(a) *Progress and Final Claims.* (1) Any progress or final claim for Federal fund reimbursement of expenditures made for right-of-way shall be supported by the following documents and information:

(i) A right-of-way map or plan showing the rights-of-way authorized and actually acquired including parcel identification numbers, area acquired, property lines of the area acquired, and any other pertinent data affecting the cost of right-of-way such as structures, improvements, and fences.

(ii) Statement of cost of right-of-way showing:

(a) Parcel number.

(b) Cost of parcel.

(c) Cost of excess land, if any, acquired from same ownership.

(d) Credits by parcel or project.

(e) Incidental expenses by parcel or project.

(f) Cost of construction performed in mitigation of damages on a parcel basis, if claimed as a rgiht-of-way item.

(2) The required documents and information may be submitted with the claim or made available in the SHD's files in readily identifiable form as determined appropriate by the FHWA in consultation with the SHD. Further, where a right-of-way map or plan which meets the requirements set forth in subdivision (a)(1)(i) of this paragraph has been previously submitted, the FHWA may accept such map or plan for final or progress claim purposes.

(3) The information required in subdivision (a)(1)(ii) of this paragraph may be submitted under current billing procedures where a memorandum of understanding on such procedures is in effect between the SHD and FHWA.

(b) *Document Availability.* All plats, appraisals, options, purchase agreements, title evidence, negotiation records, deeds, relocation assistance and payment records, and other data and documents relative to the acquisition of the right-of-way shall be available for inspection at reasonable times by authorized representatives of the FHWA and other authorized Federal representatives.

(c) *Federal-aid Project Numbers.* Right-of-way plans, contracts, deeds, appraisals, options, vouchers, correspondence, and all other documents and papers to which FHWA needs to refer shall carry the Federal-aid project number for ready identification.

§ 710.306 Withholding Federal participation.

(a) If the FHWA determines that any amount claimed is not adequately supported, it may approve Federal participation in the amount it determines is adequately supported and shall notify the SHD, in writing, citing the reasons why items and amounts are not eligible for Federal participation. Where correctable noncompliance with provisions of law or FHWA requirements exists, Federal funds may be withheld until compliance is obtained. Where the noncompliance is not correctable, the FHWA may deny participation in parcel or project costs in part or in total.

(b) If, at any time, the FHWA determines that the organization, practices, and procedures actually applied by the SHD are not in substantial conformity with those accepted by the FHWA, or are otherwise not acceptable, the FHWA shall notify the SHD in writing. No further authorizations for acquisition of right-of-way shall be issued by the FHWA after the date of such notification until:

(1) a review of the facts substantiates to the satisfaction of FHWA that the SHD's accepted practices and procedures are satisfactory and will be adhered to by the SHD, or

(2) revised practices and procedures have been submitted by the SHD and accepted by FHWA. The FHWA may participate in claims made or to be made by the SHD following review of the facts pertaining to the matter.

Subpart D—Civil Rights

§ 710.401 Purpose.

To prescribe the general policy of the Federal Highway Administration (FHWA) in the area of civil rights relative to the right-of-way acquisition function.

§ 710.402 Applicability.

The provisions of this section apply to all States and political subdivisions thereof which receive Federal financial assistance in connection with the Federal-aid highway program.

§ 710.403 Definitions.

As used in this subpart:

(a) "Recipient" means any State, territory, possession, the District of Columbia, Puerto Rico; any political subdivision or instrumentality thereof; any public or private agency, institution, organization, or other entity; or any individual in any State, territory, possession, the District of Columbia or Puerto Rico to whom Federal financial assistance is extended, directly or through another recipient, for any program, including any successor, assignee, or transferee thereof; but such term does not include any ultimate beneficiary under any such program.

(b) "Program" refers to the Federal-aid highway program under 23 U.S.C. 101, et seq.

§ 710.404 Policies.

(a) Section 601 of Title VI, Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.): "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

(b) *Section 162(a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 324):* "No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance under this title or carried on under this title. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under Title VI of the Civil Rights Act of 1964. However, this remedy is not exclusive, and will not prejudice or cut off any other legal remedies available to a discriminatee."

(c) *Equal Employment Opportunity.* (1) The FHWA's equal employment opportunity responsibilities have their basis in the Civil Rights Act of 1964, Executive Orders 11246, 11247, and 11375 and related rules, regulations, and procedures of the Civil Service Commission, the Department of Labor, the Department of Justice, the Department of Transportation, and the Equal Employment Opportunity Commission. These direct that affirmative and positive measures be taken to insure equal opportunity of employment in federally assisted programs and projects.

(2) It is the policy of the FHWA that every employee and representative of agencies to which this directive applies shall perform all official actions affirmatively and in full accord with the spirit and letter of the Constitution and applicable laws, regulations, and policies to assure equality of opportunity for all persons, and to avoid even the appearance of discrimination because of race, creed, color, sex, or national origin.

§ 710.405 Regulations.

(a) Section 602 of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1) states in pertinent part that each Federal agency empowered to extend Federal financial assistance is authorized and directed to effectuate the provision of section 601 by issuing the necessary rules, regulations, and orders. Pursuant to this requirement, 49 CFR 21 was issued by the Office of the Secretary of Transportation.

(b) In accordance with 23 U.S.C. 324, prohibition of discrimination on the ground of sex has been added to the provisions of 49 CFR 21 included within this directive.

(c) Discriminatory Action Prohibited:

(1) A recipient may not directly or through contractual or other arrangements, on the grounds of race, color, sex, or national origin:

(i) Deny a person any service, financial aid, or other benefit provided under the program;

(ii) Provide any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program;

(iii) Subject a person to segregation or separate treatment in any matter related to his or her receipt of any service, financial aid, or other benefit under the program;

(iv) Restrict a person, in any way, in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program;

(v) Treat a person differently from others in determining whether he or she satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit, provided under the program; or

(vi) Deny a person an opportunity to participate in the program through the provision of services or otherwise, or afford him or her an opportunity to do so which is different from that afforded others under the program.

(2) In determining the types of services, financial aid, or other benefits, or facilities which will be provided under any such program, or the class of person to whom, or the situations in which, such services, financial aid, other benefits, or facilities will be provided under any such program, or the class of persons to be afforded an opportunity to participate in any such programs, a recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, sex or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, sex or national origin.

(3) In determining the site or location of facilities, a recipient may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this directive applies, on the grounds of race, color, sex or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI of the Civil Rights Act of 1964 or this directive.

(4) As used in this directive, the services, financial aid, or other benefits provided under a program receiving Federal financial assistance, include any service, financial aid, or other benefit provided in or through a facility receiving Federal financial assistance.

(5) The enumeration of specific forms of prohibited discrimination in this directive does not limit the generality of the prohibition in § 710.404(a) and § 710.404(b).

(6) The provisions of this directive do not prohibit the consideration of race, color, sex or national origin if the purpose and effect are to remove or overcome the consequences of practices or impediments which have restricted the availability of, or participation in, the program or activity receiving Federal financial assistance, on the grounds of race, color, sex or national origin. Where previous discriminatory practice or usage tends, on the ground of race, color, sex or national origin, to exclude individuals from participation in, to deny them the benefits of, or to subject them to discrimination under any program or activity to which this directive applies, the recipient has an obligation to take reasonable action to remove or overcome the consequences of the prior discriminatory practice or usage, and to accomplish the purposes of the Civil Rights Act of 1964.

(d) *Specific Discriminatory Actions Prohibited:* (1) The State, acting through its highway department, may not discriminate in its selection and retention of contractors, including without limitation, those whose services are retained for or incidental to, acquisition of right-of-way, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisition of right-of-way.

(2) Federal-aid contractors may not discriminate in their selection and retention of first-tier subcontractors, and first-tier subcontractors may not discriminate in their selection and retention of second-tier subcontractors, who participate in Federal-aid highway acquisition of right-of-way.

(3) The State may not discriminate against the traveling public and business users of the federally assisted highway in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation, and vehicle servicing) constructed on, over, or under the right-of-way of such highways.

(4) Neither the State, any other persons subject to this part, nor its contractors and subcontractors may discriminate in their employment practices in connection with highway construction projects assisted by the Federal Highway Administration.

(e) *Intimidatory or Retaliatory Acts Prohibited.* No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Section 601 of the Civil Rights Act of 1964 or 49 CFR 21, or because he or she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. The identity of complainants shall be kept confidential except to the extent necessary to carry out the purposes of 49 CFR 21.

(f) *State Civil Rights Assurances.* Each State highway department has executed a Title VI Assurance providing that specific nondiscrimination provisions, as set forth in Appendix A to the Assurance, will be included in every contract subject to the Civil Rights Act of 1964 and the DOT Title VI Regulations (49 CFR 21). The Assurance further provides that the provision of Appendix C thereof shall be included in any future deeds, leases, permits, licenses, and similar agreements entered into by the State with other parties (1) for the subsequent transfer of real property acquired or improved under the Federal-aid highway program, and (2) for the construction or use of or access to space on, over, or under real property acquired, or improved, under the Federal-aid highway program. Accordingly, the provisions of Appendix A of the Title VI Assurance shall be included in all personal service right-of-way contracts, and the provisions of Appendix C to the Title VI Assurance shall be included in those documents enumerated above.

Issued on: July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16531 Filed 7-18-74;8:45 am]

PART 712—THE ACQUISITION FUNCTION

Subpart D—Right-of-Way Revolving Fund

The regulations of the Federal Highway Administration in Chapter I of Title 23 are hereby amended by adding to Part 712, entitled "Acquisition", new Subpart D, entitled "Right-of-Way Revolving Fund". This regulation prescribes Federal Highway Administration policy and procedure for the advance acquisition of rights-of-way for future Federal-aid highway construction using the right-of-way revolving fund established under 23 U.S.C. 108(c).

It revises material that appeared in former FHWA directive Policy and Procedure Memorandum (PPM) 80-12, and codifies material presently contained in FHWA's current directive, Federal-Aid Highway Program Manual, Volume 7, Chapter 2, Section 7.

General notice of proposed rulemaking is not required inasmuch as the material published relates to benefits or contracts pursuant to 5 U.S.C. § 553(a)(2). The regulations will become effective on the date of issuance set forth below.

Part 712 is amended by adding the following new sections.

Sec.
712.401 Purpose.
712.402 Policies.
712.403 Procedures.

AUTHORITY: (23 U.S.C. 108(c) and 315); 49 CFR 1.48(b); 23 CFR 1.32; secs. 7(c), (d), and (e) of the Federal-Aid Highway Act of 1968 (82 Stat. 819); (42 U.S.C. 4626).

§ 712.401 Purpose.

To prescribe Federal Highway Administration (FHWA) policy and procedure for the advance acquisition of rights-of-way using the right-of-way revolving fund established under 23 U.S.C. § 108(c).

§ 712.402 Policies.

(a) A revolving fund has been established for the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system.

(b) The funds advanced may be used to pay the entire costs (State and Fed-

eral share) of projects for the acquisition of rights-of-way, including related moving and relocation payments and last resort housing, utility relocations, and the net cost to the State of property management. Advancement of cash, repayment of cash, and accounting requirements shall be in accordance with 23 CFR Part 130 Subpart D, 39 FR 18093.

(c) Revolving funds and obligational authority will be allocated by FHWA to individual projects on a need-for-and-ability-to-use basis.

(d) Actual construction of a highway on rights-of-way, with respect to which revolving funds are advanced, shall be commenced within a period of not less than 2 years nor more than 10 years following the end of the fiscal year in which obligational authority is allocated to the right-of-way project, unless FHWA in its discretion shall provide an earlier termination date.

§ 712.403 Procedures.

(a) If a State highway department anticipates using the revolving fund during the next fiscal year, it shall by April 1 submit to FHWA an estimate of its total needs from the fund for the following fiscal year. Subsequent to review of the States' requests, the Regional Federal Highway Administrator will, by April 15 of each year, submit a request to the Land Acquisition Division, Office of Right-of-Way, for an allocation of funds to meet the needs of his region for the following fiscal year. The FHWA will be advised on the amount of revolving funds available after July 1 of each year. Based on this information, allocations will be made to each Regional Federal Highway Administrator.

(b) When a State highway department has a project it wishes to finance from the revolving fund or additional funds are needed for an existing revolving fund project, a letter asking for allocation of funds shall be submitted to FHWA.

(c) If funds are available, FHWA will allocate them to a specific project and authorize obligation of such funds.

(d) After the State has been advised of fund allocation, the project shall be programed, and right-of-way work shall be authorized by FHWA under regular Federal-aid procedures. Each regular project prefix number shall be preceded by the letter Q. The FHWA letter of authorization to proceed shall constitute an obligation of the right-of-way revolving fund. Revolving fund projects are subject to environmental, location, and design requirements in the same manner as regular Federal-aid projects.

(e) All right-of-way work on revolving fund projects shall be accomplished in accordance with procedures and requirements applicable to regular Federal-aid projects.

(f) If situations should develop which prevent work from progressing on individual right-of-way revolving fund projects in a timely manner, the State shall notify FHWA so that the obligational authority may be withdrawn.

Issued on: July 15, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-16529 Filed 7-18-74;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-311]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Fayette	Unincorporated areas	July 17, 1974. Emergency			
Arkansas	Phillips	Elaine, city of	do	Mar. 29, 1974		
Do	Poinsett	Lepanto, city of	do	Oct. 12, 1974		
Illinois	Pulaski	Mound, city of	do	Nov. 23, 1973		
Michigan	Benzie	Lake, township of	do			
Do	Oceana	Golden, township of	do			
Massachusetts	Norfolk	Norfolk, town of	July 10, 1970. Emergency Aug. 20, 1971. Regular. Mar. 1, 1974. Suspended. July 12, 1974. Reinstated.			
Minnesota	Lincoln	Unincorporated areas	July 17, 1974. Emergency			
Do	Wabasha	Wabasha, city of	do	Mar. 8, 1974		
New Hampshire	Merrimack	Concord, city of	do			
New York	Niagara	Porter, town of	do	Apr. 12, 1974		
Do	Onondaga	Camillus, village of	do	do		
Do	Ontario	Farmington, town of	do			
Do	do	Manchester, village of	do			
Do	do	Sneeca, town of	do			
Do	do	South Bristol, town of	do	June 7, 1974		
Pennsylvania	Bedford	Bedford, borough of	do			
Do	Northampton	Wilson, borough of	do			
Do	Potter	West Branch, township of	do			
South Carolina	Marlboro	Bennettsville, city of	do			
Texas	Harrison	Marshall, city of	do	Feb. 22, 1974		
Washington	Pierce	Orting, town of	do	Dec. 28, 1973		
Wisconsin	Rusk	Hawkins, village of	do			

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152, Dec. 24, 1969) (42 U.S.C. 4001-4127); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: July 10, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-16457 Filed 7-18-74;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 210-3]

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

States of Iowa and Missouri

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved with specific exceptions, the State plan for implementation of the National Ambient Air Quality Standards for the States of Iowa and Missouri. This publication contains amendments to the previous actions involving these States. The Administrator's approval/disapprovals are amended as a result of supplemental information and deletion of implementation plan requirements for prevention of emergency episodes.

The amendment for the State of Iowa is based on the supplemental information to the implementation plan which was submitted on May 4, 1972. This supplemental information could not be considered in the May 31, 1972 approval/disapproval notice because it was recently enacted legislation and was not effective until January 1, 1973. Provisions of this legislation allow the release of all emission data to the public; thus, the requirements pursuant to 40 CFR 51.11(a)(6) are fulfilled and the previous disapproval is revoked below.

The Missouri Implementation Plan was disapproved because it did not fulfill the emergency episode plan requirements specified at 40 CFR 51.16(c) and substitute regulations were promulgated by EPA. However, this disapproval and the regulations are now unnecessary because the provisions of § 51.16(c) were deleted at 38 FR 20832, on August 3, 1973. This disapproval and the regulations which were promulgated are revoked below.

These regulations are effective on August 19, 1974. The Agency finds that good cause exists for not publishing these regulations as a notice of proposed rule making, for the following reasons:

1. The Iowa Implementation Plan revision on information availability was adopted to cure a specific deficiency in legal authority and opportunity for comment is unnecessary.

2. Revocation of the disapproval on emergency episode plans is required by the previous deletion of 40 CFR 51.11(c), on which opportunity for comment was provided.

(42 U.S.C. 1857c-5)

Dated: July 15, 1974.

JOHN QUARLES,
Acting Administrator.

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

§ 52.823 [Revoked]

1. Section 52.823 is revoked.

§ 52.824 [Amended]

2. In § 52.824, paragraph (a) is revoked.

§ 52.1327 [Revoked]

3. Section 52.1327 is revoked.

[FR Doc.74-16616 Filed 7-18-74;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 238-5]

PART 428—RUBBER PROCESSING

Point Source Category; Corrections

In FR Doc. 74-3715 appearing on page 6663 in the issue of February 21, 1974, make the following changes:

1. In the metric units portion of the tables in §§ 428.12, 428.13 and 428.15 at page 6663 the headings now read: Metric units (kg/kkg of product); should read: Metric units (kg/kkg of raw material).

2. In the English units portion of the tables in §§ 428.12, 428.13 and 428.15 at page 6663 the headings now read: English units (kg/kkg of product); should read: English units (kg/kkg of raw material).

Dated: July 15, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-16610 Filed 7-18-74;8:45 am]

[FRL 238-6]

PART 432—MEAT PRODUCTS POINT SOURCE CATEGORY

Corrections

In FR Doc. 74-4385 appearing on pages 7894 through 7906 in the issue of February 28, 1974, make the following changes:

1. In the metric units portion of the table in § 432.13(b), at page 7898, the effluent limitation for average daily value for 30 consecutive days for TSS now reads "0.13"; the limitation should be "0.013."

2. In the English units portion of the table in § 432.22(c), at page 7900, the effluent limitations maximum for any 1 day for BOD5 and TSS now read "0.033" for BOD5 and ".066" for TSS respectively; the limitations should be "0.04" for BOD5 and "0.08" for TSS.

3. In the English units portion of the tables in all subsections cited below the effluent characteristic now reads "Do"; the effluent characteristic should be "Ammonia" in each of the following sections:

Section 432.15 (a), (b), (c), and (d), at page 7899;

Section 432.25 (a), (b), (c), and (d), at page 7901;

Section 432.35 (a), (b), (c), and (d), at page 7903; and

Section 432.45 (a), (b), (c), and (d), at page 7905.

Dated: July 15, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-16611 Filed 7-18-74;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 JUSTICE

Drug Enforcement Administration

[21 CFR Parts 1301, 1304, 1305, 1306]

NARCOTIC TREATMENT PROGRAMS

Proposed Regulatory Controls Relating to Registration, Security, and Recordkeeping

On May 14, 1974, President Richard M. Nixon signed Pub. L. 93–281, entitled, the "Narcotic Addict Treatment Act of 1974". The purpose of the Act is to amend the Controlled Substances Act of 1970 (Pub. L. 91–513; 84 Stat. 1236; (21 U.S.C. 801 et seq.)) to provide for the registration of practitioners conducting narcotic maintenance and detoxification treatment programs.

Section 2 of the Act adds two definitions to Section 102 of the Controlled Substances Act. "Maintenance treatment" is defined as the dispensing, for a period exceeding 21 days of a narcotic drug in the treatment of an individual for dependence upon heroin or other morphine-like drugs.

"Detoxification treatment" is defined as the dispensing of a narcotic drug to an individual in decreasing doses, for a period not to exceed twenty-one days, for the purpose of alleviating adverse psychological or physiological effects incident to withdrawal from the continuous or sustained use of a narcotic drug in order to bring the individual to a narcotic drug free state. The definition of detoxification inherently requires the use of decreasing doses in order to reach a drug free state.

Section 3 of the Act amends section 303 of the Controlled Substances Act containing registration requirements by adding a new subsection (g). This subsection provides that all practitioners who dispense narcotic drugs to individuals for maintenance or detoxification treatment shall annually obtain a separate registration for that purpose. The Administrator of the Drug Enforcement Administration (Administration) is directed to register an applicant to dispense narcotic drugs for maintenance or detoxification treatment if:

(1) The applicant is a practitioner who is determined by the Secretary of Health, Education, and Welfare, under standards established by the Secretary, to be qualified to engage in the type of treatment for which registration is sought;

(2) The Administrator determines that the applicant will meet the standards established by the Administrator with respect to security of stocks of narcotic drugs used in such treatment, and maintenance of records on such drugs; and

(3) The Secretary determines that the applicant will comply with standards established by the Secretary (after consultation with the Administrator) respecting the quantity of narcotic drugs which may be provided for unsupervised use by those in maintenance or detoxification programs.

This section preserves the distinctions found in the Controlled Substances Act between the functions of the Attorney General and the Secretary of Health, Education, and Welfare. All decisions of a medical nature are to be made by the Secretary of Health, Education, and Welfare. Law enforcement decisions respecting the security of stocks of narcotic drugs and the maintenance of records on such drugs are to be made by the Administrator. The Congress recognized that the release of quantities of narcotic drugs to individuals for their unsupervised use, primarily a medical judgment, may have some law enforcement ramifications. Therefore, before the Secretary establishes standards respecting the quantities of narcotic drugs which may be provided for such use, he is to consult with the Administrator.

The registration required under this section is separate and distinct from regular registration under the Controlled Substances Act. However, the amount of paperwork required of practitioners by this section will be minimal. This Act is not intended to impose a heavy new burden on practitioners, and every effort will be made to use registration forms which are brief, simple, and similar to other forms already in use.

Section 4(a) of the Act amends section 304(a) of the Controlled Substances Act which contains the denial, revocation, or suspension of registration by providing that a registration issued pursuant to section 303(g) may be revoked or suspended by the Administrator upon finding that the registrant has failed to comply with any of the standards required in section 303(g).

Section 4(b) amends section 304(d) of the Controlled Substances Act to provide that failure to comply with a standard referred to in section 303(g) may be treated as grounds for immediate suspension of a registration granted under that section.

Under current law, the registration of a practitioner can only be revoked if he does not have a State license, has been convicted of a felony, or has fraudulently applied for registration. This new subsection provides that in such instances, the Administrator may immediately revoke or suspend the narcotic treatment registration of any practitioner who does not meet the standards set forth in section 303(g).

The suspension or revocation of a registration issued under section 303(g) does not in any manner affect a practitioner's basic registration under the Controlled Substances Act. A practitioner who has lost his registration under section 303(g) would not lose his basic registration unless another provision of Section 304(a) is met.

Section 5 of the Act amends section 307(c)(I)(A) of the Controlled Substances Act so as to extend the recordkeeping requirements of section 307 to the prescribing or administering of a controlled substance by a practitioner in the course of maintenance or detoxification treatment of an individual.

These new recordkeeping requirements are not intended to change or add to the existing requirements of practitioners who do not engage in either detoxification or maintenance treatment.

The proposed regulations are intended in no way to restrict the authority that the Food and Drug Administration is already exercising in this area with regard to methadone treatment programs. The standards established by the Secretary of Health, Education, and Welfare (his designee, the Commissioner of the Food and Drug Administration) for methadone treatment are published in § 310.505 (formerly § 130.44) of this title. Any additional standards promulgated under this Act will be published in the FEDERAL REGISTER.

Therefore, under the authority vested in the Attorney General by 21 U.S.C. 821 and 823(g), and delegated to the Administrator of the Drug Enforcement Administration by 28 CFR 0.100, it is proposed that Parts 1301, 1304, 1305, and 1306 of Title 21 of the Code of Federal Regulations be amended as follows:

PART 1301—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS OF CONTROLLED SUBSTANCES

1. Section 1301.02 is amended by redesignating paragraph (d) as paragraph (f); paragraph (e) as paragraph (g); paragraph (f) as paragraph (j); paragraph (g) as paragraph (k); paragraph (h) as paragraph (l); paragraph (i) as paragraph (m) and by adding four new paragraphs as follows:

§ 1301.02 Definitions.

* * * * *

(d) The term "compounder" means any person engaging in maintenance or detoxification treatment who also mixes, prepares, packages or changes the dosage form of a narcotic drug listed in Schedules II, III, IV or V for use in maintenance or detoxification treatment where the activities of mixing, preparing, packaging or changing the dosage forms are carried out.

(e) The term "detoxification treatment" means the dispensing for a period not in excess of twenty-one days, of a narcotic drug or narcotic drugs in decreasing doses to an individual in order to alleviate adverse physiological or psychological effects incident to withdrawal from the continuous or sustained use of a narcotic drug and as a method of bringing the individual to a narcotic drug-free state within such period of time.

* * * * *

(h) The term "maintenance treatment" means the dispensing for a period in excess of twenty-one days, of a narcotic drug or narcotic drugs in the treatment of an individual for dependence upon heroin or other morphine-like drug.

(i) The term "narcotic treatment program" means a program engaged in maintenance and/or detoxification treatment with narcotic drugs.

* * * * *

2. Section 1301.11 is amended by adding a new paragraph (f) as follows:

§ 1301.11 Fee amounts.

* * * * *

(f) For each registration or reregistration to engage in a narcotic treatment program, including a compounder, the registrant shall pay a fee of $5.00.

3. Section 1301.22(a)(6) is amended and a new paragraph (a)(11) is added to read as follows:

§ 1301.22 Separate registration for independent activities.

(a) * * *

(6) Conducting a narcotic treatment program using any narcotic drug listed in Schedules II, III, IV or V. Each entity located away from the principal location at which place narcotic drugs are stored or dispensed must be separately registered.

* * * * *

(11) A compounder as defined by § 1301.02(d).

4. Section 1301.29 is added to read as follows:

§ 1301.29 Provisional registration of narcotic treatment programs; compounders.

(a) All persons currently approved by the Food and Drug Administration under § 310.505 (formerly § 130.44) of this title to conduct a methadone treatment program and who are registered by the Drug Enforcement Administration under this section will be granted a Provisional Narcotic Treatment Program Registration.

(b) The provisions of § 1301.45–1301.57 relating to revocation and suspension of registration, shall apply to a provisional registration.

(c) Unless sooner revoked or suspended under paragraph (b) of this section, a provisional registration shall remain in effect until (1) the date on which such person has registered under this section or has had his registration denied, or (2) such date as may be prescribed by written notification to the person from the Drug Enforcement Administration for the person to become registered to conduct a narcotic treatment program, whichever occurs first.

5. Section 1301.32 is amended by adding new paragraphs (a)(9) and (b)(9) as follows:

§ 1301.32 Application forms, contents, signature.

(a) * * *

(9) To conduct a narcotic treatment program, including a compounder, shall apply on DEA Form 362.

(b) * * *

(9) To continue to conduct a narcotic treatment program, including a compounder, shall apply on DEA Form 363.

6. Section 1301.72 is amended by revising the title to read as follows:

§ 1301.72 Physical security controls for non-practitioners; narcotic treatment programs and compounders for narcotic treatment programs; storage areas.

7. Section 1301.73 is amended by revising the title and first paragraph to read as follows:

§ 1301.73 Physical security controls for non-practitioners; compounders for narcotic treatment programs; manufacturing and compounding areas.

All manufacturing activities (including processing, packaging and labeling) involving controlled substances listed in any schedule and all activities of compounders shall be conducted in accordance with the following:

8. Section 1301.74 is amended by revising the title and by adding paragraphs (g), (h), (i), (j) and (k) to read as follows:

§ 1301.74 Other security controls for non-practitioners; narcotic treatment programs and compounders for narcotic treatment programs.

* * * * *

(g) The acceptance of delivery of narcotic substances by a narcotic treatment program shall be made only by a licensed practitioner employed at the facility or other authorized individuals designated in writing. At the time of delivery, the licensed practitioner or other authorized individual designated in writing, shall sign for the narcotics and place his specific title (if any) on any invoice. Copies of these signed invoices shall be kept by the distributor.

(h) Narcotics dispensed or administered at a narcotic treatment program will be dispensed or administered directly to the patient by either (1) the licensed practitioner, (2) a registered nurse under the direction of the licensed practitioner, (3) a licensed practical nurse under the direction of the licensed practitioner, (4) a pharmacist under the direction of the licensed practitioner, or (5) a program employee other than a person enrolled in a narcotic treatment program authorized by the practitioner in writing in advance.

(i) Persons enrolled in a narcotic treatment program will be required to wait in an area physically apart from the narcotic dispensing area. This requirement will be enforced by the program physician and employees.

(j) All narcotic treatment programs must comply with standards established by the Secretary of Health, Education, and Welfare (after consultation with the Administration) respecting the quantities of narcotic drugs which may be provided to persons enrolled in a narcotic treatment program for unsupervised use.

(k) DEA may exercise discretion regarding the degree of security required in narcotic treatment programs based on such factors as the location of a program, the number of patients enrolled in a program and the number of physicians, staff members and security guards. Similarly, such factors will be taken into consideration when evaluating existing security or requiring new security at a narcotic treatment program.

PART 1304—RECORDS AND REPORTS OF REGISTRANTS

9. Section 1304.04 is amended by revising paragraph (b) to read as follows:

§ 1304.04 Maintenance of records and inventories.

* * * * *

(b) Each registered manufacturer, distributor, importer, narcotic treatment program and compounder for narcotic treatment program shall maintain inventories and records of controlled substances as follows:

* * * * *

10. Section 1304.28 is added to read as follows:

§ 1304.28 Records for maintenance treatment programs and detoxification treatment programs.

(a) Each person registered or authorized (by § 1301.22 of this chapter) to maintain and/or detoxify controlled substance users in a narcotic treatment program shall maintain records with the following information for each narcotic controlled substance:

(1) Name of substance;

(2) Strength of substance;

(3) Dosage form;

(4) Adequate identification of patient (consumer);

(5) Amount consumed;

(6) Amount and dosage form taken home by patient; and

(7) Dispenser's initials.

(b) The records required by paragraph (a) of this section will be maintained in a dispensing log at the narcotic treatment program site. All sites which compound a bulk narcotic solution from bulk narcotic powder to liquid for on-site use must keep a separate batch record of the compounding.

(c) Records of identity, diagnosis, prognosis, or treatment of any patients which are maintained in connection with the performance of a narcotic treatment program shall be confidential, except that such records may be disclosed for purposes and under the circumstances authorized by Part 310 and Part 1401 of this title.

11. Section 1304.29 is added to read as follows:

§ 1304.29 Records for treatment programs which compound narcotics for treatment programs and other locations.

Each person registered or authorized by Section 1301.22 of this chapter to compound narcotic drugs for off-site use in a narcotic treatment program shall maintain records which include the following information for each narcotic drug:

(a) For each narcotic controlled substance in bulk form to be used in, or capable of use in, or being used in, the compounding of the same or other non-controlled substances in finished form;

(1) The name of the substance;

(2) The quantity compounded in bulk form by the registrant, including the date, quantity and batch or other identifying number of each batch compounded;

(3) The quantity received from other persons, including the date and quantity of each receipt and the name, address and registration number of the other person from whom the substance was received;

(4) The quantity imported directly by the registrant (under a registration as an importer) for use in compounding by him, including the date, quantity and import permit or declaration number of each importation.

(5) The quanity used to compound the same substance in finished form, including:

(i) The date and batch or other identifying number of each compounding;

(ii) The quantity used in the compound;

(iii) The finished form (e.g., 10-milligram tablets or 10-milligram concentration per fluid ounce or milliliter):

(iv) The number of units of finished form compounded;

(v) The quantity used in quality control;

(vi) The quantity lost during compounding and the causes therefore, if known;

(vii) The total quantity of the substance contained in the finished form;

(viii) The theoretical and actual yields; and

(ix) Such other information as is necessary to account for all controlled substances used in the compounding process;

(6) The quantity used to manufacture other controlled and non-controlled substances; including the name of each substance manufactured and the information required in subparagraph (5) of this paragraph;

(7) The quantity distributed in bulk form to other programs, including the date and quantity of each distribution and the name, address and registration number of each program to whom a distribution was made;

(8) The quantity exported directly by the registrant (under a registration as an exporter), including the date, quantity, and export permit or declaration number of each exportation; and

(9) The quantity disposed of by destruction, including the reason, date and manner of destruction.

(b) For each narcotic controlled substance in finished form:

(1) The name of the substance;

(2) Each finished form (e.g., 10-milligram tablet or 10-milligram concentration per fluid ounce or milliliter) and the number of units or volume or finished form in each commercial container (e.g., 100-tablet bottle or 3-milliliter vial);

(3) The number of containers of each such commercial finished form compounded from bulk form by the registrant, including the information required pursuant to subparagraph (5) of paragraph (a) of this section;

(4) The number of units of finished forms and/or commercial containers received from other persons, including the date of and number of units and/or commercial containers in each receipt and the name, address and registration number of the person from whom the units were received;

(5) The number of units of finished forms and/or commercial containers imported directly by the person (under a registration or authorization to import), including the date of, the number of units and/or commercial containers in, and the import permit or declaration number for, each importation;

(6) The number of units and/or commercial containers compounded by the registrant from units in finished form received from others or imported, including:

(i) The date and batch or other identifying number of each compounding;

(ii) The operation performed (e.g., repackaging or relabeling);

(iii) The number of units of finished form used in the compound, the number compounded and the number lost during compounding, with the causes for such losses, if known, and

(iv) Such other information as is necessary to account for all controlled substances used in the compounding process;

(7) The number of containers distributed to other programs, including the date of a number of containers in each distribution, and the name, address and registration number of the program to whom the containers were distributed;

(8) The number of commercial containers exported directly by the registrant (under a registration as an exporter), including the date, number of containers and export permit or declaration number for each exportation; and

(9) The number of units of finished forms and/or commercial containers destroyed in any manner by the registrant, including the reason, the date and manner of destruction.

PART 1305—ORDER FORMS

12. Section 1305.08 is amended by adding a new paragraph (e) to read as follows:

§ 1305.08 Persons entitled to fill order forms.

* * * * *

(e) A person registered as a compounder of narcotic substances for use at off-site locations in conjunction with a narcotic treatment program at the compounding location, who is authorized to handle Schedule II narcotics, is authorized to fill order forms for distribution of narcotic drugs to off-site narcotic treatment programs only.

PART 1306—PRESCRIPTIONS

13. Section 1306.04 is amended by revising paragraph (c) to read as follows:

§ 1306.04 Purpose of issue of prescription.

* * * * *

(c) A prescription may not be issued for the dispensing of narcotic drugs listed in any schedule for "detoxification treatment" or "maintenance treatment" as defined in Section 102 of the Act (21 U.S.C. 802).

14. Section 1306.07 is amended to read as follows:

§ 1306.07 Administering or dispensing of narcotic drugs.

(a) The administering or dispensing directly (but not prescribing) of narcotic drugs listed in any schedule to a narcotic drug dependent person for "detoxification treatment" or "maintenance treatment" as defined in section 102 of the Act (21 U.S.C. 802) shall be deemed to be within the meaning of the term "in the course of his professional practice or research" in section 308(e) and section 102(20) of the Act [21 U.S.C. 828(e)]: *Provided*, That the practitioner is separately registered with the Attorney General as required by section 303(g) of the Act [21 U.S.C. 823(g)] and thereafter complies with the regulatory standards imposed relative to treatment qualification, security, records and unsupervised use of drugs pursuant to such Act.

(b) Nothing in this section shall prohibit a physician who is not specifically registered to conduct a narcotic treatment program from administering (but not prescribing) narcotic drugs to a person for the purpose of relieving acute withdrawal symptoms when necessary while arrangements are being made for referral for treatment. Not more than one day's medication may be administered to the person or for the person's use at one time. Such emergency treatment may be carried out for not more than three days and may not be renewed or extended.

(c) This section is not intended to impose any limitations on a physician to administer or dispense narcotic drugs in a hospital to maintain or detoxify a person as an incidental adjunct to medical or surgical treatment of conditions other than addiction, or to administer or dispense narcotic drugs to persons with intractable pain in which no relief or cure is possible or none has been found after reasonable efforts.

All interested persons are invited to submit their comments and objections, in writing, regarding this proposal. Comments and objections should be submitted in quintuplicate to the Office of Chief Counsel, Drug Enforcement Administration, Department of Justice, Room 1203, 1405 Eye Street, NW, Washington, D.C. 20537, and must be received on or before September 3, 1974.

Dated: July 12, 1974.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.74-16525 Filed 7-18-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 16]

INJURIOUS WILDLIFE

Notice of Hearing

Correction

In FR Doc. 74-14311 appearing in the first column on page 22427, in the issue of June 24, 1974, the address now reading "1130 NW. 27th Ave.", should read "11380 NW. 27th Ave."

Dated: July 15, 1974.

DOUGLAS P. WHEELER,
Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc.74-16484 Filed 7-18-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 29, 1464]

TOBACCO

Allocation of Tobacco Inspection Service; Eligibility for Price Support

Notice is hereby given that the Department is considering the further amendment of its regulations (published at 39 FR 17753) relating to tobacco inspection and price support services with regard to flue-cured tobacco by amending Subpart A—Tobacco Loan Program (7 CFR Part 1464) and Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets (7 CFR Part 29). The proposed amendments would establish separate sales schedules for designated and undesignated tobacco, restrict the warehouseman's ability to sell undesignated tobacco during the period allocated for designated sales, restrict the amount of tobacco, beyond his authorized sales quota, which a warehouseman could sell in any one day, and establish a procedure for the industry to nominate members for the Secretary's appointment to the Flue-Cured Tobacco Advisory Committee. The aforesaid policy statement and regulations are statements of agency policy and rules and regulations issued pursuant to the authority of the Tobacco Inspection Act (49 Stat. 731, (7 U.S.C. 511, et seq.)), the Agricultural Act of 1949, as amended (63 Stat. 1051, (7 U.S.C. 1421, et seq.)); and the Commodity Credit Corporation Charter Act (62 Stat. 1070, as amended (15 U.S.C. 714 et seq.)).

STATEMENT OF CONSIDERATION

At its June 21, 1974 meeting, which reconvened June 28, 1974, the Flue-Cured Tobacco Advisory Committee recommended that the Secretary consider further amending the amendments to Title 7, Code of Federal Regulations, Part 29 which were published in the FEDERAL REGISTER of May 20, 1974 (39 FR 17753). The Committee recommended sales schedules which would provide separate selling time for the sale of designated tobacco and for undesignated tobacco. The inspection of flue-cured tobacco would be in accordance with the two schedules. Warehousemen would be allowed to sell designated tobacco during the sales time authorized for undesignated tobacco but undesignated tobacco could only be sold during time allotted for sale of undesignated tobacco. The Committee felt that, inasmuch as producers could designate up to 110 percent of their quota but in fact would only grow an average of approximately 95 percent of their quota, warehousemen in certain geographical areas would have excess selling time allotted to them. Such excess selling time cannot be determined definitely enough to eliminate it from the selling schedules. An incentive is thereby provided warehousemen to utilize such excess selling time by attempting to attract tobacco from other marketing areas by encouraging growers to cancel their designations and sell at the distant market. If this were done, it would tend to negate the intent and purpose of the marketing system which the May 20, 1974 amendments to Part 29 sought to establish. The incidence of this type of activity would be curtailed substantially by the selling schedules prescribing separate selling times for designated and undesignated tobacco. The information available to the Committee also indicated that, of the tobacco actually planted, only a relatively small amount was not designated by the growers. Allowing warehousemen to sell designated tobacco during time allotted for undesignated tobacco sales would provide warehousemen with the flexibility to speed up the sale of designated tobacco and further discourage the incentive to encourage growers in other areas to cancel their designations to provide tobacco for undesignated tobacco sales time.

The Committee further recommended that no warehouseman be allowed to exceed his authorized sales volume for any given sales day by more than 2500 pounds for designated tobacco or 500 pounds for undesignated tobacco. Under the regulations as currently constituted, a warehouseman could sell three times his daily tobacco volume in any one sales day and still come into compliance on the third day. The Committee did not believe that this was the intent of the Secretary in enacting the amendment and, therefore, requested the correction. They further recommended that a warehouse which was within 100 pounds in adjusting its excess sales to the selling schedules would be considered in compliance with such schedules. This was based on the fact that as a practical matter it is difficult for the warehouse to achieve the exact poundage necessary for compliance and that 100 pounds is within the warehouse's ability and, at the same time, is not so significant an amount that it would interfere with the selling schedules.

The Committee also requested that the Secretary formally adopt a specific method for receiving nominations from the industry for membership on the Committee in order to assure the industry that the current balance which the industry approves is assured.

All persons who desire to submit written data, views, or arguments for consideration in connection with these proposals may file the same in four copies with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than July 26, 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)).

PART 29—TOBACCO INSPECTION

The proposed amendments to Subpart G, Part 29, are as follows:

1. Revise § 29.9403 as set forth below:

§ 29.9403 Flue-Cured Tobacco Advisory Committee.

(a) To assist the Secretary in making the apportionment and assignment of inspectors, a Flue-Cured Tobacco Advisory Committee, appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. Appendix I), shall advise and recommend to the Secretary marketing area opening dates and selling schedules for both designated and undesignated flue-cured tobacco to be sold in each marketing area and in each warehouse within each marketing area.

(b) The Committee shall consist of 35 representatives of the flue-cured tobacco industry—20 producers, 7 warehousemen and 8 buyers.

(c) Recommendations to the Secretary for producer membership on the Committee will be received from the following organizations: one each from the Florida Farm Bureau and the South Carolina Grange, two each from the Georgia Farm Bureau, the South Carolina Farm Bureau and the Virginia Farm Bureau, four from the North Carolina Grange and eight from the North Carolina Farm Bureau.

(d) Recommendations for the seven warehouse representatives shall be received from the various belt warehouse associations.

(e) Recommendations for the eight buyer representatives shall be received: five from the Tobacco Association of the United States and one each from Philip Morris, Inc., P. Lorillard Co. and R. J. Reynolds Tobacco Co.

2. Amend § 29.9404 as follows:

§ 29.9404 Marketing area opening dates and marketing schedules.

(a) The Flue-Cured Tobacco Advisory Committee shall recommend, to the Secretary, marketing areas in the flue-cured tobacco production area, marketing area opening dates and selling schedules for both designated and undesignated tobacco for each marketing area and for the individual warehouses in each marketing area, which specify the length of time inspectors will be available to inspect designated tobacco and undesignated tobacco and/or the quantity of designated or undesignated tobacco to be marketed in each area and through each warehouse within such marketing area. In developing such opening date and selling schedules, the committee shall take into account the following:

* * * * *

(b) The Flue-Cured Tobacco Advisory Committee shall thereupon submit its recommended opening date and selling schedules for designated and undesignated tobacco and the geographic areas to be included in specific marketing areas to the Secretary together with a basis supporting its recommendations.

3. Revise § 29.9405(a) as follows:

§ 29.9405 Issuance of marketing area opening date and selling schedules by the Secretary.

(a) The Secretary shall review the recommendations of the Flue-Cured Tobacco Advisory Committee and based upon such recommendations and the basis therefor and such other information as may be available to him, shall specify the geographic areas to be encompassed by specific marketing areas, set the opening dates for sale within the marketing areas and issue the selling schedules for designated and undesignated tobacco. The inspection of flue-cured tobacco shall be in accordance with said schedules.

* * * * *

4. Section 29.9406 is revised as follows:

§ 29.9406 Failure to comply with opening date and selling schedule by warehouses.

(a) Each warehouse shall comply with opening date and selling schedules issued by the Secretary for designated and undesignated flue-cured tobacco; however, the warehouseman may sell designated tobacco during the period of time allotted for undesignated tobacco sales to the extent that undesignated tobacco is not available for sale at his warehouse.

(b) Except as provided in paragraph (c) below, on any sales day, a warehouseman sells tobacco in excess of that allowed by the selling schedules, such excess amount shall be deducted from the quantity of tobacco authorized to be sold at that warehouse on either of the following two sales days. If such reduction in the quantity of tobacco sold is not made by the warehouse within such two days, no tobacco inspection or price support services shall be made available at such warehouse on the next succeeding sales day. However, any adjustment which is within 100 pounds of the required reduction shall be considered as in compliance with this section.

(c) If, on any sales day, a warehouseman sells 2500 pounds or more of designated tobacco, or 500 pounds or more of undesignated tobacco in excess of that authorized to be sold at that warehouse on that day, no tobacco inspection or price support services shall be made available at such warehouse on the next succeeding sales day.

PART 1464—TOBACCO

Section 1464.2 is amended by revising paragraph (e) (2) (viii).

§ 1464.2 Availability of price support.

* * * * * *

(e) * * *

(2) * * *

(viii) Failure to comply with opening date and selling schedule by warehouses. (*a*) Except as provided in paragraph (b) below, on any sales day a warehouse sells tobacco in excess of that allowed by the opening date and designated and undesignated tobacco selling schedules issued in accordance with Part 29 of this title, such excess amount shall be deducted from the quantity of tobacco authorized to be sold at that warehouse on either of the following two sales days. If such reduction in quantity of tobacco sold is not made by the warehouse within such two days, no tobacco inspection or price support shall be made available at such warehouse on the next succeeding sales day. However, any adjustment which is within 100 pounds of the required reduction shall be considered as in compliance with this section.

(*b*) If, on any sales day, a warehouseman sells 2500 pounds or more of designated tobacco, or 500 or more pounds of undesignated tobacco in excess of that authorized to be sold at that warehouse on that day, no tobacco inspection or price support services shall be made available at such warehouse on the next succeeding sales day.

* * * * *

Done at Washington, D.C. this 15th day of July, 1974.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.74-16512 Filed 7-18-74;8:45 am]

Agricultural Stabilization and Conservation Service

[7 CFR Parts 29, 1464]

TOBACCO

Allocation of Tobacco Inspection Service; Eligibility for Price Support

CROSS REFERENCE: For a document issued jointly by the Agricultural Marketing Service and the Agricultural Stabilization and Conservation Service pertaining to the above matters, see FR Doc. 74-16512, *supra*.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 74-SW-18]

BELL HELICOPTERS

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Bell Model 212 helicopters. There have been two reports of cracked inboard ribs and other reports of cracked outboard ribs on the synchronized elevators that could possibly result in failure of an elevator. Since this condition is likely to occur on other Model 212 helicopters of the same type design, the proposed directive would require a modification to the synchronized elevator on Bell Model 212 helicopters.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before August 22, 1974, will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Office of Regional Counsel for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BELL. Applies to Bell Model 212 helicopters serial numbers 30501 through 30593, certificated in all categories.

Compliance required within the next 100 hours time in service after the effective date of the A.D., unless already accomplished.

To prevent possible failure of the synchronized elevator ribs with resulting loss of the elevator, modify the right and left elevators as specified in Part III of Bell Helicopter Company Service Bulletin No. 212-01-74-2 dated March 27, 1974, or later FAA approved revision.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already re-

ceived these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C. A historical file on this A.D. which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Texas.

Issued in Fort Worth, Texas on July 8, 1974.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc.74-16481 Filed 7-18-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 115]

[FRL 238-4]

AQUACULTURE PROJECTS

Extension of Comment Period

On June 13, 1974, the Environmental Protection Agency (EPA) published a notice of proposed rulemaking pursuant to sections 318 and 501 of the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 et seq. (39 FR 20770). The proposed regulation establishes requirements for the approval of discharges of pollutants to aquaculture projects. The due date for comments provided in the notice was July 15, 1974.

Several requests for an extension of time in which to comment have been received by EPA from interested persons who indicated that additional time was required in which to prepare and submit meaningful comments.

EPA has decided that an extension of time to August 15, 1974 is reasonable. Accordingly, the date for submission of comments is hereby extended to and including August 15, 1974.

JAMES L. AGU,
Assistant Administrator for Water and Hazardous Materials.

JULY 16, 1974.

[FR Doc.74-16612 Filed 7-18-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 20023]

CABLE TELEVISION TECHNICAL STANDARDS

Advisability of Federal Preemption and Imposition of Moratorium on Non-Federal Standards: Order Extending Time for Filing Comments and Reply Comments

Amendment of Part 76 of the Commission's rules and regulations relative to an inquiry on the need for new regulations in the area of transfers of control of cable television franchises.

1. Initial comments in the captioned proceeding (46 FCC 2d 175) are now due July 12, 1974. By letter of July 8, 1974, Charles H. Helein, Esquire, requested an extension of time in which to file comments until July 26, 1974, indicating that the burden of filing comments in the numerous pending cable television related proceeding necessitates the requested extension if well-considered and thorough comments are to be filed in this proceeding.

2. It appearing that good cause therefor has been shown, we will grant the requested extension of time.

Accordingly, it is ordered, That the dates for filing comments and reply comments in the captioned proceeding are extended to and including July 26, 1974 and August 13, 1974, respectively.

This action is taken by the Chief, Cable Television Bureau, pursuant to authority delegated by § 0.289 of the Commission's rules and regulations.

Adopted: July 10, 1974.

Released: July 11, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DAVID D. KINLEY,
Chief, Cable Television Bureau.

[FR Doc.74-16515 Filed 7-18-74;8:45 am]

[47 CFR Part 76]

[Docket No. 19995]

CABLE TELEVISION; NETWORK PROGRAM EXCLUSIVITY

Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Subpart F of Part 76 of the Commission's rules and regulations with respect to network program exclusivity protection by cable television systems.

1. On April 9, 1974, the Commission released its notice of inquiry and proposed rulemaking in the above-entitled proceeding, setting deadlines of June 17, 1974, and July 5, 1974, for comments and reply comments respectively. In response to petitions for extension of time filed by the Association of Maximum Service Telecasters, the National Association of Broadcasters and several other parties the Commission, by order released June 7, 1974, (39 FR 20813) extended the time for filing comments to July 17, 1974 and for reply comments to August 12, 1974.

2. On July 8, 1974 the National Cable Television Association (NCTA) filed a petition for an additional 15 day extension of time, until July 30, 1974, in which to file comments. NCTA states that this additional period is needed to complete the compilation of data to be submitted to the Commission in this proceeding.

3. We will grant NCTA's petition to extend the time for filing comments in Docket 19995, it appearing that the public interest would be served by so doing.

Accordingly, it is ordered, That the dates for filing comments and reply comments in Docket No. 19995 are extended to and including July 30, 1974 and August 27, 1974, respectively.

This action is taken by the Chief, Cable Television Bureau, pursuant to authority delegated by § 0.289(c)(4) of the Commission's rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] DAVID D. KINLEY,
Chief, Cable Television Bureau.

[FR Doc.74-16516 Filed 7-18-74;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 304]

PERMANENT MARKING FOR IMITATION POLITICAL AND IMITATION NUMISMATIC ITEMS

Opportunity To Submit Data, Views or Comments

Notice is hereby given that the Federal Trade Commission, pursuant to the Hobby Protection Act, 15 U.S.C. 2101, et seq., the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., the provisions of Part 1, Subpart B of the Commission's Procedures and Rules of Practice, 16 CFR 1.11, et seq., and section 553 of Subchapter 11, Chapter 5, U.S.C., has initiated a proceeding for the promulgation of regulations to implement the Hobby Protection Act.

Accordingly, the Commission proposes the following regulations under the Hobby Protection Act:

§ 304.1 **Terms defined.**

(a) "Act" means the Hobby Protection Act (approved November 29, 1973; Pub. L. 93-167, 87 Stat. 686, (15 U.S.C. 2101, et seq.)).

(b) "Commerce" has the same meaning as such term has under the Federal Trade Commission Act.

(c) "Commission" means the Federal Trade Commission.

(d) "Imitation numismatic item" means an item which purports to be, but in fact is not, an original numismatic item or which is a reproduction, copy, or counterfeit of an original numismatic item. Such term includes an original numismatic item which has been altered or modified in such a manner that it could reasonably purport to be an original numismatic item other than the item which was altered or modified. The term shall not include any re-issue or re-strike of any original numismatic item by the United States or any foreign government.

(e) "Imitation political item" means an item which purports to be, but in fact is not, an original political item, or which is a reproduction, copy or counterfeit of an original item.

(f) "Original numismatic item" means anything which has been a part of a coinage or issue which has been used in exchange or has been used to commemorate a person, object, place or event. Such term includes coins, tokens, paper money, and commemorative medals.

(g) "Original political item" means any political button, poster, literature,

sticker, or any advertisement produced for use in any political cause.

(h) "Person" means any individual, group, association, partnership or any other business entity.

(i) "Regulations" means any or all regulations prescribed by the Federal Trade Commission pursuant to the Act.

(j) "United States" refers to any State, the District of Columbia, and the Commonwealth of Puerto Rico, and any territory or possession of the United States.

§ 304.2 General requirement.

Imitation political or numismatic items subject to the Act shall be marked in conformity with the requirements of the Act and the regulations promulgated thereunder. Any violation of these regulations shall constitute a violation of the Act and of the Federal Trade Commission Act.

§ 304.3 Applicability.

Any person engaged in the manufacturing, or importation into the United States for introduction into or distribution in commerce, of imitation political or imitation numismatic items shall be subject to the requirements of the Act and the regulations promulgated thereunder.

§ 304.4 Marking requirements for imitation political items.

(a) An imitation political item which is manufactured in the United States, or imported into the United States for introduction into or distribution in commerce, shall be plainly and permanently market with the calendar year in which such item was manufactured.

(b) The calendar year shall be marked upon the item legibly, conspicuously and nondeceptively, and in accordance with the further requirements of these regulations.

(1) The calendar year shall appear in arabic numerals, shall be based upon the Gregorian calendar and shall consist of four digits.

(2) An imitation political item of incusable material shall be incused with the calendar year in sans-serif numerals. Each numeral shall have a vertical dimension of not less than two millimeters (2.0 mm) and a minimum depth of three-tenths of one millimeter (0.3 mm) or one-half (½) the thickness of the reproduction, whichever is the lesser. The minimum total horizontal dimension for the four numerals composing the calendar year shall be six millimeters (6.0 mm).

(3) An imitation political button, poster, literature, sticker or advertisement composed of nonincusable material shall be imprinted with the calendar year in sans-serif numerals. Each numeral shall have a vertical dimension of not less than two millimeters (2.0 mm). The minimum total horizontal dimension of the four numerals composing the calendar year shall be six millimeters (6.0 mm).

§ 304.5 Marking requirements for imitation numismatic items.

(a) An imitation numismatic item which is manufactured in the United States, or imported into the United States for introduction into or distribution in commerce, shall be plainly and permanently marked "COPY."

(b) The word "COPY" shall be marked upon the item legibly, conspicuously and nondeceptively, and in accordance with the further requirements of these regulations.

(1) The word "COPY" shall appear in capital letters, in the English language.

(2) An imitation numismatic item of incusable material shall be incused with the word "COPY" in sans-serif letters having a vertical dimension of not less than two millimeters (2.0 mm) and a minimum depth of three-tenths of one millimeter (0.3 mm) or to one-half (½) the thickness of the reproduction, whichever is the lesser. The minimum total horizontal dimension of the word "COPY" shall be six millimeters (6.0 mm).

(3) An imitation numismatic item composed of nonincusable material shall be imprinted with the word "COPY" in sans-serif letters having a vertical dimension of not less than two millimeters (2.0 mm). The minimum total horizontal dimension of the word "COPY" shall be six millimeters (6.0 mm).

All interested persons are hereby notified that they may file written data, views or comments concerning the proposed regulations with the Assistant Director for Special Statutes, Federal Trade Commission, Washington, D.C. 20580, on or before September 17, 1974. To the extent practicable, persons wishing to file written statements in excess of two pages should submit twenty copies.

The data, views and comments presented with respect to the proposed regulations will be available for examination by interested persons in Room 130 of the Division of Legal and Public Records, Federal Trade Commission, Washington, D.C., and will be considered and evaluated by the Commission in the establishment of the regulations.

By direction of the Commission.

Dated: July 10, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-16571 Filed 7-18-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SPECIAL METHOD FOR COMPUTING SIZE OF CONCERN ADVERSELY AFFECTED BY A MILITARY BASE CLOSING

Cancellation of Proposal To Adopt

On May 13, 1974, there was published in the FEDERAL REGISTER (39 FR 17111) a notice that the Small Business Administration proposed to adopt a special method for determining the small business eligibility of a concern for use in cases in which the concern has suffered a significant reduction in annual receipts or employment due to the closing of a United States military installation such as a post, camp, or station. The public was given 15 days in which to file comment on the proposal.

Numerous comments were submitted in opposition to adoption of the proposal, among which were (1) that the amendment would permit concerns which under our current definitions are in fact other than small business to compete with small business concerns on procurements reserved for award to small concerns; (2) that once a concern reaches large business status it should have the resources and foresight to cope with changing market conditions and, therefore, should not be placed in competition with small businesses that are still under the umbrella; (3) that the regulation would be extremely complex to administer effectively as, for example, it would be very difficult to ascertain when a concern's loss of receipts was due to the base closing and whether more than 51 percent of such concern's annual receipts were the result of its business transactions with such installation or its personnel.

On the basis of all of the comments, we have determined not to adopt the proposal.

Dated: July 5, 1974.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.74-16543 Filed 7-18-74;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

Bureau of Alcohol, Tobacco and Firearms

GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C., section 925(c), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

Atwood, Earl W., Route 5, Box 109, Alvin, Texas, convicted on April 8, 1971, in the United States District Court, Northern District of Texas.

Avery, Jr., Benjamin, 509 West Lincoln, Carrollton, Missouri, convicted on September 29, 1954, in the Circuit Court, Carroll County, Missouri.

Behanna, Gerald N., P.O. Box 352, New Brighton, Pennsylvania, convicted on April 21, 1961, in the Westmoreland County Court of Quarter Sessions of the Peace; and on February 1, 1972, in the U.S. District Court, Western District of Pennsylvania.

Bloor, Sr., Daniel J., 2550 Pequop Street, Reno, Nevada, convicted on November 8, 1968, in the U.S. District Court, Third Judicial District, County of Lander, Nevada.

Boettcher, Gary, 1915 Michigan Avenue, Waukesha, Wisconsin, convicted on June 2, 1958, in the Waukesha Municipal Court, Waukesha, Wisconsin.

Crandall, Gary E., 986 Premont, Pontiac, Michigan, convicted on March 31, 1964, in the Oakland County, Michigan Circuit Court.

de Leon, Jr., Alfonso, 2017 East Butler, South St. Paul, Minnesota, convicted on January 15, 1951, in the Second Judicial District Court, Ramsey County, St. Paul, Minnesota; and on October 24, 1951, in the Second Judicial District Court, Ramsey County, St. Paul, Minnesota.

Engeseth, Scott J., Route 1, Box 497, Stoughton, Wisconsin, convicted on November 2, 1971, in the Dane County Circuit Court, Madison, Wisconsin.

Felkins, Sr., Calvin L., Hector, Arkansas, convicted on May 15, 1950, and November 8, 1956, in the United States District Court, Eastern District of Arkansas.

Fuqua, Earnest, 2521 Jamaica Avenue, Norfolk, Virginia, convicted on September 21, 1931, and March 19, 1934, in the Circuit Court of Northampton County, Virginia.

George, Jr., Willie V., 316 College Avenue, Apt. No. 3, Fort Worth, Texas, convicted on February 9, 1968, in the Criminal District Court No. 3, Tarrant County, Texas.

Goshert, Sr., Raymond E., 117 East Scull Street, Lebanon, Pennsylvania, convicted on July 6, 1972, in the Court of Common Pleas, Lebanon County, Pennsylvania.

Gunther, Edward F., Box 254, Necedah, Wisconsin, convicted on January 11, 1965, in the County Court, Juneau County, Wisconsin.

Hall, Robert E., 228½ 2nd Street, S.E., Independence, Iowa, convicted on December 9, 1971, in the District Court of Iowa in and for Buchanan County.

Hardy, Richard E., North 6717 Washington Street, Spokane, Washington, convicted on June 19, 1973, in the Superior Court, Lincoln County, Washington.

Hooks, John, 1381 May Street, Memphis, Tennessee, convicted on September 30, 1928, October 1, 1929, and October 1, 1934, in the Pulaski County Circuit Court, Little Rock, Arkansas; and on April 12, 1941, and on or about May 29, 1958, in the United States District Court, Western District, Tennessee; and on April 16, 1948, in the United States District Court, Eastern District of Illinois.

Kirby, Arthur Ray, 7324 Sunflower Drive, Little Rock, Arkansas, convicted on January 16, 1971, in the Black Hawk County, Circuit Court, Iowa.

Leach, Henry, 14 Vernon Avenue, Brooklyn, New York, convicted on November 27, 1972, in the Kings County Criminal Court, New York.

Oliver, Eugene C., 37428 Rhonswood, Northville, Michigan, convicted on June 28, 1966, in the United States District Court for the Eastern District of Michigan, Southern Division.

Olson, Sr., Kenneth Lee, 719 East Franklin, Appleton, Wisconsin, convicted on April 11, 1968, in the Marathon County Court, Wausau, Wisconsin.

Pease, James R., 2318 Bryce Canyon Court, Puyallup, Washington, convicted on March 21, 1969, in the Superior Court, Pierce County, State of Washington.

Schimidt, Bruce F., Box 233, Siren, Wisconsin, convicted on August 25, 1961, in the Dane County Superior Court, Wisconsin.

Shields, Dale W., 7686 Highland Avenue, Swissvale, Pennsylvania, convicted on October 20, 1972, in the Court of Common Pleas, Allegheny County, Pennsylvania.

Strickland, Johnnie F., 2881 South 3095 West, Granger, Utah, convicted on January 16, 1969, in the Delta County District Court, Colorado.

Warnke, Keith H., 2860 Highview Terrace, Eagan, Minnesota, convicted on January 26, 1972, in the Dakota County District Court, Hastings, Minnesota.

Signed at Washington, D.C., this 9th day of July, 1974.

[SEAL] REX D. DAVIS,
Director, Bureau of Alcohol, Tobacco and Firearms.

[FR Doc.74-16585 Filed 7-18-74;8:45 am]

Office of Economic Stabilization

[Order No. 5]

ADVISORY COMMITTEE MANAGER

Delegation of Authority

Pursuant to the authority vested in me as Director, Office of Economic Stabilization, by Treasury Department Order 233, it is hereby ordered as follows:

1. There is delegated to the Advisory Committee Manager of the Office of Economic Stabilization authority to determine, in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), that advisory committee meetings shall be closed and to sign notices with respect to advisory committee meetings for publication in the FEDERAL REGISTER. A determination to close a meeting shall be reviewed by the Chief Counsel, Office of Economic Stabilization.

2. This order is effective July 1, 1974.

ANDREW T. H. MUNROE,
Director, Office of Economic Stabilization, Department of the Treasury.

[FR Doc.74-16517 Filed 7-18-74;8:45 am]

FOOD INDUSTRY WAGE AND SALARY COMMITTEE

Notice of Continuation

Notice is hereby given that effective July 1, 1974, the Food Industry Wage and Salary Committee established by the Cost of Living Council is continued under the authority of section 8(a) of Executive Order No. 11788 and Treasury Department Order No. 233, June 28, 1974, and will continue to review food industry wage and salary cases presented to the Office of Economic Stabilization and to advise the Director of the Office of Economic Stabilization or his delegate on the disposition of these cases.

Issued in Washington, D.C., on July 15, 1974.

ANDREW T. H. MUNROE,
Director, Office of Economic Stabilization, Department of the Treasury.

[FR Doc.74-16518 Filed 7-18-74;8:45 am]

Internal Revenue Service

[Order No. 83 (Rev. 5)]

DISTRICT DIRECTORS, ET AL.

Authority To Permit Inspection of Certain Returns and Related Documents

JULY 15, 1974.

Pursuant to authority vested in the Commissioner of Internal Revenue by 26

CFR 301.6103(a)–1, authority is delegated as follows:

1. District Directors, the Director of International Operations, Service Center Directors, and the Chief, Disclosure Staff, are authorized to permit inspection of returns in their custody by any applicant eligible therefor in accordance with paragraph (c) of § 301.6103(a)–1, including any applicant with respect to whom inspection is made discretionary with the Secretary or the Commissioner or the delegate of either, provided such applicant meets the requirements embodied by such paragraph. The authority delegated in this paragraph of this order is limited to returns as filed by or on behalf of the taxpayer, including any schedules, lists and other written statements which have been filed with the Internal Revenue Service by or on behalf of the taxpayer or which have previously been furnished by the Service to the taxpayer.

2. District Directors, the Director of International Operations, Service Center Directors, and the Chief, Disclosure Staff, are authorized to furnish returns, or copies thereof, without written application, to United States Attorneys and attorneys of the Deparment of Justice, in accordance with paragraph (h) of § 301.6103(a)–1, for official use in proceedings before a U.S. grand jury or in litigation in any court provided such use pertains to the prosecution of claims and demands by, and offenses against, the United States, or the defense of claims and demands against the United States or officers and employees thereof, in cases arising under the internal revenue laws or related statutes which were referred by the Department of Treasury to the Department of Justice for such prosecution or defense. The authority delegated in this paragraph of this order does not extend to the furnishing of returns of members of the judiciary, both Federal and State, or of third parties not directly involved in the transactions of the taxpayer.

3. District Directors, the Director of International Operations, Service Center Directors, and the Chief, Disclosure Staff, may furnish an affirmative or negative response to inquiries from the Department of Justice, in accordance with paragraph (h) of § 301.6103(a)–1, concerning whether a prospective juror in any Federal litigation has been or is being investigated by the Internal Revenue Service.

4. The Assistant Commissioner (Compliance) and the Chief, Disclosure Staff, are authorized to act on all other requests not covered in paragraphs 2 and 3 above, from United States Attorneys and attorneys of the Department of Justice for inspection and copies of returns, in accordance with paragraphs (g) and (h) of § 301.6103(a)–1.

5. The authority delegated in paragraphs 1, 2 and 3 may be redelegated, but not lower than to Division Chiefs. The authority delegated in paragraph 4 may not be redelegated.

6. This Order supersedes Delegation Order No. 83 (Rev. 4), issued March 23, 1973.

Effective: July 15, 1974.

[SEAL] DONALD C. ALEXANDER,
Commissioner.

[FR Doc.74–16584 Filed 7–18–74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. I–6318 et al.]

IDAHO

Classification of Public Lands for Disposal; Correction

In FR Doc. 15050 appearing on page 24382 of the issue for Tuesday, July 2, 1974, in the second column, the legal description under T. 41 N., R. 1 E., reading "Sec. 5, lots 1 and 2 inclusive, S½NE¼NE¼SE¼" should read "Sec. 5, lots 1 and 2 inclusive, S½NE¼, NE¼SE¼".

NEVADA

Change of Office Location and Mailing Address

JULY 10, 1974.

1. Notice is hereby given that the mailing address of the Las Vegas District Office of the Bureau of Land Management is hereby changed effective Monday, July 15, 1974. New office location and mailing address from that date forward will be U.S. Department of the Interior, Bureau of Land Management, P.O. Box 5400, Las Vegas, Nevada 89102. Location—4765 Vegas Drive, Las Vegas, Nevada 89108. The telephone number will remain the same, (Area Code 702) 385–6403.

JOHN S. BOYLES,
District Manager, Las Vegas.

[FR Doc.74–16541 Filed 7–18–74;8:45 am]

Office of the Secretary

[Secretarial Order 2965]

ALASKA NATIVE CLAIMS SETTLEMENT ACT

Determination of Alaska Native Village Eligibility

This notice is issued in accordance with the provisions of 5 U.S.C. 552(a)(1). The Secretary of the Interior has issued Order Number 2965 dated June 10, 1974, regarding Secretarial determinations concerning the eligibility of Alaskan Native Villages for benefits under the Alaskan Native Claims Settlement Act, 43 U.S.C. sec. 1601–1624. The Order is published in its entirety below. Further information regarding the Order can be obtained from Mr. Paul Kirton, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240, telephone 202–343–4444.

Dated: July 11, 1974.

JAMES T. CLARKE,
Assistant Secretary of the Interior.

[Order No. 2965]

SUBJECT: COMPLETION OF DETERMINATION OF ALASKA NATIVE VILLAGE ELIGIBILITY

JUNE 10, 1974.

Sec. 1. In Solicitor's Opinion M–36876, of May 29, 1974, it is concluded that two and one-half years is a directory rather than a mandatory time under the Alaska Native Claims Settlement Act, 43 U.S.C. Secs. 1601–1624, in which a secretarial determination can be made concerning the eligibility of any Alaskan Native Village for benefits under that Act. In view of that opinion, and in reliance thereon, it has been decided to provide an opportunity for full hearing to all parties in all disputes now or hereafter pending before the Alaska Native Claims Appeal Board concerning Native Village eligibility. This decision has been made in order to provide all parties due process of law and in order to develop a complete record so that the final secretarial determination of Native Village eligibility will be as correct, fair and just as possible. It is therefore ordered as follows:

a. The Alaska Native Claims Appeal Board is to proceed expeditiously with the hearing of all cases concerning the determination of village eligibility which are pending before it, without denial of Due Process to the parties involved.

b. All employees of the Department of the Interior are to cooperate with the Alaska Native Claims Appeal Board in reaching a speedy resolution of matters pending before it. All employees requested by the Board or any Administrative Law Judge to testify before, or furnish relevant information to, the Board are directed to comply with such request.

c. All determinations of village eligibility or ineligibility made by the Area Director, Bureau of Indian Affairs, Juneau, Alaska, which have been or are appealed to the Alaska Native Claims Appeal Board are suspended for all purposes except as the determinations vest the Board with jurisdiction and the determinations bear on the burden of proof in hearings before the Board in the respective cases. All such determinations which have been or are appealed to the Board are not final actions of the Department of the Interior and shall not be considered as determinations made by the Secretary of the Interior until the Secretary has personally made such determinations.

d. If any provision of the regulations appearing at 43 CFR Part 2650 is inconsistent with any portion of this order, such regulation is hereby waived pursuant to the terms of 43 CFR 2650.0–8.

Sec. 2. This order is effective immediately.

ROGERS C. B. MORTON,
Secretary of the Interior.

[FR Doc.74–16552 Filed 7–18–74;8:45 am]

ALASKAN NATURAL GAS TRANSMISSION SYSTEMS

Memorandum of Understanding Between the Department of the Interior and the Federal Power Commission [1] for Preparation of Alaskan Natural Gas Transmission Systems—Environmental Impact Statement

The Department of the Interior and the Federal Power Commission have received applications for natural gas pipeline right-of-way permits across federal lands and certificates of public convenience and necessity authorizing the construction of natural gas transmission facilities, all in connection with a proposed transportation system which would ultimately deliver large volumes of natural gas from the Arctic Regions of Northeast Alaska to the lower United States.

The Alaskan Arctic Gas Pipeline Company requested federal permits and certificates on March 21, 1974, to construct a 48-inch pipeline for transportation of natural gas from the Prudhoe Bay area in the northern slope of Alaska. The proposed pipeline route would extend across Northeast Alaska through the Arctic National Wildlife Range, a distance of about 195 miles, before crossing the international boundary and going south through Canada.

Additional certificate applications have been filed with the Federal Power Commission by Pacific Gas Transmission Company, Interstate Transmission Associates and Northern Border Pipeline Company requesting Commission approval of related natural gas transmission systems which may be required to distribute the Alaskan Arctic gas throughout the United States. In this regard, additional permit applications are expected to be filed with the Department of the Interior. Pursuant to these applications, the pipeline routes are expected to be generally located as follows:

(1) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, and California to San Francisco; and

(2) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, Nevada and California to Los Angeles; and

(3) From northern Montana through North Dakota, South Dakota, Minnesota, Iowa, Illinois, Indiana, Ohio, West Virginia to Pennsylvania.

Copies of all applications are available for public inspection at the Bureau of Land Management Offices in Anchorage and Fairbanks, Alaska, and in Washington, D.C., and at the Federal Power Commission, Office of Public Information, in Washington, D.C.

It is expected that others will also apply for federal right-of-way permits and certificates of public convenience and necessity to construct a natural gas pipeline system from the Prudhoe Bay area across Alaska on a north-south route ultimately delivering the gas to the lower United States by cryogenic oceangoing tankers.

[1] See FR Doc. 74-16498, Federal Power Commission, appearing in this issue.

On May 15, 1974, and May 20, 1974, respectively, the Secretary of the Department of the Interior and the Chairman of the Federal Power Commission signed a memorandum of understanding which is published in its entirety below.

Dated: July 8, 1974.

JOHN C. WHITAKER,
Acting Secretary of the Interior.

MEMORANDUM OF UNDERSTANDING FOR PREPARATION OF ALASKAN NATURAL GAS TRANSPORTATION SYSTEMS ENVIRONMENTAL IMPACT STATEMENT

Parties. The parties of this Memorandum are the U.S. Federal Power Commission (FPC) and the U.S. Department of the Interior (INTERIOR).

Purpose. The purpose of this Memorandum is to define the responsibilities of FPC Staff and INTERIOR in the preparation of an environmental impact statement (EIS) as required by Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4321–4327 (1970), for the proposed natural gas transportation systems from the Prudhoe Bay area in Alaska to the lower United States.

Proposed action. On March 21, 1974 the Alaska Arctic Gas Pipeline Company applied for Federal permits and certificates of public convenience and necessity to construct the Alaska portion of a natural gas pipeline system which is proposed to run from the Prudhoe Bay area, across northeast Alaska, then south through Canada to the lower United States. Further certificate and permit applications by other organizations are also expected in connection with related pipeline systems which may be required to transport and distribute the natural gas on various routes throughout the lower United States. While all specific details are not available at this time, these routes within the United States are expected to be generally located as follows: (1) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, and California to San Francisco; (2) from Kingsgate, British Columbia, through Idaho, Washington, Oregon, Nevada, and California to Los Angeles; and (3) from northern Montana through North Dakota, South Dakota, Minnesota, Iowa, Illinois, Indiana, Ohio, West Virginia, and into Pennsylvania.

It is expected that in the near future the El Paso Natural Gas Company will also apply for Federal permits and certificates to construct a natural gas pipeline system from the Prudhoe Bay area, across Alaska on a north-south route similar to that followed by the Alyeska Pipeline Service Company, ultimately delivering the gas to the lower United States by cryogenic oceangoing tankers.

Existing responsibilities. FPC has responsibility for the evaluation and jurisdiction for the certification of the proposed transportation systems. The FPC staff, with the assistance of INTERIOR and others, will conduct a detailed independent analysis and prepare a detailed environmental statement as required by the Commission's Order No. 415-C of December 18, 1972. Because any pipeline involved will cross the public lands and other areas of INTERIOR jurisdiction, and because permits or concurrences will be required for such crossings, INTERIOR is directly involved in the proposed action and is required to prepare a detailed environmental impact statement.

Agreement. In view of the above considerations, FPC and INTERIOR agree to the following:

1. Jointly, FPC and Interior will:

a. In order to effectively and expeditiously assess the environmental impacts of the action, assume joint responsibility for preparing an EIS.

b. Establish an interagency task force to prepare the required EIS. Co-chairman of the task force will be designated by each agency, with responsibility for overseeing the completion of the EIS. Each agency will designate an executive director with primary responsibility for managing its respective staff effort in the preparation of the EIS. Each agency will designate a project manager who will be responsible for supervising its respective task force members. Other Federal government agencies will be invited to serve on the task force. Work groups for preparing the individual sections of the statement will include members of the task force, other government personnel, as well as sub-contractors and consultants where necessary.

c. Jointly assume responsibility for preparing all sections mutually agreed to be necessary and not specifically identified in paragraphs 2(d) and 3(c) below.

d. Each bear the cost of its own participation in preparing the EIS out of appropriate funds and such reimbursement as may be proper and required by law and regulations.

2. FPC will:

a. Designate a task force co-chairman, an executive director, and a project manager.

b. Assign a minimum of one FPC staff member to each work group.

c. Be responsible for the preparation of an EIS for the pipeline transportation and pertinent facilities under Sections 3 and 7 of the Natural Gas Act, 52 Stat. 821–833; Title 15 U.S.C. 717–717w as amended.

d. Assume primary responsibility for preparing those sections of the EIS relating to the liquefaction, ocean transport, and gasification of natural gas. As appropriate, FPC may request assistance from the Coast Guard, Maritime Administration, the Department of Transportation Office of Pipline Safety, and others.

e. Furnish to INTERIOR such witnesses as may be necessary to support FPC's portion of the EIS in public hearings.

f. Provide advice and assistance to INTERIOR as may be required in the preparation of the EIS.

3. INTERIOR will:

a. Designate a task force co-chairman, an executive director, and a project manager.

b. Establish work groups to participate in the preparation of the EIS.

c. Assume primary responsibility for those sections of the EIS relating to land transportation of natural gas through pipeline systems across Federal lands and other areas of INTERIOR jurisdiction in the United States.

As appropriate, INTERIOR may request assistance from the Corps of Engineers, Environmental Protection Agency, the Forest Service, and others.

d. Furnish to FPC such witnesses as may be necessary to support INTERIOR's portion of the EIS in public hearings.

e. Provide advice and assistance to FPC as may be required in the preparation of the EIS.

4. If it becomes necessary due to FPC's statutory or regulatory authority for certain sections of the EIS to have both FPC and INTERIOR versions, the separate versions will contain appropriately noted authorship.

Approved:

Dated: May 15, 1974.

ROGERS C. B. MORTON,
Secretary,
Department of the Interior.

Dated May 20, 1974.

JOHN N. NASSIKAS,
Chairman,
Federal Power Commission.

[FR Doc.74-16499 Filed 7-18-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

NATIONAL FOREST LANDS

Regulation of Use Under U.S. Mining Laws; Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for proposed mining regulations under U.S. Mining Laws. USDA–FS–FES(ADM)–75–01.

The environmental statement concerns a proposed action to regulate use of the surface of National Forest lands in connection with operations authorized by the United States mining laws. Such operations shall be conducted so as to minimize adverse environmental impacts on National Forest surface resources.

This final environmental statement was filed with CEQ on July 12, 1974. Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW., Washington, D.C. 20250.

USDA, Forest Service, Division of Watershed Management, Rosslyn Plaza E., Room 810, 1621 North Kent Street, Arlington, Virginia 22209.

A limited number of copies are available upon request to Thomas B. Glazebrook, Director, Watershed Management, Rosslyn Plaza E., Room 810, 1621 North Kent Street, Arlington, Virginia 22209.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

R. MAX PETERSON,
Deputy Chief,
Forest Service.

JULY 12, 1974.

[FR Doc.74–16511 Filed 7–18–74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

CHILDREN'S HOSPITAL MEDICAL CENTER, ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during oridinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74–00397–33–46500. Applicant: Children's Hospital Medical Center, 300 Longwood Avenue, Boston, Mass. 02115. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of eye tissue from human autopsies and experimental animals. The objective of the experiments is to define morphological change in eye tissue which correlate with metabolic derangements, either experimentally produced or the result of human pathological processes. Application received by Commissioner of Customs: March 28, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 20, 1974.

Docket number: 74–00399–33–46500. Applicant: Southern Illinois University, School of Medicine, P.O. Box 3926, Springfield, Illinois 62702. Article: Ultraficrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of tissue derived from humans and animals that exhibit both normal and abnormal structure features. Ultrastructural investigations include studies of:

(a) Ultrastructural changes in human precancerous lesions.

(b) Ultrastructural changes in cancer cells in tissue culture during exposure to chemotherapeutic or immunotherapeutic agents.

(c) Ultrastructural changes in the capillary blood vessel structure in the brain during disease.

(d) Ultrastructural characteristics of human skin lesions predisposing to cancer.

Application received by Commissioner of Customs: March 28, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 20, 1974.

Docket number: 74–00400–33–46500. Applicant: U.S. Public Health Service Hospital, Bay Street and Vanderbilt Avenue, Staten Island, N.Y. 10304. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of canine tissue, mainly cardiac muscle derived from experimental animals, and the cardiac muscle from other mammals. The experiments to be conducted include:

(a) Specific ultrastructural and/or metabolic changes which account for alterations in electrophysiological phenomenon.

(b) Drug induced ultrastructural changes in antiarrhythmic action.

Application received by Commissioner of Customs: March 28, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 20, 1974.

Docket number: 74–00401–33–46500. Applicant: Albert Einstein College of Medicine, 1300 Morris Park Avenue, Bronx, New York 10461. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of biological specimens, mainly human tissues obtained by biopsy or at autopsy. Tissues from experimental animals will also be examined. Pathologic phenomena will be compared to normal specimens in a study of basic mechanisms of disease. Experiments to be conducted include those concerned with the effects of defective intracellular lysosomal hydrolysis of micromolecular materials. Application received by Commissioner of Customs: March 28, 1974. Advice Submitted by the Department of Health, Education, and Welfare on: June 20, 1974.

Docket number: 74–00398–33–46500. Applicant: University of Chicago, 950 East 59th Street, Chicago, Illinois 60637. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for experiments to be conducted which include injuring the Achilles tendons of experimental animals and collecting tissue samples at varying intervals after surgery. The objectives to be pursued in the course of the investigation are (1) the delineation of the role of acid mucopolysaccharides in tendon healing by altering tendon stress and altering polysaccharide content at the healing site by the use of papain and/or hyaluronidase; and (2) the delineation of the role of acid mucopolysaccharides in connective tissue growth. Specifically, the latter includes the identification of potential sites of tendon growth and determination of the presence or absence of polysaccharides in growth and nongrowth areas of tendon, plus the determination of the morphology and polysaccharide content at the chrondrosynovial junction, a potential site of reactive growth in osteoarthritis. Application received by Commissioner of Customs: March 28, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 20, 1974.

Docket number: 74–00431–33–46500. Applicant: Veterans Administration Hospital, Neurology Service (180), Tremont Avenue, East Orange, New Jersey 07019. Article: Ultramicrotome, Model LKB 8800A and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used in an experiment designed to investigate the nature of certain virus-like particles recently reported by several groups of investigators to occur in areas of tissue breakdown in multiple sclerosis, and also to define the earliest ultrastructural changes in the disease. Application received by Commissioner of Customs: April 25, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 28, 1974.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent sicentific value to the foreign articles for such purposes a thee article are intended such purposes as these articles are intended to be used, is being manufactured in the United States.

Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT–2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT–2B has a range of cutting speeds from 0.09 to 3.2 millimeters per second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block. In connection with a prior application (Docket Number 69–00665–33–46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section."

In connection with another prior application (Docket Number 70–00077–33–46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments. For these reasons, we find that the Sorvall Model MT–2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74–16567 Filed 7–18–74;8:45 am]

COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a meeting of the Technology Transfer Subgroup of the Computer Systems Technical Advisory Committee will be held Friday, August 2, 1974, at 10 a.m. in Room 4833, Main Commerce Building, 14th and Constitution Avenue, Washington, D.C.

Members advise the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, worldwide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

Agenda items are as follows:

1. Opening remarks on possible items of interest for the subgroup by Kenneth Webster, Acting Chairman.
2. Presentation of papers or comments by the public.
3. Discussion of areas of concern for technology transfer.
4. Discussion of possibilities of more than one subgroup on technology transfer.
5. Executive Session: Continuation of discussion of areas of concern for technology transfer.

The public will be permitted to attend the discussion of agenda items 1–4, and a limited number of seats will be available to the public for these agenda items. To the extent time permits, members of the public may present oral statements to the subgroup. Interested persons are also invited to file written statements with the subgroup.

Minutes of those portions of the meeting which are open to the public will be available 30 days from the date of the meeting upon written request addressed to: Central Reference and Records Inspection Facility, U.S. Department of Commerce, Washington, D.C. 20230.

With respect to agenda item 5, "Executive Session," the Assistant Secretary of Commerce for Administration, on December 20, 1973, determined, pursuant to section 10(d) of Public Law 92–463, that this agenda item should be exempt from the provisions of sections 10 (a)(1) and (a)(3), relating to open meetings and public participation therein, because the meeting will be concerned with matters listed in 5 U.S.C. 552(b)(1).

Further information may be obtained from Kenneth Webster, Office of Tracking and Data Acquisition, National Aeronautics and Space Administration, Washington, D.C. 20546 (A/C 202–755–2333).

Dated: July 16, 1974.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade.

[FR Doc.74–16608 Filed 7–18–74;8:45 am]

NATIONAL RADIO ASTRONOMY OBSERVATORY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74–00395–18–80050. Article: National Radio Astronomy Observatory, Associated Universities, Inc., Edgemont Road, Charlottesville, Virginia 22901. Article: TE_{01} Mode Circular Waveguide. Manufacturer: The Fujikura Cable Works, Ltd., Japan. Intended use of article: The article is intended to be used as part of the very Large Array radio telescope to transmit radio wavelength radiation received from extraterrestrial objects to recording apparatus. The study of this radiation enables astronomers to study the sources of energy, origin, and evolution of the universe.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (February 15, 1974).

Reasons: The foreign article provides the capabilities for transmitting a signal over a 21 kilometer path in a frequency range of from 49 to 51 gigahertz (GHz) at bandwidths on the order of 40 GHz with very low signal distortion and for minimum signal attentuation. The National Bureau of Standards (NBS) advised in its memorandum dated June 25, 1974 that the capabilities described above are pertinent to the applicant's intended use. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article

is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16564 Filed 7-18-74;8:45 am]

NAZARETH LITERARY AND BENEVOLENT INSTITUTION, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before August 8, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00550-33-90000. Applicant: Nazareth Literary and Benevolent Institution, d/b/a St. Joseph Hospital, 1400 Harrodsburg Road, Lexington, Kentucky 40504. Article: EMI Scanner Brain X-Ray System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for studies designed to assist in diagnosis of diseases of the brain and orbit such as tumors, atrophy and hematomas by brain scanning through x-ray. Two research objectives are presently proposed:

(a) Correlation of location of brain tumors to the anatomical structure of the brain. After a significant statistical sampling, correlations will be made of the average size of the ventricles of the brain.

(b) A correlation will be investigated as to the way malignant tumors extend into different areas of the brain to determine whether they follow the pathways of the nerve tracts in the brain. The objective is to gain insight into tumor growth for enhancing surgical intervention.

Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00551-33-46040. Applicant: University of Tennessee Medical Units, Department of Anatomy, 875 Monroe, Memphis, TN 38163. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for research on cell membrane complexes in the nervous system, e.g., visualization of surface topography of saccharides, the fine structural localization of glutamate decarboxylase, and the fine structure of developing chick retina. The article will also be used to train pre- and postdoctoral students in the methodologies of electron microscopy. Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00552-75-90000. Applicant: Texas A & M University, College Station, Texas 77843. Article: Rotating Anode X-Ray Topographic System. Manufacturer: Rigaku Denki Co. Ltd., Japan. Intended use of article: The article is intended to be used for studies of the crystalline lattice defects of semiconductor materials (primarily silicon). The article is to be used to make X-Ray topographs before and after each processing step thus allowing identification of the existing lattice damage and strains. Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00554-00-46040. Applicant: Case Western Reserve University, 2040 Adelbert Road, Cleveland, Ohio 44106. Article: Universal Camera. Manufacturer: Siemens Corp., West Germany. Intended use of article: The article, a modernized accessory for an existing high resolution electron microscope, is needed to facilitate current projects designed for quantitative electron microscopy and to improve the ability to obtain high quality photographs of tissue sections and macromolecules in a routine manner. Specific research projects which will be added by the accessory include:

1. A study on the formation of myofibrils in developing skeletal and cardiace muscle,

2. An analysis of the factors influencing the aggregation of myosin and acting in aqueous solutions, and

3. Studies on nerve function and morphology.

In addition the article will be used to train graduate researchers and trainees in high resolution electron microscopy in the following courses:

Anatomy 495. Fundamentals of Electron microscopy,
Anatomy 601. Research Training in the Morphological Sciences, and
Anatomy 701. Research Training for Doctoral Thesis.

Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00555-33-46500. Applicant: State Laboratory Institute, 305 South Street, Boston, Massachusetts. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used as a tool that will permit rapid and accurate diagnosis of selected human and animal virus diseases. The materials to be studied include specimens which will be examined directly for virus and/or viral antigens in skin lesions; vesicle fluid; tissue from organs including brain, liver, lung, spleen, pancreas and other organs; exfoliated cells from throat and the reproductive system; biopsy specimens; leucocytes; exudates; and transudates. Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00556-33-90000. Applicant: Cornell University, 310 Bard Hall, Ithaca, New York 14850. Article: 12KW Rotating Anode X-ray Generator System. Manufacturer: Rigaku Denki Co., Ltd., Japan. Intended use of article: The article is intended to be used in research programs cited below whenever rather weak scattered intensities must be recorded over a substantial period of time:

(1) Collagen as a Biomaterial,

(2) Direct Method for the Determination of the Core Structure of Dislocations,

(3) Anharmonicity and Vibrational Character and Spatial Distribution of the Bonding Electrons,

(4) Structure of Amorphous Materials,

(5) Structure of Crazes in Polymers,

(6) Structure of High Angle (001) Twist Boundaries, and

(7) Local Ordering in Amorphous Semiconductors.

The article will yield an intensity of approximately twenty times that of a conventional x-ray source. Application received by Commissioner of Customs: June 28, 1974.

Docket number: 74-00557-01-46040. Applicant: Stanford University, 820 Quarry Road, Palo Alto, California 94304. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for high resolution examination of nucleic acids, especially heteroduplex analysis of DNA. The studies being carried out concern elucidation of the structure and of the origin and evolution of bacterial plasmids that specify resistance to antimicrobial agents, investigation of DNA sequence relationships among various plasmids isolated from natural sources that are constructed *in vitro* from endonuclease—generated fragments of larger plasmids in a major component of these investigations. In addition, high resolution examination of circular plasmid DNA is required in evaluating the contour length of various plasmids, and in determining the presence of genetically repeated nucleotide sequences. The article will also be used by trainees and students who require limited use of electron microscopy to answer specific scientific questions in connections with microbiological work being carried out. Use of the article for educational purposes will also include its use for a course in the molecular nature of bacterial plasmids offered to both graduate and undergraduate students. Application received by Commissioner of Customs: June 28, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16568 Filed 7-18-74;8:45 am]

UNIVERSITY OF CALIFORNIA, BERKELEY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00327-65-46040. Applicant: University of California, Lawrence Berkeley Laboratory, East End of Hearst Avenue, Berkeley, California 94720. Article: Electron Microscope, Model Elmiskop 102. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for in-depth analysis of interfacial structures in coarsened spinodal alloys, study of small (100-200A) defects in ion-damaged silicon, and lattice imaging of alloys. The article will also be used in the course MSE 213B—Electron microscopy and diffraction (Advanced) to train students in sophisticated electron microscope techniques and their application to practical research problems.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received by Customs (February 11, 1974).

Reasons: The foreign article provides a maximum accelerating voltage of 125 kilovolts. The most closely comparable domestic instrument available at the time the application was received was the Model EMU-4C which is currently being supplied by the Adam David Company. The Model EMU-4C had a specified maximum accelerating voltage of 100 kilovolts. The National Bureau of Standards (NBS) advised in its memorandum dated June 25, 1974 that the high accelerating voltage provides proportionately greater penetrating power and, consequently higher resolution for metal foils of a given thickness. NBS further advised that the high accelerating voltage of the article is pertinent to the applicant's use for studies of interface structures using metal foils and that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the application was received.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16565 Filed 7-18-74;8:45 am]

UNIVERSITY OF CHICAGO

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00252-75-40500. Applicant: The University of Chicago, The James Franck Institute, 5640 S. Ellis Avenue, Chicago, Illinois 60637. Article: Narrow Gap Interferometer. Manufacturer: Electro Photonics Limited, United Kingdom. Intended use of article: The article is intended to be used to frequency tune picosecond duration light pulses from an existing mode locked oscillator. These light pulses will be used to study reaction kinetics and energy transfer in photoexcited molecules. In particular, the cis-trans isomerization in linear polyene molecules will be studied by observing Raman scattering of light off the photoexcited molecule.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides specification for a large angular aperture, approximately 30°, and a narrow-gap. The National Bureau of Standards (NBS) advised in its memorandum dated June 25, 1974, that the specifications cited above are pertinent to the applicant's intended purposes. NBS also advised that it knows of no domestic interferometer of equivalent scientific value to the foreign article in regard to the pertinent specifications. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.14-16560 Filed 7-18-74;8:45 am]

UNIVERSITY OF MARYLAND SCHOOL OF MEDICINE, ET AL.

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Special Import Programs Division, Office of Import Programs, Washington, D.C. 20230, on or before August 8, 1974.

Amended regulations issued under cited Act, as published in the February 24, 1972 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00515-33-46070. Applicant: University of Maryland School of Medicine, Department of Neurology, 660 West Redwood Street, Baltimore, Maryland 21201. Article: Scanning Electron Microscope, Model S4-10. Manufacturer: Cambridge Scientific Instruments Ltd., United Kingdom. Intended use of article: The article is intended to be used in the study of biological tissues, specifically the parenchyma and arterial blood vessels of the central nervous system of animals and man. The primary interest is in studying the endothelial cells which form the lining of major arteries supplying the brain. Application received by Commissioner of Customs: June 4, 1974.

Docket number: 74-00523-33-46070. Applicant: The University of Texas Southwestern Medical School, Department of Microbiology, 5323 Harry Hines Blvd., Dallas, Texas 75235. Article: Scanning Electron Microscope, Model JSM 35U. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the study of various microbial pathogens, including viruses, bacteria and parasites as well as for the study of tissue culture cells and immunocompetent cells from animals and man. The article will also be used for training graduate students and medical students in electron microscopic methods for research in microbiology and infectious diseases. Application received by Commissioner of Customs: June 13, 1974.

Docket number: 74-00529-33-90000. Applicant: Northwestern Memorial Hospital, Superior Street and Fairbanks Court, Chicago, Illinois 60611. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in non-invasive brain tissue investigation incidental to diagnosis and treatment of strokes, tumors (cancer), trauma, infections, congenital abnormalities and degenerative disorders of the brain. The article will also be used in clinical training of residents under supervison in neurology, neurosurgery and neuroradiology. Application received by Commissioner of Customs: June 14, 1974.

Docket number: 74-00530-33-46040. Applicant: Indiana University, Purchasing Department, 1101 East 17th Street, Bloomington, IN 47401. Article: Electron Microscope, Model EM 201 C and Accessories. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used for studies of 100 Angstrom thick neurofilaments and junctional membranes in plastic thin sections of the brain. Application received by Commissioner of Customs: June 19, 1974.

Docket number: 74-00531-50-41700. Applicant: Desert Research Institute, University of Nevada System, SAGE Building, Stead Campus, Reno, Nevada 89507. Article: System 100 Dye Laser, Diffraction Grating and Spare Flash Tubes. Manufacturer: Electro-Photonics Ltd., Ireland. Intended use of article: The article is intended to be used for the study of properties of the atmosphere clouds and air pollution by providing a means of obtaining the optical backscatter from the atmosphere and thereby measuring the composition of the atmosphere including gases, particulates and cloud structure. It will supply intense illumination which can be tuned to specific wavelengths with the aid of the grating. The article will also be used to train graduate students in the technology of optical radar and remote sensing techniques including resonance, Raman and other wavelength dependent effects. Application received by Commissioner of Customs: June 19, 1974.

Docket number: 74-00532-33-46040. Applicant: University of Tennessee Medical Units, Department of Anatomy, 875 Monroe, Memphis, TN 38163. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in an investigation involving a study of the basic cellular mechanisms involving pronuclear development and association and demonstrate aspects of fertilization which may be capable of regulation. The research project will consider the following aspects of fertilized mammalian eggs: (1) The relation of the synthesis of specific macromolecules such as protein, RNA, and DNA, to the ultrastructural events of pronuclear development and association and (2) what effects alterations of the maternal (egg) cytoplasm as determined by electron microscopic analysis, have on the events of fertilization (specifically pronuclear development and morphogenesis) and the synthesis of RNA, DNA and protein. The article will also be used to train pre- and postdoctoral students in the methodology of electron microscopy. Application received by Commissioner of Customs: June 20, 1974.

Docket number: 74-00533-33-90000. Applicant: Tallahassee Neurological Foundation, 2412 West Plaza Drive, Eastwood Office Plaza, Tallahassee, Florida 32303. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for the study of various neurological diseases in a wide variety of patients with particular emphasis on the scientific analysis of stroke, aphasia, and brain tumor. Application received by Commissioner of Customs: June 20, 1974.

Docket number: 74-00534-33-46500. Applicant: Veterans Administration Hospital, Laboratory Service, 1400 V.F.W. Parkway, West Roxbury, Mass. 02132. Article: Ultramicrotome, Model 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare human tissue specimens removed at surgery for analysis with the electron microscope. Structural alteration of sarcomeres and cell membranes will be studied under controlled conditions of fixation, and related to forces and disease states in both human and animal tissues. The article will also be used in a residency training program in Anatomic Pathology to train pathologists in the use of the electron microscope for the examination of normal and diseased tissues, in order to provide new information about disease processes. Application received by Commissioner of Customs: June 21, 1974.

Docket number: 74-00535-33-90000. Applicant: The Methodist Hospital, 6515 Bertner Drive, Houston, Texas 77025. Article: EMI Scanner System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used for transverse axial tomographic scanning of the brain and its covering in appropriate Neurosurgical and Neurological patient population. Application received by Commissioner of Customs: June 21, 1974.

Docket number: 74-00536-00-14200. Applicant: University of California, Facility for Advanced Instrumentation, Davis, California 95616. Article: Form Separator Module and Light Pen Module. Manufacturer: Metals Research Limited, United Kingdom. Intended use of article: The article is an accessory to an existing IMANCO 720 Image Analyzing Computer being used in research on the predator-prey relationship between *Bdellovibrio bacteriovorus* and its bacterial host by detection of the change in shape of the host cell from a rod to a sphere when attacked successfully by *Bdellovibrio*. Application received by Commissioner of Customs: June 24, 1974.

Docket number: 74-00537-65-46070. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, Illinois 60439. Article: Scanning Electron Microscope, Model S-4. Manufacturer: Cambridge Scientific Instruments, United Kingdom. Intended use of article: The article is intended to be used to find ways to reduce the erosion of surfaces of materials which are of interest to a controlled thermonuclear research program. Specific projects will include the following:

(1) Study of surfaces of insulators and metals which have been eroded by radiation blistering, neutron sputtering and by photo decomposition.

(2) Study of formation of surface cracks, pits, blisters and spall products.

(3) Study of the topography of surfaces of insulators and metals after they have been irradiated with ions, neutrons and/or photons. Detection and identification of particulate matter released during these irradiations. Application received by Commissioner of Customs: June 24, 1974.

Docket number: 74-00538-75-41200. Applicant: State University of New York, Stony Brook, New York 11790. Article: mm Wave Klystron, 55 GHz. Manufacturer: Varian of Canada, Canada. Intended use of article: The article is to be used in the measurement of the Lamb Shift in doubly ionized lithium utilizing an rf. resonance technique. Application received by Commissioner of Customs: June 24, 1974.

Docket Number: 74-00539-33-46040. Applicant: New York University School of Medicine, Department of Cell Biology, 550 First Avenue, New York 10016. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for a broad range of research projects which will include the following:

(1) The study of ribosomes and microsomes from human fibroblasts (WI-38 cells) and rat hepatocytes.

(2) Study of the structural organization of the secretory apparatus of the liver, adrenal glands and exocrine glands.

(3) Localization of 3*B*-hydroxysteroid dehydrogenase by cytochemistry at the electron microscope level. Application received by Commissioner of Customs: June 24, 1974.

Docket Number: 74-00541-33-41700. Applicant: University of Cincinnati Medical Center, Laser Laboratory, Children's Hospital, Elland and Bethesda Avenues, Cincinnati, Ohio 45229. Article: CO_2 Surgical Laser. Manufacturer: Laser Industries Ltd., Israel. Intended use of article: The foreign article is intended to be used in investigative laser surgery to determine safety values for cancer and warts by using laser impacts on animal and human material. The article will also be used to teach students and residents biomedical applications of the laser in dermatology, surgery, and gynecology. Application received by Commissioner of Customs: June 25, 1974.

Docket number: 74-00542-33-46040. Applicant: VA Research Hospital, 333 East Huron Street, Chicago, Illinois 60611. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used for the following research projects:

1. Investigations concerning specific alterations of hepatocytes in ethanolic liver disease;

2. The nature of ultrastructure of carcinosarcomas of the upper oral and respiratory systems;

3. Investigations concerning the effect of hypertension upon small and medium sized vessels;

4. Reaction of blood vessels to high flow rates, resultant internal hyperplasia and relationship to atherosclerosis in hypercholesterolemia. The article will also be used to train residents in the use of the electron microscope and synthesis of ultrastructural and light microscopic analysis of pathology specimens. In addition the article will be used to train technologists in the basic maintenance, operation and theory of the electron microscope.

Application received by Commissioner of Customs: June 25, 1974.

Docket number: 74-00543-33-00530. Applicant: The Trustees of Indiana University, Bloomington, Indiana 47401. Article: Sagittaire 40-MEV Linear Accelerator. Manufacturer: Thomson-CSF, France. Intended use of article: The article is intended to be used in both an electron as well as a photon mode for the treatment of cancer. The article will also be used in biological research which will include the effects of high dose rates on in vitro cell survival and also the effects of various energy relations on cell survivals. Physics research projects will center on the measurement of neutron fluxes in and around the 40 meV linear accelerator as well as electron dosimetry and photon dosimetry as it relates to the treatment of cancer. In addition the article will serve for the training of residents in the use of accelerators. Application received by Commissioner of Customs: June 25, 1974.

Docket number: 74-00544-33-46040. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: Electron Microscope, Model EM 201. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used in a wide variety of studies ranging from the visualization of nucleic acid chains to the classification of various types of cells in a primary culture of mouse tissue. The range of phenomena that the article will be used to investigate are as follows:

(1) The mapping of specific fragments of human adenovirus DNA produced by cleavage with restriction endonucleases by observing the heteroduplexes formed between a strand of a fragment and an intact strand of a related adenovirus;

(2) The precise sizing and mapping of adenovirus specific messenger RNA on the viral genome;

(3) The visualization of viral transcription complexes extracted from infected cells;

(4) The visualization of reverse transcriptase bound to RNA tumor virus genomes;

(5) The study of the stages of viral assembly in cells producing non-infectious viral particles;

(6) The localization of specific enzymes and proteins in the subcellular compartments of a mammalian cells;

(7) The study of the development of mouse thymus in culture by using electron microscope opaque markers to map specific cell surface antigens during differentiation and to distinguish by subcellular morphology, various cell types in mass culture;

(8) The detection of alterations in the surfaces of transformed cells by the study of the distribution of binding sites for plant lectins.

In addition, the article will be used in the training of graduate students, postdoctoral fellows and research associates by the use of the electron microscope in their various research programs. Application received by Commissioner of Customs: June 25, 1974.

Docket number: 74-00546-33-90000. Applicant: Washington University, Department of Radiology, 510 South Kingshighway Blvd., St. Louis, Missouri 63110. Article: Basic EMI Scanner system with One High Resolution Display Option and one Magnetic Tape System. Manufacturer: EMI Limited, United Kingdom. Intended use of article: The article is intended to be used in the study of diseases and tumors of the brain in patients. In particular, the subtle absorption differences between normal and abnormal brain tissue will be determined and charted by this instrument. Patients with a wide variety of suspected central nervous system disease will be evaluated on this scanner. The diagnosis will be correlated with current available diagnostic techniques to understand the best diagnostic approach to patients. In addition, the article will be used in training residents in Radiology, Neurosurgery and Neuroradiology as well as fellows in Nuclear Medicine, Neuroradiology and Radiation Physics. Application received by Commissioner of Customs: June 25, 1974.

Docket number: 74-00547-33-46040. Applicant: The University of Texas Southwestern Medical School, Department of Microbiology, 5323 Harry Hines Blvd., Dallas, Texas 75235. Article: Electron Microscope, Model EM 301. Manufacturer: Philips Electronic Instruments, NVD, The Netherlands. Intended use of article: The article is intended to be used in a variety of research programs designed to study the ultrastructure of cell surface macromolecules of eukaryotic and prokaryotic cells. The article will be used for faculty, graduate students, medical students, and technicans who are involved in research projects on microbial pathogens, such as bacteria, viruses and parasites, and their interaction with mammalian cells during pathologic process. Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00548-33-46040. Applicant: U.S. Army Natick Laboratories, U.S. Army Research Institute of Ev. Med., Kansas Street, Natick, Mass. 01760. Article: Electron Microscope, Model JEM 100B. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for basic and applied research to determine how heat, cold, work, and high terrestrial elevations affect life processes, performances and health by the following investigations:

I. Preservation of myelinated peripheral nerve.

II. An ultrastructural study of organs from hypothermic animals.

III. Influence of physical training and chronic hypoxia on mycardial resistance.

IV. Induction of heat illness in exercising rats.

Application received by Commissioner of Customs: June 26, 1974.

Docket number: 74-00549-01-19000. Applicant: Yale University, 225 Prospect St., New Haven, Conn. 06520. Article: Vibrating Densimeter, Model 01C. Manufacturer: Sodev, Inc., Canada. Intended use of article: The article is intended to be used to measure the densities of solutions and suspensions which are simultaneously studied in a Yale-designed and built Differential Scanning Calorimeter. A wide variety of materials, mostly of biochemical interest, will be studied, including suspensions of lipids, cell membranes and filamentous viruses, as well as solutions of simple model compounds. These studies are directed at determining the thermodynamic properties of biologically important compounds and structures. The article will also be used extensively by undergraduate and graduate students and postdoctoral fellows in their research activities. Application received by Commissioner of Customs: June 26, 1974.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16569 Filed 7-18-74;8:45 am]

UNIVERSITY OF MIAMI

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review

during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00323-01-19000. Applicant: University of Miami, Department of Chemistry, Coral Gables, Florida 33124. Article: B Vibrating Densimeter, Model O1D. Manufacturer: Sodev Inc., Canada. Intended use of article: The article is intended to be used for experiments involving flowing small quantities of alkali metal, alkaline earth, tetralkylammonium halides and other electrolytes in organic solvents (Alhol, Amides, etc.) through a flow heat capacity differential calorimeter and then directly through the flow densimeter. The objectives of this research are to gain key thermodynamic information for use in developing a method of estimating thermodynamic quantities for electrolytes in nonaqueous solutions. The article will also be used in graduate research courses (Chem 600 and Chem 700) to train graduate students in research.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capability to measure relative density of a flowing liquid with an accuracy of one point per million. The National Bureau of Standards (NBS) advised in its memorandum dated June 26, 1974 that the capability described above is pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article in regard to the pertinent capability.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16561 Filed 7-18-74;8:45 am]

UNIVERSITY OF MINNESOTA SCHOOL OF MEDICINE

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 74-00376-33-46040. Applicant: University of Minnesota School of Medicine, Department of Medicine, Mayo Memorial Building, Minneapolis, Minnesota 55455. Article: Electron Microscope, Model Elmiskop 102. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for studies in biomedical research involving the following problems:

(1) Correlative studies of cellular ultrastructure with biochemical and immunologic studies of the immune response.

(2) The study of the pathogenesis and genetics of certain human diseases (e.g., agammaglobulinemia, infectious hepatitis).

(3) Studies of events during normal and abnormal immunologic response by electronic microscopic autoradiography.

(4) Studies of virus-like particles associated with several disease states.

(5) Investigation of macromolecules, particularly antigen-antibody complement complexes using the techniques of negative staining and shadow casting.

(6) Study of the topography of plasma membrane cells involved in the immune response (lymphocytes, macrophages, plasma cells). The article will also be used in the training of Ph. D. candidates and M.D. Post-doctoral fellows in immunobiology. Application received by Commissioner of Customs: March 11, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 17, 1974. Article ordered: November 27, 1973.

Docket number: 74-00380-33-46040. Applicant: The Mount Sinai School of Medicine of the City University of N.Y., 100 St. & Madison Avenue, New York City, N.Y. 10029. Article: Electron Microscope, Model HU-12A. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article is intended to be used for the following research:

(1) A detailed analysis of structures in the brain of rhesus monkeys which carry lesions mimicking disease states in man.

(2) The study of latent virus infections in the nervous system.

(3) The study of the metabolism of drugs currently in clinical use against brain tumors.

Application received by Commissioner of Customs: March 13, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 14, 1974. Article ordered: January 29, 1974.

Docket Number: 74-00382-33-46040. Applicant: Lincoln Hospital Center Laboratories, Albert Einstein College of Medicine, 149th Street & Morris Avenue, New York, N.Y. 10451. Article: Electron Microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is intended to be used for a wide range of ultrastructural projects which include studies on kidney disease, problems related to fertility and infertility, problems related to gastro-intestinal disease and studies of vascular endothelial structure as a measure of degenerative disease. The article will also be used in diagnosis of diseases due to virus, where other methods are of limited diagnostic ability. Application received by Commissioner of Customs: March 19, 1974. Advice submitted by the Department of Health, Education, and Welfare on: June 14, 1974. Article ordered: August 10, 1972.

Comments: No comments have been received in regard to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, was being manufactured in the United States at the time the articles were ordered.

Reasons: Each foreign article has a specified resolving capability of equal to or better than 3.5 Angstroms. The most closely comparable domestic instrument available at the time the articles were ordered was the Model EMU-4C electron microscope which was formerly produced by the Forgflo Corporation and which is currently supplied by Adam David Company. The Model EMU-4C had a specified resolving capability of five Angstroms. (Resolving capability bears an inverse relationship to its numercial rating in Angstrom units, i.e., the lower the rating, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in the respectively cited memoranda, that the additional resolving capability of the foreign articles is pertinent to the purposes for which each of the foreign articles to which the foregoing applications relate is intended to be used. We, therefore, find that the Model EMU-4C was not of equivalent scientific value to any of the articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, at the time the articles were ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States at the time the articles were ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16563 Filed 7-18-74;8:45 am]

UNIVERSITY OF UTAH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00386-85-43000. Applicant: University of Utah, Department of Geology and Geophysics, Salt Lake City, Utah 84112. Article: Rock Magnetometer. Manufacturer: Digico Ltd., United Kingdom. Intended use of article: The article is intended to be used for the study of the magnetism of rocks of all types. The experiment to be conducted is the measurement of the magnetic field near the rock and the computer analysis of this data, including correction for strike and dip of bedding plane, calculation of position of ancient magnetic pole, and determination of Fisher statistical parameters. The article will also be used in laboratory exercise in the following courses:

GGS 521, Magnetic and Gravimetric Methods of Exploration
GGS 526, Electromagnetic Properties of Rocks
GGS 692, Paleomagnetism

Comments: No comments were received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, could have been made available to the applicant institution without excessive delay at the time the foreign article was ordered (March 9, 1973). Reasons: The foreign article is of the category that is customarily "produced on order" which is defined in § 701.2(j) of the Department's regulations as an instrument, apparatus, or accessory which a manufacturer lists in a current catalog and is able and willing to produce and have available without unreasonable delay to the applicant. Section 701.11(b) of the regulations provides in pertinent part that "in determining whether a U.S. manufacturer is able and willing to produce a produced on order, or custom-made instrument, apparatus, or accessory and have it available without unreasonable delay to the applicant the Deputy Assistant Secretary shall take into account the normal commercial practices applicable to the production and delivery of instruments, apparatus, or accessories of the same general category."

The question of availability without unreasonable delay is associated with the issue of excessive delivery time which is explained in § 701.11(c) of the regulations as follows:

Excessive delivery time. Duty-free entry of the article shall be considered justified without regard to whether there is being manufactured in the United States an instrument, apparatus, or accessory of equivalent scientific value for the purposes described in response to question 7 of the application form, if the delay in obtaining such domestic instrument, apparatus, or accessory (as indicated by the difference between the delivery times quoted by domestic manufacturer and foreign manufacturer) will seriously impair the accomplishment of the purposes. In determining whether the difference in delivery times is excessive, the Deputy Assistant Secretary shall take into account the relevancy of the applicant's program to other research programs with respect timing, the applicant's need to have such instrument, apparatus, or accessory available at the scheduled time for the course(s) in which the article is intended to be used, and other relevant circumstances.

The foreign article was ordered in March 9, 1973 with a required delivery date of July 1, 1973. The applicant stated that domestic magnetometer systems comparable to the article were available at the time of order but they could not meet the required delivery time.

None of the domestic companies contacted by the applicant responded to the bid requests. The applicant states that one domestic firm, the Schoenstedt Instrument Company, exhibited a prototype magnetometer system late in 1973 and announced the system. The article entered the United States on July 11, 1973. The National Bureau of Standards (NBS) advised in its memorandum dated June 19, 1974 that the delay in delivery that would have occurred if the article has been purchased from a domestic source would have significantly interfered with the timely achievement of the applicant's research objectives. Accordingly, we find that the difference in delivery time between the article and comparable domestic magnetometer systems to be excessive within the meaning of § 701.11(c) as it would seriously impair the accomplishment of the applicant's purposes.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16510 Filed 7-18-74;8:45 am]

UNIVERSITY OF WASHINGTON

Decision on Application for Duty-Free Entry of Scientific Article; Correction

In the notice of decision for duty-free entry of scientific articles appearing at page 23289 in the FEDERAL REGISTER of Thursday June 27, 1974 the following correction should be made.

Docket number: 74-00339-56-17500 should be corrected to read:

Docket number: 74-00339-56-17500. Applicant: University of Washington, Department of Oceanography WB-10, Seattle, Washington 98195. Article: 5 Current Meters, Mode RCM-4. * * *

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16566 Filed 7-18-74;8:45 am]

UNIVERSITY OF WISCONSIN

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket number: 73-00595-65-46070. Applicant: University of Wisconsin, Department of Geology, Science Hall, Madison, Wisconsin 53706. Article: Scanning Electron Microscope, Model JSM-50A. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in the study of clay minerals and other layer lattice minerals (micas, chlorite) to determine on as fine a scale as possible the chemical and mineralogical homogeneity of these materials and the relationship of any variation to the physical form of crystallites. Another application of the article will be to study the relationship between composition and crystal imperfections in thin films of materials such as aluminum or gold. The article will also be used in the course, Geology 349, Electron Microprobe Analysis, to teach students and interested staff members how to use the electron probe to obtain elemental analysis data and how to handle the data collected to obtain quantitative results.

Comments: No comments have been received with respect to this application. A letter dated August 14, 1973 from the Applied Research Laboratories is being treated as an offer to provide additional information pursuant to § 701.10 of the regulations.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United State at the time the article was ordered (April 5, 1972).

Reasons: The foreign article provides the capability for scanning transmission electron diffraction (STED). The most closely comparable domestic instrument, the AMR 900, manufactured by the Advanced Metals Research Corporation did not provide a capability for STED at the time the article was ordered. The National Bureau of Standards (NBS) advised in its memorandum dated February 25, 1974 that the capability for STED is pertinent to the applicant's intended

purposes. NBS also advised that it knows of no other scanning electron microscope of domestic manufacture that provided the STED capability at the time of order.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director,
Special Import Programs Division.

[FR Doc.74-16562 Filed 7-18-74;8:45 am]

National Bureau of Standards

FEDERAL INFORMATION PROCESSING STANDARDS TASK GROUP 13; WORKLOAD DEFINITION AND BENCHMARKING

Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. II, 1972), notice is hereby given that the Federal Information Processing Standards Task Group 13 (FIPS TG-13), "Workload Definition and Benchmarking," will hold a meeting from 10 a.m. to 4 p.m. on Wednesday, August 21, 1974, in Room B-255, Building 225, of the National Bureau of Standards at Gaithersburg, Maryland.

The purpose of this meeting is to review the progress of three work groups and to further develop tasks which should be addressed by the Committee.

The public will be permitted to attend, to file written statements, and, to the extent that time permits, to present oral statements. Persons planning to attend should notify the Executive Secretary, Mr. John F. Wood, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234 (Phone—301-921-2830 or 921-3485).

RICHARD W. ROBERTS,
Director.

[FR Doc.74-16526 Filed 7-18-74;8:45 am]

FEDERAL MARITIME COMMISSION

BLUE SEA LINE JOINT SERVICE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763 (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW, Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before August 8, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Sanford C. Miller, Esq.
Haight, Gardner, Poor & Havens
One State Street Plaza
New York, New York 10004

Agreement No. 8529-5, entered into by Ocean Transport And Trading Limited, and The China Mutual Steam Navigation Co., Ltd. and Aktiebolaget Svenska Ostasiatiska Kompaniet (carriers comprising the "Blue Funnel Line" joint service under Agreement No. 7568), modifies the approved joint service Agreement No. 8529, as amended, of the parties operating as the "Blue Sea Line" to and from ports of the United States and Canada in various world wide trades. The purpose of Agreement No. 8529-5 is to include the trade to and from ports in Burma, Vietnam, Cambodia, Manchuria, Siberia and Singapore within the geographic scope of that agreement.

By Order of the Federal Maritime Commission.

Dated: July 16, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-16581 Filed 7-18-74;8:45 am]

INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE

Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44(a) of the Shipping Act, 1916, (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

P-K International, Inc.
1215 West 6th Street
Los Angeles, California 90017

OFFICERS

Mario Aceituno, President
Patricio Vasquez, Vice President

Sara J. Watt
20528 Woodland
Harper Woods, Michigan 48225

Maria Estela Andrade
1861 Sherer Lane
Glendale, California 91208

Sealift Pacific
300 Market Street
Oakland, California 94607

OFFICERS

Frank Dean Troxel, President/Ch. Bd.
Jack Merchant Park, Vice President—Admin.
John Louis Miller, Vice President—Corp. Plan
Robert Alvie Moore, Vice President—Govt. Svces.
Gary Julian North, Vice President—Traf. Svc.
David Lee Fraley, Asst. Vice President-Treasurer
James Edward Riggs, Vice President-Adv.—P.R.
William Leon Ward, Vice President—Guam
Helen Hartzel Wray, Asst. Secretary

Andreas Schuemer
909 North 7th Avenue
Maywood, Illinois 60153

By the Federal Maritime Commission.

Dated: July 16, 1974.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-16582 Filed 7-18-74;8:45 am]

[Independent Ocean Freight Forwarder License No. 1493]

SEARIDERS, INC.

Order of Revocation

By letter dated July 3, 1974, the Federal Maritime Commission received notification that Seariders, Inc., P.O. Box 474, Miami Springs, Florida 33166 wishes to voluntarily surrender its Independent Ocean Freight Forwarder License No. 1493 for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1493 be returned to the Commission for cancellation.

It is further ordered, That the Independent Ocean Freight Forwarder License of Seariders, Inc. be and is hereby revoked effective July 3, 1974.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Seariders, Inc.

AARON W. REESE,
Managing Director.

[FR Doc.14-16580 Filed 7-18-74;8:45 am]

[Independent Ocean Freight Forwarder License No. 236]

WALSH STEVEDORING CO., INC.

Order of Revocation

By letter of July 1, 1974, the Federal Maritime Commission received notification that Walsh Stevedoring Company, Inc., 805 Commerce Building, Mobile, Alabama 36601 wishes to voluntarily surrender its Independent Ocean Freight Forwarder License for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 263 be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 236 of Walsh Stevedoring Company, Inc. be and is hereby revoked effective July 1, 1974.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Walsh Stevedoring Company, Inc.

AARON W. REESE,
Managing Director.

[FR Doc.74-16579 Filed 7-18-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-0274]

EXCELSIOR CAPITAL CORP.

Application for Transfer of Control of Licensed Small Business Investment Company

Notice is hereby given that application has been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701 (1973)) for transfer of control of Excelsior Capital Corporation (Excelsoir), 115 Broadway, New York, New York 10006, a Federal Licensee under the Small Business Act of 1958, as amended (the Act), (15 U.S.C., 661 et seq.).

The transfer of control is being made pursuant to a purchase and sale agreement between Mr. Solomon Scharf, owner of all outstanding shares of Excelsior, and Amerling Management Corporation (Amerling) 57-02 Northern Boulevard, Woodside, Queens, New York 11377. Excelsior was licensed on March 4, 1964, and its present capitalization is $301,500. Amerling has agreed to increase the total paid-in capital and paid-in surplus within two years to a minimum of $500,000. The proposed transfer is subject to and contingent upon the prior approval of SBA.

After the proposed transfer of control, the officers, directors and principal stockholders are as follows:

David (nmn) Gurvitz, 100 Central Park South, New York, New York 10014, President, Director.

Jack (nmn) Solome, 947 East 24th Street, Brooklyn, New York 10016, Vice President, Director.

Harry Mark Gurvitz, 100 Central Park South, New York, New York 10014, Secretary, Treasurer, Director.

Amerling will own 100 percent of the issued and outstanding stock. It is contemplated that the Licensee will share offices with Amerling at 57-02 Northern Boulevard, Woodside, Queens, New York 11377.

Matters involved in SBA's consideration of the application include the general business reputation and character of new owners, and the probability of successful operations of the company in accordance with the Act and Regulations.

Notice is further given that any interested person may, not later than fifteen days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed transfer of control. Any such communications should be addressed to:

Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

A copy of this notice shall be published by the transferee in a newspaper of general circulation in New York, New York.

Dated: July 8, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.74-16542 Filed 7-18-74;8:45 am]

[Notice of Disaster Loan Area 1072; Amdt. 4]

ILLINOIS

Amendment to Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Illinois as a major disaster area following severe storms and flooding beginning on or about May 17, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from disaster victims in the following additional County: Woodford, and adjacent affected areas. Adjacent areas include only counties within the State for which the declaration is made and do not extend beyond State lines. (See 39 FR 22195, 24066 and 35424.)

Applications may be filed at the:

Small Business Administration
Regional Office
219 South Dearborn Street
Chicago, Illinois 60604

and at such temporary offices as are established. Such addresses will be announced locally.

Applications for disaster loans under this announcement must be filed not later than September 6, 1974.

Dated: July 10, 1974.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.74-16546 Filed 7-18-74;8:45 am]

[Declaration of Disaster Loan Area 1082]

INDIANA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June, because of the effects of a certain disaster, damage resulted to property located in the State of Indiana;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Lake County, Indiana, and adjacent affected areas, suffered damage or destruction resulting from tornadoes and heavy rains which occurred June 20, 1974. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Office: Small Business Administration, District Office, 36 South Pennsylvania Street, Indianapolis, Indiana 46204.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 9, 1974.

Dated: July 10, 1974.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.74-16544 Filed 7-18-74;8:45 am]

[Declaration of Disaster Loan Area 1081]

PENNSYLVANIA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1974, because of the effects of a certain disaster, damage resulted to property located in the State of Pennsylvania;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Allegheny, Beaver, Butler, Crawford, Indiana and Westmoreland Counties, and adjacent affected areas, suffered damage or destruction resulting from unusually heavy rains and flooding which occurred on or about June 30, 1974. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Office: Small Business Administration, District Office, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 9, 1974.

Dated: July 10, 1974.

LOUIS F. LAUN,
Acting Administrator.

[FR Doc.74-16545 Filed 7-18-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 552]

ASSIGNMENT OF HEARINGS

JULY 16, 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-136384 Sub-7, Palmer Motor Express, Inc., now being assigned September 3, 1974 (2 weeks), at Atlanta, Ga., in a hearing room to be later designated.

MC-C-8131, Atlanta Motor Lines, Inc., et al., v. Brown Transport Corp., et al., now assigned August 6, 1974, at Atlanta, Ga., is cancelled and transferred to Modified procedure.

I&S 8934, Insulating Materials, Southern, Official, & Western Territories, now assigned July 30, 1974 at Washington, D.C., is cancelled.

MC-C-8282, Foothills Trucking Company, Inc., and Guignard Freight Lines, Inc.—Investigation of Operations and Practices, now assigned July 22, 1974, at Atlanta, Ga., is postponed indefinitely.

MC 111662 Sub 1, Space World U.S.A. Tours, Inc., now being assigned continued hearing September 4, 1974 (3 days), at Chicago, Ill., in Room 1086A, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street.

MC 134958 Sub 6, Hams Express, Inc., now being assigned continued hearing September 9, 1974 (3 days), in Room 1086A, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Chicago, Ill.

MC 119619 Sub 59, Distributors Service Co., now being assigned hearing September 12, 1974 (2 days), in Room 1086A, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Chicago, Ill.

W-1273, Aiple Towing Company, now assigned August 5, 1974, will be held in Room 1086A, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Chicago, Ill., instead of in Room 905 A, 536 South Clark St.

MC 138844 Sub 1, Gas Incorporated, now being assigned hearing October 1, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-16586 Filed 7-18-74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 16, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before August 15, 1974.

FSA No. 42848—*Lumber to Points in Minnesota.* Filed by Southwestern Freight Bureau, Agent (No. B-473), for interested rail carriers. Rates on lumber and related articles, in carloads, as described in the application, from points in southwestern territory, to Robbinsdale and Ossec, Minnesota.

Grounds for relief—Market competition, rate relationship, modified short-line distance formula and grouping.

Tariff—Supplement 67 to Southwestern Frieght Bureau, Agent, tariff SW/W-2006-J, I.C.C. No. 5056. Rates are published to become effective on August 13, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-16587 Filed 7-18-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JULY 15, 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 29, 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-2860 (Sub-No. E52), 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 vehicles, over irregular routes, transporting: *Canned goods and preserved foods* (except commodities in bulk), from points in Massachusetts, Connecticut, Rhode Island, the New York, N.Y., commercial zone, as defined by the Commission, Nassau and Suffolk Counties, N.Y., that part of New Jersey on and south of U.S. Highway 1, that part of Pennsylvania on and east of U.S. Highway 1, and that part of Delaware north of the Chesapeake and Delaware Canal, to points in West Virginia (except points in Berkeley, Hampshire, Jefferson, Mineral, and Morgan Counties), and that part of Ohio on and south of a line beginning at the Pennsylvania-Ohio State line, thence along Interstate Highway 80 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30 near Delphos, thence along U.S. Highway 30 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the gateways of Summit Bridge, Del., and Deepwater, N.J.

No. MC-2860 (Sub-No. E53), 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: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Bergen, Passaic, Sussex, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Hunterdon, Monmouth, and Ocean Counties, N.J., on the one hand, and, on the other, points in Maryland and Delaware. The purpose of this filing is to eliminate the gateway of Camden, N.J.

No. MC-2860 (Sub-No. E55), 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: *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 the use of special equipment), between New York, N.Y., and points in that part of New York within 50 miles thereof, on the one hand, and, on the other, points in Delaware and Maryland. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Wilmington, Del.

No. MC-2860 (Sub-No. E60), 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., 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, commodities

requiring special equipment, and those injurious or contaminating to other lading), between points in Connecticut, Massachusetts, and Rhode Island, on the one hand, and, on the other, points in Delaware and that part of Maryland east of U.S. Highway 1, north of a line beginning at the District of Columbia-Maryland State line, thence along U.S. Highway 50 to junction Maryland Highway 450, thence along Maryland Highway 450 to the Chesapeake Bay, and west of the Chesapeake Bay. The purpose of this filing is to eliminate the gateway of points in Salem County, N.J.

No. MC–17868 (Sub-No. E18), filed May 31, 1974. Applicant: H. E. BRINKERHOFF & SONS TRANSPORTATION CO., 1001 South 14th Street, Harrisburg, Pa. 17104. Applicant's representative: Thomas R. Kingsley, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Mercer, Middlesex, and Monmouth Counties, N.J., on the one hand, and, on the other, points in New York on and west of a line beginning at the Pennsylvania-New York State line, and extending along New York Highway 14 to its junction with Interstate Highway 81, thence along Interstate Highway 81 to its junction with Interstate Highway 90, thence on and north of Interstate Highway 90 to the New York-Massachusetts State line, points in Massachusetts on and north of Interstate Highway 90, and those in Vermont, Maine, and New Hampshire. The purpose of this filing is to eliminate the gateways of Harrisburg, Pa., and Wilmington, Del.

No. MC–25798 (Sub-No. E41), filed May 30, 1974. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1186, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus juice concentrate and citrus products, not canned and not frozen*, from points in Florida east and southeast of the eastern boundary of Jefferson County to points in Nevada. The purpose of this filing is to eliminate the gateway of Raymondsville, Tex.

No. MC 46219 (Sub-No. E10), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Pennsylvania (except points in Erie, McKean, Potter, Tioga, Bradford, Susquehanna, Lackawanna, Wyoming, Wayne, Warren, and Pike Counties), to points in New Hampshire. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E43), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 13th and Pennsylvania Avenue NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Massachusetts to points in Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Florida. The purpose of this filing is to eliminate the gateways of New York, N.Y., Paterson, N.J., Philadelphia, Pa., and Hampton, Va.

No. MC–46219 (Sub-No. E44), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from points in New Hampshire to points in Pennsylvania (except points in Erie, McKean, Potter, Tioga, Bradford, Susquehanna, Lackawanna, Wyoming, Wayne, and Pike Counties), and points in New Jersey (except points in Sussex County), and points in Wood, Jackson, Mason, Putnam, Kanawha, Boone, Lincoln, Logan, Mingo, Wayne, and Cabell Counties, W. Va., and points in Maryland, Delaware, Ohio, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Louisiana, Florida, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y., Philadelphia and Warren, Pa., and Alexandria, Va.

No. MC–46210 (Sub-No. E46), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in New Hampshire to points in Pennsylvania (except points in Erie, McKean, Potter, Tioga, Bradford, Susquehanna, Lackawanna, Wyoming, Wayne, and Pike Counties) and points in New Jersey (except points in Sussex County) and points in Wood, Jackson, Mason, Putnam, Kanawha, Boone, Lincoln, Logan, Mingo, Wayne, and Cabell Counties, W. Va., and points in Maryland, Delaware, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y., and points in McKean County, Pa.

No. MC–46219 (Sub-No. E47), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper-wrapped, uncrated, steel utility cabinets*, from points in New Hampshire to points in West Virginia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Philadelphia, Pa.

No. MC–46219 (Sub-No. E48), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in New Hampshire to points in Pennsylvania (except points in Erie, McKean, Potter, Tioga, Bradford, Susquehanna, Lackawanna, Wyoming, Wayne, and Pike Counties), and points in New Jersey (except points in Sussex County), and points in Wood, Jackson, Mason, Putnam, Kanawha, Boone, Lincoln, Logan, Mingo, Wayne, and Cabell Counties, W. Va., and points in Maryland, Delaware, Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y., and Philadelphia and Warren, Pa.

No. MC–46219 (Sub-No. E48), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in New Hampshire to points in Pennsylvania (except points in Erie, McKean, Potter, Tioga, Bradford, Susquehanna, Lackawanna, Wyoming, Wayne, and Pike Counties), and points in New Jersey (except points in Sussex County), and points in Wood, Jackson, Mason, Putnam, Kanawha, Boone, Lincoln, Logan, Mingo, Wayne, and Cabell Counties, W. Va., and points in Maryland, Delaware, Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y., and Philadelphia and Warren, Pa.

No. MC–46219 (Sub-No. E49), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated* (or crated when moving in the same vehicle with uncrated), from points in Connecticut to points in Virginia, West

Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Louisiana, and Florida. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Alexandria, Va.

No. MC–46219 (Sub-No. E50), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Connecticut to points in Virginia, North Carolina, South Carolina, Louisiana, Mississippi, Alabama, Georgia, and Florida. The purpose of this filing is to eliminate the gateways of New York, N.Y., Paterson, N.J., Philadelphia, Pa., and Hampton, Va.

No. MC–46219 (Sub-No. E51), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Connecticut (except Hartford, New Haven, Litchfield, and Fairfield Counties), to points in Chautauqua, Cattaraugus, Allegany, Steuben, Yates, Schuyler, Chemung, Tioga, and Broome Counties, N.Y., and points in Pennsylvania, New Jersey, Maryland, Delaware, Ohio, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y.

No. MC–46219 (Sub-No. E52), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Connecticut (except Tolland, Windham, Middlesex, and New London Counties) to points in Pennsylvania (except Pike, Monroe, Wayne, Lackawanna, Wyoming, and Susquehanna Counties) and points in New Jersey (except Sussex, Passaic, and Bergen Counties) and points in Niagara, Orleans, Erie, Genesee, Wyoming, Livingston, Chautauqua, Cattaraugus, Allegany, Steuben, Schuyler, and Chemung Counties, N.Y., and points in Ohio, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y.

No. MC–46219 (Sub-No. E53), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Connecticut (except points in Hartford, New Haven, Litchfield, and Fairfield Counties) to points in Chautauqua, Cattaraugus, Allegany, Steuben, Yates, Schuyler, Chemung, Tioga, and Broome Counties, N.Y., and points in Pennsylvania, New Jersey, Maryland, Delaware, Ohio, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Warren, Pa.

No. MC–46219 (Sub-No. E54), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Connecticut (except Tolland, Windham, Middlesex, and New London Counties) to points in Pennsylvania (except Pike, Monroe, Wayne, Lackawanna, Wyoming, and Susquehanna Counties), and points in New Jersey (except Sussex, Passaic, and Bergen Counties), and points in Niagara, Orleans, Erie, Genesee, Wyoming, Livingston, Chautauqua, Cattaraugus, Allegany, Steuben, Schuyler, and Chemung Counties, N.Y., and points in Ohio, Maryland, Delaware, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Warren, Pa.

No. MC–46219 (Sub-No. E55), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, uncrated (or crated when moving in the same vehicle with crated), from points in Massachusetts to points in West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Louisiana, and Florida. The purpose of this filing is to eliminate the gateways of New York, N.Y., and Alexandria, Va.

No. MC–46219 (Sub-No. E56), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Franklin, Hampshire, Hampden, and Berkshire Counties, Mass., to points in Pennsylvania (except Pike, Wayne, Susquehanna, Lackawanna, Wyoming, and Bradford Counties), and points in New Jersey (except Bergen, Passaic, and Sussex Counties), and points in Maryland, Delaware, Virginia, West Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y.

No. MC–46219 (Sub-No. E57), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated*, from points in Pennsylvania to points in Rhode Island and Connecticut (except Litchfield, Fairfield, New Haven, Hartford, and Middlesex Counties). The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC–46219 (Sub-No. E58), filed May 14, 1974. Applicant: STERNBERGER MOTOR CORPORATION, 45–55 Pearson Street, Long Island City, N.Y. 11101. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from points in Massachusetts (except points in Franklin, Hampshire, Hampden, and Berkshire Counties) to points in Pennsylvania, New Jersey, Delaware, Maryland, West Virginia, Virginia, Ohio, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Jamestown and New York, N.Y.

No. MC–51018 (Sub-No. E1), filed May 31, 1974. Applicant: THE BESL TRANSFER CO., 5550 Este Avenue, Cincinnati, Ohio 45232. Applicant's representative: Raymond A. Besl (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of size or weight requires the use of special equipment, (2) *self-propelled articles*, each weighing 15,000 pounds or more (restricted to commodities which are transported on trailers), and (3) *related machinery, tools, parts, and supplies* moving in connection with the commodities described in (2) above, between points in Indiana (except Steuben County), on the one hand, and, on the other, points in that part of Ohio on and south of a line beginning at the Ohio-Indiana State line, thence along Interstate Highway 70 to Columbus, thence along Ohio Highway 16 to Coshocton, thence along U.S. Highway 36 to its junction with U.S. Highway 22, thence along U.S. Highway 22 to Stuberville. The purpose of this filing is to eliminate the gateway of points in Hamilton County, Ohio, and points in that part of Ohio on and south of Interstate Highway 70 and on and west of Interstate Highway 75.

No. MC–63417 (Sub-No. E7), filed June 4, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt,

1030 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in that part of North Carolina on and east of U.S. Highway 21 (except Chocowinity), to points in the part of Florida on and south of a line beginning at the Atlantic Ocean, thence along U.S. Highway 40 to junction Florida Highway 40, thence along Florida Highway 40 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateways of Stanleytown and Bassett, Va., and Sumter, S.C.

No. MC-63417 (Sub-No. E8), filed June 4, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 15th Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from Christiansburg, Va., to points in Alabama, Georgia, Illinois, Indiana, Michigan, South Carolina, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Rocky Mount, Va.

No. MC-63417 (Sub-No. E9), filed June 4, 1974. Applicant: BLUE RIDGE TRANSFER COMPANY, INC., 1814 Hollins Road NE., Roanoke, Va. 24001. Applicant's representative: Nancy Pyeatt, 1030 15th Street, NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in that part of North Carolina on and east of U.S. Highway 21 to points in Alabama, Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Stanleytown and Bassett, Va.

No. MC-64808 (Sub-No. E1), filed May 31, 1974. Applicant: W. S. THOMAS TRANSFER, INC., P.O. Box 507, Fairmont, West Virginia 26554. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Peoria, Ill., to points in that part of Monroe County, Ohio, on and east of Ohio Highway 7. The purpose of this filing is to eliminate the gateway of Marion County, W. Va.

No. MC-88368 (Sub-No. E26), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Avenue, Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Avenue, 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 South Dakota to points in Alabama (Harlan, Iowa, and points within 15 miles thereof, and points in Missouri and Mississippi)*, points in Florida Harlan, Iowa, and points within 15 miles thereof, points in Missouri and Mississippi and Florence, Sheffield, and Tuscumbia, Ala.)*, points in Georgia Harlan, Iowa, and points within 15 miles thereof, points in Missouri and Mississippi, Florence, Sheffield, and Tuscumbia, Ala., and Birmingham, Ala., and points within 100 miles thereof, except Montgomery, Ala.)*, points in Illinois within 100 miles of Danville, Ill., including Danville (Harlan, Iowa, and points within 15 miles thereof, and Bloomington, Ill., and points with 25 miles thereof)*, points in Indiana within 100 miles of Danville, Ill. (Harlan, Iowa, and points within 15 miles thereof)*, and (Bloomington, Ill., and points within 25 miles thereof)*, points in Harlan County, Ky. (Harlan, Iowa, and points within 15 miles thereof and Bloomington, Ind., and points within 25 miles thereof)*, points in Louisiana (Harlan, Iowa, and points within 15 miles thereof, points in Cowley County, Kans., and points in Cherokee County, Tex.)*, points in Mississippi (Harlan, Iowa, and points within 15 miles thereof, and points in Missouri)*, points in Missouri (Harlan, Iowa, and points within 15 miles thereof)*, points in North Carolina (Harlan, Iowa, and points within 15 miles thereof, points in Missouri and Mississippi, and Florence, Sheffield, and Tuscumbia, Ala.)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC-94201 (Sub-No. E1), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut 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, cements, fertilizer, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Norfolk, Va., on the one hand, and, on the other, points in Alamance, Gaston, Iredell, Mecklenburg, Forsyth, Davie, Rowan, Cabarrus, Guilford, Orange, Durham Wake, Johnston, Wayne, Lenoir, Craven Anson, Richmond, Moore, Lee, Scotland, Hoke, Harnett, Cumberland, Robeson, Sampson, Bladen, Columbus, Duplin, Brunswick, New Hanover, Pender, Onslow, Martin, Montgomery, Cleveland, and Rutherford Counties, N.C. The purpose of this filing is to eliminate the gateway of Winston, Goldsboro, Durham, Williamston, or New Bern, N.C.

No. MC-94201 (Sub-No. E2), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut 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, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in those parts of New Jersey and New York within 35 miles of Columbus Circle, New York, N.Y., on the one hand, and, on the other, points in Rhode Island and Massachusetts. The purpose of this filing is to eliminate the gateway of Stamford, Conn.

No. MC-94201 (Sub-No. E3), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit crystals and vegetable crystals* (except commodities in bulk), from Lake Wales, Fla., to Norfolk, Va. The purpose of this filing is to eliminate the gateway of Kingston, N.C.

No. MC-94201 (Sub-No. E4), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic tire cord yarn, synthetic yarn, synthetic fiber, synthetic plastic, and nylon flake* (except commodities in bulk), from Etowah, Tenn., and points within five miles thereof, to Norfolk, Va. The purpose of this filing is to eliminate the gateway of Raleigh, N.C.

No. MC-94201 (Sub-No. E5), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut 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, livestock, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), between the plant site of the American Cyanamid Company at or near Pace, Fla., on the one hand, and, on the other, Norfolk, Va. The purpose of this filing is to eliminate the gateway of Raleigh, N.C.

No. MC-94201 (Sub-No. E6), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tubes, and items used in the manufacture of tires, tubes, and rubber goods*, between New Orleans, La., on the one hand, and, on the other,

points in Virginia. The purpose of this filing is to eliminate the gateway of Gadsden, Ala.

No. MC–94201 (Sub-No. E7), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove Road, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products* (except commodities in bulk, or those requiring special equipment), from the facilities of the Scott Paper Company and the International Paper Company at or near Mobile, Ala., to Louisville, Ky., and points in Kentucky within 10 miles thereof. The purpose of this filing is to eliminate the gateway of points in Clark or Floyd Counties, Ind. (except Sellersburg, Speed, Memphis, Henryville, and Borden, Ind.)

No. MC–94201 (Sub-No. E8), filed May 14, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove, Atlanta, Ga. 30316. Applicant's representative: Charles Ephraim, 1250 Connecticut 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, fertilizer, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between the plant site of the General Tire and Rubber Company, at or near Mayfield, Ky., on the one hand, and, on the other: (1) Norfolk, Va. (Raleigh, N.C.),* (2) points in those parts of Connecticut, New Jersey, and New York within 35 miles of Columbus Circle, New York, N.Y. (New York, N.Y.),* and (3) points in Massachusetts and Rhode Island (New York, N.Y., and Stamford, Conn.). The purpose of this filing is to eliminate the respective gateways indicated by asterisks above.

No. MC–94201 (Sub-No. E9), filed June 4, 1974. Applicant: BOWMAN TRANSPORTATION, INC., 1500 Cedar Grove, Atlanta, Ga. 30316. Applicant's representative: Maurice F. Bishop, 601–09 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chopped alfalfa pellets and sodium hydroxide* (except commodities in bulk), from the plant site and storage facilities of the Clorox Company at or near Atlanta, Ga., to points in Illinois, Indiana, that part of Kentucky on and west of U.S. Highway 31E, and that part of Ohio on and west of U.S. Highway 22; (2) *flavoring syrup, flavoring compound, and beverage preparations*, in containers, between the plant site and storage facilities of the Coca-Cola Company, Inc., at Atlanta, Ga., on the one hand, and, on the other, points in Illinois, Indiana, that part of Kentucky on and west of U.S. Highway 31E, and that part of Ohio on and west of U.S. Highway 22; (3) *sodium hypochlorite solution, bleach, cleaning, scouring, and washing compounds, soap, textile softeners, fabric sizing, steel wool, pot scourers, and chemicals*, in containers, from the plant site and storage facilities of the Purex Corporation, Ltd., and the plant site and storage facilities of the Clorox Company, both located at or near Atlanta, Ga., to points in Illinois, Indiana, that part of Kentucky on and west of U.S. Highway 31E, Ohio, on and west of U.S. Highway 22. The purpose of this filing is to eliminate the gateway of Scottsboro, Ala.

No. MC–95540 (Sub-No. E251), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, 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: *Frozen fruits, frozen berries, and frozen vegetables*, from the District of Columbia to points in Texas. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–99656 (Sub-No. E1), filed June 4, 1974. Applicant: IDDINGS TRUCKING CO., INC., 714 Dime Bank Building, Marietta, Ohio 45750. Applicant's representative: Paul Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, in dump vehicles (except cement and salt), from points in Monroe County, Ohio, to points in that part of Ohio on, north, and west of a line beginning at Bridgeport, thence along Interstate Highway 70 to Zanesville, thence along Ohio Highway 60 to Marietta, thence along Ohio Highway 7 to Newport, restricted against furnishing the same kind and character of service being furnished by existing railway lines or by motor transportation companies operating between fixed termini or over regular routes. The purpose of this filing is to eliminate the gateway of points in Noble County, Ohio.

No. MC–106373 (Sub-No. E1), filed May 28, 1974. Applicant: THE SERVICE TRANSPORT CO., 11910 Harvard Avenue, Cleveland, Ohio 44105. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* (except commodities, the transportation of which because of size or weight, requires the use of special equipment), between the plant site of the Bethlehem Steel Corporation at Burns Harbor, Porter County, Indiana, on the one hand, and, on the other, points in Maryland, New Jersey, New York, Pennsylvania, and West Virginia, and restricted to the transportation of shipments originating at or destined to the plant site of Bethlehem Steel Corporation at Burns Harbor, Porter County, Indiana. The purpose of this filing is to eliminate the gateway of Canton, Ohio.

No. MC–107496 (Sub-No. E32), 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: *Petroleum products*, in bulk, in tank vehicles, from Fort Madison, Iowa, to points in Illinois (except points on and north of a line beginning at the Missouri-Illinois State line over U.S. Highway 54 to its junction with U.S. Highway 36, thence over U.S. Highway 36 to Decatur and on and west of U.S. Highway 51). The purpose of this filing is to eliminate the gateway of Alexandria, Mo.

No. MC–107496 (Sub-No. E33), 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: *Molasses when used in liquid animal feed and feed supplements*, in bulk, in tank vehicles, from points in Iowa to points in New Mexico. The purpose of this filing is to eliminate the gateway of Leoti, Kans.

No. MC–107496 (Sub-No. E34), 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 corn sugar*, in bulk, in tank or hopper-type vehicles, from the plant site of Grain Processing Corporation (or its subsidiary Kent Feeds) to points in Mississippi. The purpose of this filing is to eliminate the gateway of Memphis, Tenn.

No. MC–107496 (Sub-No. E35), 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: *Petroelum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from points in Nebraska to points in Wisconsin. The purpose of this filing is to eliminate the gateways of points in Iowa and Rockford, Ill.

No. MC–107496 (Sub-No. E36), 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: *Fish oil*, in bulk, in tank vehicles, from Menominee, Mich, to points in Colorado. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E37), 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: *Cement*, from Madison, Wis., to points in Iowa on and south of U.S. Highway 6. The purpose of this filing is to eliminate the gateway of the plant site or distribution terminal sites of Dundee Cement Company located at or near Rock Island, Ill.

No. MC–107496 (Sub-No. E38), 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: *Fertilizer and fertilizer compounds*, in bulk, in tank or hopper-type vehicles, from Fremont, Nebr., to points in Kentucky. The purpose of this filing is to eliminate the gateway of Ft. Madison, Iowa.

No. MC–107496 (Sub-No. E69), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Louisiana. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Company at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E70), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Kansas. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Company at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E71), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Arkansas. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Co. at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E72), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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 resins*, in bulk, in tank vehicles, from Mishawaka, Ind., to points in Colorado. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Company at or near Mapleton, Ill.

No. MC–107496 (Sub-No. E73), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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: *Petroleum products* (except petrochemicals) in bulk, in tank vehicles, from the plant site of American Oil Company located at or near Whiting, Ind., to points in Nebraska. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa, and points within 10 miles thereof.

No. MC–107496 (Sub-No. E74), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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: *Petroleum products* (except petrochemicals), in bulk, in tank vehicles, from the plant site of American Oil Company at or near Whiting, Ind., to points in Kansas. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa, and points within 10 miles thereof.

No. MC–107496 (Sub-No. E75), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., 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: *Petroleum products*, in bulk, in tank vehicles, from Sugar Creek, Mo., and Kansas City, Kans., to points in Illinois on and north of U.S. Highway 136 (except points on and north of Interstate Highway 80 and on and west of U.S. Highway 51). The purpose of this filing is to eliminate the gateways of Appanoose County, Iowa, points in Iowa, Fort Madison, Iowa, and Alexandria, Mo.

No. MC–107496 (Sub-No. E99), 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 Indiana. 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–110098 (Sub-No. E42), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except meats, meat products, meat byproducts, bananas, commodities in bulk, alcoholic beverages, coffee, cookies and crackers), in vehicles equipped with mechanical refrigeration, from points in that part of California in and south of Inyo, Fresno, Madera, Mariposa, Stanislaus, San Joaquin, Contra Costa, and Marin Counties, Calif., to points in Minnehaha, Turner, Lincoln, Yankton, Clay, and Union Counties, S. Dak. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E43), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except meats, meat products, meat byproducts, bananas, commodities in bulk, alcoholic beverages, coffee, cookies and crackers), in vehicles equipped with mechanical refrigeration, from points in that part of California on, west, and south of a line beginning at the International Boundary line between the United States and Mexico, thence along Interstate Highway 5 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Pacific Ocean, to points in that part of Colorado on, south, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 24 to junction U.S. Highway 85, thence along U.S. Highway 85 to the New Mexico-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E44), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except meats, meat products, meat byproducts, bananas, commodities in bulk, alcoholic beverages, coffee, cookies and crackers), in vehicles equipped with mechanical refrigeration, from points in Fresno, Tulare, Kings, San Luis Obispo, Kern, San Bernardino, Santa Barbara, Ventura, Los Angeles, Orange, Riverside, San Diego, and Imperial Counties, Calif., to points in that part of North Dakota on and east of U.S. Highway 281. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E45), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in 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 vehicles equipped with mechanical refrigera-

tion, from points in that part of California on, west, and south of a line beginning at the International Boundary line between the United States and Mexico, thence along Interstate Highway 5 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Pacific Ocean, to points in that part of Colorado on, south, and east of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 24 to junction U.S. Highway 85, thence along U.S. Highway 85 to the New Mexico-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E46), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described in 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 vehicles equipped with mechanical refrigeration, from points in that part of Oregon north and east of a line beginning at the Idaho-Oregon State line, thence along Oregon Highway 201 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to the Oregon-Washington State line, and that part of Washington on and south of a line beginning at the Oregon-Washington State line, thence along Washington Highway 125 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Washington Highway 21, thence along Washington Highway 21 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Pacific Ocean, to points in that part of Illinois on and south of U.S. Highway 36, that part of Indiana on and south of U.S. Highway 40, and that part of Ohio on and south of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E47), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables, frozen fruits, and frozen berries, and frozen fish and shrimp* when moving at the same time and in the same vehicle with frozen vegetables, frozen fruits, or frozen berries, in vehicles equipped with mechanical refrigeration, from points in that part of Oregon north and east of a line beginning at the Idaho-Oregon State line, thence along Idaho Highway 201 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 97, thence along U.S. Highway 97 to the Oregon-Washington State line, that part of Washington on and south of a line beginning at the Oregon-Washington State line, thence along Washington Highway 125 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Washington Highway 21, thence along Washington Highway 21 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Pacific Ocean, to points in Virginia, Tennessee, Illinois on and south of U.S. Highway 36, that part of Indiana on and south of U.S. Highway 40, that part of Ohio on and south of U.S. Highway 40, that part of Pennsylvania on, south, and west of a line beginning at the Ohio-Pennsylvania State line, thence along U.S. Highway 22 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-New York State line, and that part of New York on and south of U.S. Highway 20. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E48), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, from Clearfield, Ogden, Provo, and Salt Lake City, Utah, to points in Ohio, that part of Illinois on and south of U.S. Highway 24, and that part of Indiana on and south of a line beginning at the Illionis-Indiana State line, thence along Indiana Highway 2 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E49), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables, frozen fruits, and frozen berries, and frozen fish and shrimp* when moving at the same time and in the same vehicle with frozen vegetables, frozen fruits, or frozen berries, in vehicles equipped with mechanical refrigeration, from Clearfield, Ogden, Provo, and Salt Lake City, Utah, to points in Ohio, Pennsylvania, New York, Virginia, Tennessee, that part of Illinois on and south of U.S. Highway 24, and that part of Indiana on and south of a line beginning at the Illinois-Indiana State line, thence along Indiana Highway 2 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Indiana-Ohio State line. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–110098 (Sub-No. E50), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in that part of California on and north of a line beginning at the Pacific Ocean thence along California Highway 68 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 152, thence along California Highway 152 to junction with California Highway 59, thence along California Highway 59 to junction California Highway 140, thence along California Highway 140 to junction California Highway 49, thence along California Highway 49 to junction California Highway 4, thence along California Highway 4 to the California-Nevada State line, to points in that part of Kansas on, north, and east of a line beginning at the Colorado-Kansas State line, thence along U.S. Highway 40 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of points in Idaho.

No. MC–110098 (Sub-No. E51), filed May 31, 1974. Applicant: ZERO REFRIGERATED LINES, P.O. Box 20380, San Antonio, Tex. 78220. Applicant's representative: T. D. Cothren (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in that part of California on, south, and west of a line beginning at the Pacific Ocean thence along Califonia on, south, and west of a line beginning at the Pacific Ocean thence along California Highway 68 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 152, thence along California Highway 152 to junction California Highway 99, thence along California Highway 99 to junction California Highway 180, thence along California Highway 180 to junction California Highway 69, thence along California Highway 69 to junction California Highway 65, thence along California Highway 65 to junction California Highway 99, thence along California Highway 99 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Pacific Ocean, to points in that part of Kansas on, east, and north of a line beginning at the Kansas-Nebraska State line, thence along U.S. Highway 75 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Kansas-Missouri State line. The purpose of this filing is to eliminate the gateway of points in Idaho.

No. MC–111302 (Sub-No. E2), filed May 23, 1974. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10470,

Knoxville, Tenn. 37914. Applicant's representative: Clyde Carver (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except phospatic food supplements), in bulk, in tank vehicles, from Tampa, Fl., to points in that part of Texas on and north of a line beginning at the Oklahoma-Texas State line, thence along Texas Highway 203 to Hedley, thence along U.S. Highway 287 to Amarillo, thence along Interstate Highway 27 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Texas-New Mexico State line. The purpose of this filing is to eliminate the gateway of Knoxville, Tenn.

No. MC–111545 (Sub-No. E141), filed May 30, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies moving* in connection therewith, between points in that part of Alabama within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, (1) points in that part of South Carolina within 175 miles of Charlotte, N.C. (Anderson, S.C.)*; (2) points in Iowa (Clarksville, Tenn.)*; (3) points in Minnesota and Nebraska ((1) Clarksville, Tenn., and (2) Keokuk or Mt. Ayer, Iowa)*; and (4) points in New Jersey (Cedartown, Ga.)*; restricted in (1), (2), (3), and (4) above to the transportation of commodities which are transported on trailers, and restricted in (4) above against the transportation of knitting machines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–111545 (Sub-No. E142), filed May 30, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled* articles, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in that part of Georgia within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Minnesota and Nebraska, restricted to the transportation of knitting machines. The purpose of this filing is to eliminate the gateways of (1) Ringgold, Ga., and (2) Keokuk or Mt. Ayr, Iowa.

No. MC–111545 (Sub-No. E145), filed May 30, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Indiana, Kentucky, Ohio, and Tennessee, on the one hand, and, on the other, points in Minnesota, restricted to the transportation of commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of Dubuque or Keokuk, Iowa.

No. MC–111545 (Sub-No. E146), filed May 30, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in that part of Mississippi within 175 miles of Chattanooga, Tenn., on the one hand, and, on the other, points in Iowa, Minnesota, Nebraska, and Wisconsin, restricted to the transportation of commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways of (1) Clarksville, Tenn., and (2) Keokuk, Mt. Ayr, or Clinton, Iowa.

No. MC–111545 (Sub-No. E148), filed May 30, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Nebraska, on the one hand, and, on the other, points in Indiana, Kentucky, the Lower Peninsula of Michigan, Ohio, and Tennessee, restricted to the transportation of commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of Davenport or Keokuk, Iowa.

No. MC–111545 (Sub-No. E201), filed May 21, 1974. Applicant: HOME TRANSPORTATION COMPANY, INC., P.O. Box 6426, Station A, Marietta, Ga. 30062. Applicant's representative: Robert E. Born (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, between points in Louisiana, on the one hand, and, on the other, points in Pennsylvania on and east of a line beginning at the Pennsylvania-West Virginia State line, extending along U.S. Highway 19 to Pittsburgh, thence along Pennsylvania Highway 8 to Franklin, thence along U.S. Highway 62 to the Pennylvania-New York State line. The purpose of this filing is to eliminate the gateway of Columbia, S.C.

No. MC–112713 (Sub-No. E1), filed May 28, 1974. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, Shawnee Mission, Kans. 66207. Applicant's representative: David B. Schneider (same as above). 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, emigrant moveables, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Wyoming, on the one hand, and, on the other, points in Sherman County, Kans. The purpose of this filing is to eliminate the gateway of Sidney, Nebr.

No. MC–113459 (Sub-No. E6), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, and (2) *machinery, equipment, materials, and supplies* used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, except the stringing and picking up of pipe in connection with main or trunk pipelines, from points in Ohio to points in that part of Kansas on and south of a line beginning at the Kansas-Missouri State line, thence along Kansas Highway 68 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction Kansas Highway 31, thence along Kansas Highway 31 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 96, thence along Kansas Highway 96 to the Kansas-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC–113459 (Sub-No. E7), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, except the stringing and picking up of pipe in connection with main or truck pipelines, and (2) *commodities* (except those commodities described in (1) above, those used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines, and except farm machinery), the transportation of which, because of size, or weight, requires the use of special equipment, from points in Ohio to points

in Utah. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC–113459 (Sub-No. E8), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and related *machinery, tools, parts, and supplies* when moving in connection therewith, the transportation of which by reason of size or weight, require the use of special equipment or handling (except machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof), between points in Ohio, on the one hand, and, on the other, points in Colorado and Wyoming. RESTRICTION: The operations authorized herein are restricted to commodities which are transported on trailers and restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill., and points in Kansas.

No. MC–113459 (Sub-No. E9), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled articles*, each weighing 15,000 pounds or more, and related *machinery, tools, parts, and supplies* when moving in connection therewith, from points in New Mexico to points in Ohio. RESTRICTION: The operations authorized herein are restricted to commodities which are transported on trailers and restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E22), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, (1) between points in Indiana, on the one hand, and, on the other, points in that part of Wisconsin on and west of a line beginning at the Wisconsin-Michigan State line, thence along U.S. Highway 45 to junction Wisconsin Highway 70, thence along Wisconsin Highway 70 to junction Wisconsin Highway 17, thence along Wisconsin Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin Highway 54, thence along Wisconsin Highway 54 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to junction Wisconsin Highway 39, thence along Wisconsin Highway 39 to junction Wisconsin Highway 69, thence along Wisconsin Highway 69 to the Wisconsin-Illinois State line; (2) between points in that part of Indiana on and south of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 50 to junction U.S. Highway 65, thence along U.S Highway 65 to junction Indiana Highway 46.

Thence along Indiana Highway 46 to the Indiana-Ohio State line, on the one hand, and, on the other, points in that part of Wisconsin on and west of a line beginning at the Wisconsin-Michigan State line, thence along U.S. Highway 41 to junction Wisconsin Highway 22, thence along Wisconsin Highway 22 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 49, thence along Wisconsin Highway 49 to junction Wisconsin Highway 66, thence along Wisconsin Highway 66 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin Highway 78, thence along Wisconsin Highway 78 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Wisconsin-Illinois State line; and (3) between points in that part of Indiana on, south, and west of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 50 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 61, thence along Indiana Highway 61 to junction Indiana Highway 64, thence along Indiana Highway 64 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Indiana Highway 245, thence along Indiana Highway 245 to junction Indiana Highway 70, thence along Indiana Highway 70 to junction Indiana Highway 66, thence along Indiana Highway 66 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in that part of Wisconsin on and south of a line beginning at Milwaukee, thence along U.S. Highway 18 to junction Wisconsin Highway 59, thence along Wisconsin Highway 59 to junction Wisconsin Highway 83, thence along Wisconsin Highway 83 to junction Wisconsin Highway 36, thence along Wisconsin Highway 36 to Milwaukee. RESTRICTION: The operations authorized herein are restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E28), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies, moving in connection therewith; (2) *earth drilling machinery, and equipment and machinery, equipment, materials, and 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; (3) *machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, or used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipe lines; (4) *commodities*, the transportation of which, by reason of size or weight, require the use of special equipment (except those commodities described in (3) above, those used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipe lines, and farm machinery); and (5) *parts* of commodities authorized in (4) above, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments, between points in Louisiana, on the one hand, and, on the other, points in Montana, Nebraska, North Dakota, South Dakota, and Utah. RESTRICTION: The operations authorized in (1) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of points in Oklahoma.

No. MC–113459 (Sub-No. E29), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts (except the stringing and picking up of pipe in connection with main or trunk pipelines), from points in Utah to points in Ohio. The purpose of this filing is to eliminate the gateway of Tulsa, Okla.

No. MC–113459 (Sub-No. E30), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies, moving in connection therewith; and (2) *commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, from points in that part of Arkansas west of Arkansas Highway 7, to points in that part of Ohio north of U.S. Highway 30. RESTRICTION: The operations authorized herein are restricted to commodities which are transported on trailers and restricted against the transportation of agricultural machinery and agricultural tractors. The purpose of this filing is to eliminate the gateway of Sterling, Ill.

No. MC–113459 (Sub-No. E31), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Heavy 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 Bullitt, Hardin, Meade, Breckinridge, Hancock, Daviess, Henderson, Union, Webster, McLean, Crittenden, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in Arkansas, Louisiana, Oklahoma, and New Mexico. The purpose of this filing is to eliminate the gateway of points in Illinois, south of U.S. Highway 36.

No. MC–113459 (Sub-No. E32), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *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, which, because of size or weight, require the use of special equipment, between Bullitt, Hardin, Meade, Breckinridge, Crittenden, Hancock, Daviess, Henderson, Union, Webster, McLean, Hopkins, Ohio, Grayson, Edmonson, Hart, Warren, Butler, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell, and Jefferson Counties, Ky., on the one hand, and, on the other, points in that part of Illinois north of U.S. Highway 36. The purpose of this filing is to eliminate the gateway of points in Illinois south of U.S. 36.

No. MC–113459 (Sub-No. E34), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *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 well 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; (2) *machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products; and (3) *machinery, equipment, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up there (except the stringing and picking up of pipe in connection with main pipelines), between points in Louisiana, on the one hand, and, on the other, points in Nevada. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC–113843 (Sub-No. E301), filed May 12, 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 fruits*, from Hulton, Caribou, and Corinna, Maine to points in Iowa, Kentucky (except Louisville), Missouri (except Kansas City and Vinita Park), Texas and Wisconsin. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E328), filed May 10, 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 meats, meat products, and meat by-products*, as defined by the Commission, from Martins Ferry, Ohio to Hartford, Conn., and points in that part of Connecticut on and east of U.S. Highway 5. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E329), filed May 10, 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 meats, meat products, and meat by-products*, as defined by the Commission, from Cincinnati, Ohio to points in Massachusetts. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E330), filed May 10, 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 meats, meat products, and meat by-products*, as defined by the Commission, from Cleveland, Ohio to points in Massachusetts. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E352), filed May 22, 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 meats, meat products, and meat by-products*, as defined by the Commission, from points in that part of Wisconsin on and north of a line beginning at the Minnesota-Wisconsin State line and extending along Interstate Highway 94 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 22, thence along Wisconsin Highway 22 to Lake Michigan. The purpose of this filing is to eliminate the gateway of Detroit, Mich.

No. MC–113843 (Sub-No. E359), filed May 22, 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 Philadelphia, Pa., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E360), filed May 22, 1974. Applicant: REFRIGER-

ATED 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 Allentown, Pa., to points in Colorado. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E361), filed June 22, 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 Allentown, Pa., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E362), filed May 22, 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 Philadelphia, Pa., to points in Michigan. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E363), filed May 22, 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 Philadelphia, Pa., to points in Missouri. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E374), filed May 22, 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 Richmond, Va., to points in that part of Nebraska on, north, and west of a line beginning at the Nebraska-South Dakota State line and extending along U.S. Highway 81 to junction Nebraska Highway 12, thence along Nebraska Highway 12 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Nebraska Highway 27, thence along Nebraska Highway 27 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 385, thence along U.S. Highway 385 to U.S. Highway 26, thence along U.S. Highway 26 to the Nebraska-Wyoming State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E375), filed May 22, 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 Vineland, N.J., to points in Illinois. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E377), filed May 15, 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 points in Michigan to points in Vermont. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E378), filed May 15, 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 points in Michigan to points in New Jersey. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC–113843 (Sub-No. E379), filed May 22, 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 fruits and vegetables*, from Cleveland, Ohio, to points in that part of Pennsylvania on, east, and north of a line beginning at the New York-Pennsylvania State line and extending along U.S. Highway 11 to Scranton, thence along Interstate Highway 81 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E380), filed May 22, 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 fruits and vegetables*, from Cleveland, Toledo, and Columbus, Ohio, to points in Connecticut. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E381), filed May 22, 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 fruits and vegetables*, from Martins Ferry, Ohio, to points in that part of Connecticut on and north of a line beginning at the New York-Connecticut State line and extending along U.S. Highway 44 to Hartford, thence along U.S. Highway 6 to the Connecticut-Rhode Island State line. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E382), filed May 22, 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 fruits and vegetables*, from Cleveland, Toledo, Martins Ferry, and Columbus, Ohio, to points in Massachusetts. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E383), filed May 22, 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 fruits and vegetables*, from Cleveland, Ohio, to points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., and New Bunswick, N.J. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC–113843 (Sub-No. E386), filed May 22, 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 seafood*, from points in that portion of Delaware east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal to points in that portion of Arkansas on, north, and west of a line beginning at the Arkansas-Oklahoma State line and extending along U.S. Highway 64 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Arkansas-Missouri State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–113843 (Sub-No. E387) filed May 22, 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 the District of Columbia to points in Colorado. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC–115491 (Sub-No. E1), filed May 14, 1974. Applicant: COMMERCIAL CARRIER CORP., P.O. Drawer 67, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Duval, Nassau, Baker,

Columbia, Suwannee, Hamilton, Lafayette, Taylor, and Madison Counties, Fla., to points in Escambia, Monroe, Clarke, Choctaw, Washington, Baldwin, and Mobile Counties, Ala. The purpose of this filing is to eliminate the gateway of Pensacola, Fla.

No. MC–115491 (Sub-No. E2), filed May 14, 1974. Applicant: COMMERCIAL CARRIER CORP., P.O. Drawer 67, Auburndale, Fla. 33823. Applicant's representative: Tony G. Russell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, and bags, from points in Florida on and south of Florida Highway 50 to points in Alabama. The purpose of this filing is to eliminate the gateway of Tampa, Fla.

No. MC–116273 (Sub-No. E23), 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 points in that part of Illinois located within the Chicago, Ill., commercial zone to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Michigan City, Ind.

No. MC–116273 (Sub-No. E60), 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: *Liquid fertilizer*, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa to points in Indiana and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Rochelle, Ill.

No. MC–116273 (Sub-No. E64), 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 dry 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 Indiana and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the plant site of International Minerals and Chemical Corporation at Chicago Heights, Ill.

No. MC–116273 (Sub-No. E66), 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: *Wax, petroleum, lubricating oils and white oils*, in bulk, in tank vehicles, from the storage facilities utilized by American Oil Company in Dubuque, Iowa, to points in Indiana, Ohio, Kentucky, and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC–116273 (Sub-No. E69, 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: *Anhydrous ammonia and nitrogen solutions*, in bulk, in tank vehicles, from the storage facilites utilized by American Oil Company in Dubuque, Iowa, to points in Indiana, Ohio, and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the plant site of Amoco Chemicals Corporation located approximately six miles southwest of Joliet, Ill.

No. MC–116273 (Sub-No. E79), filed May 31, 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: Petroleum and petroleum products, in bulk, in tank vehicles, fom Keokuk and Ft. Madison, Ia., to points in the Lower Peninsula of Michigan, that part of the Upper Peninsula of Michigan on and east of U.S. Highway 45, that part of Illinois on, north, and east of a line beginning near Chicago Heights, thence along U.S. Highway 30 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Illinois-Wisconsin State line, that part of Indiana north of a line beginning at the Illinois-Indiana State line thence along Indiana Highway 10 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 124, thence along Indiana Highway 124 to the Indiana-Ohio State line and that part of Wisconsin on and east of U.S. Highway 45, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anhydrous ammonia and petroleum aromatic compounds) as defined in 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 Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E80), filed May 31, 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Burlington, Ia., to points in the Lower Peninsula of Michigan, that part of the Upper Peninsula of Michigan on and east of U.S. Highway 45, that part of Illinois, on, north and east of a line beginning near Chicago Heights, thence along U.S. Highway 30 to junction Illinois Highway 31, thence along Illinois Highway 31 to the Illinois-Wisconsin State line and that part of Indiana on and north of a line beginning near Morocco, thence along Indiana Highway 114 to junction U.S. Highway 421, to junction Indiana Highway 18, thence along Indiana Highway 18 to the Indiana-Ohio State line, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anhydrous ammonia and petroleum aromatic compounds) as defined in 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 Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E81), filed May 31, 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Dubuque, Ia., to points in Indiana, the Lower Peninsula of Michigan, and Cook, Kankakee, and Vermillion Counties, Ill., restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anhydrous ammonia and petroleum aromatic compounds) as defined in 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 Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E84), filed May 31, 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in that part of Iowa located in the Davenport, Iowa-Rock Island, Ill.–Moline, Ill., commercial zone, as defined by the Commission, to Chicago, Ill., points in the Lower Peninsula of Michigan, and that part of Indiana on and north of Indiana Highway 26, restricted against the transportation of liquid chemicals derived from petroleum or petroleum products (except liquefied petroleum gases, including anhydrous ammonia and petroleum aromatic compounds) as defined in 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 Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–116273 (Sub-No. E85), filed May 31, 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Clinton, Iowa, to points in Indiana and the Lower Peninsula of Michigan, 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 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 Terminals of Penn Central Transportation Company at Hammond, Ind.

No. MC–117883 (Sub-No. E20), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh, cured and smoked meats*, in mechanically refrigerated vehicles, from Fort Atkinson, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and District of Columbia, and points in Kentucky on and east of a line beginning at the Kentucky-Indiana State line, and extending along Interstate Highway 65 to its junction with U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line, and restricted to traffic originating at the plant site of Jones Dairy Farm at Fort Atkinson, Wis. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E21), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), in mechanically refrigerated vehicles, from Milwaukee, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, the District of Columbia, and points in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to its junction with Interstate Highway 71, thence along Interstate Highway 71 to its junction with Interstate Highway 65, thence along Interstate Highway 65 to its junction with U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line, restricted to the transportation of traffic originating at Milwaukee, Wis. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E22), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and frozen potato products*, in mixed loads with frozen potatoes, from the facilities of the Mid-America Potato Company at Grand Rapids, Mich., to points in Connecticut, Delaware, Kentucky on and east of Interstate Highway 75, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, West Virginia, Virginia, the District of Columbia, points in New York on and east of a line beginning at the New York-Pennsylvania State line, and extending along New York Highway 14 to its junction with New York Highway 13, thence along New York Highway 13 to its junction with Interstate Highway 81, thence along Interstate Highway 81 to the U.S.-Canadian International Boundary line, and points in Pennsylvania on and south of a line beginning at the Ohio-Pennsylvania State line, and extending along U.S. Highway 22 to its junction with U.S. Highway 220, thence along U.S. Highway 220 to its junction with Pennsylvania Highway 14, thence along Pennsylvania Highway 14 to the New York-Pennsylvania State line, and restricted to the transportation of traffic originating at the above-named facilities. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC–117883 (Sub-No. E23), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except oleomargarine, and except meats, meat products, and meat by-products, and articles distributed by meat-packinghouses, as described by the Commission), from points in Montcalm County, Mich., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, West Virginia, Virginia, the District of Columbia, and points in New York on and east of a line beginning at the New York-Pennsylvania State line, and extending along New York Highway 14 to its junction with New York Highway 13, thence along New York Highway 13 to its junction with Interstate Highway 81 at Cortland, thence along Interstate Highway 81 to its junction with New York Highway 13 at Pulaski, thence along New York Highway 13 to Lake Ontario, and points in Pennsylvania on and south of a line beginning at the Ohio-Pennsylvania State line, and extending along U.S. Highway 22 to its junction with U.S. Highway 220, thence along U.S. Highway 220 to its junction with Pennsylvania Highway 14, thence along Pennsylvania Highway 14 to the Pennsylvania-New York State line, and restricted to traffic originating at the plantsite of Ore-Ida Foods, Inc., and/or warehouse facilites used by Ore-Ida Foods, Inc. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC–117883 (Sub-No. E25), filed May 8, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described by the Commission in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in mechanically refrigerated vehicles, restricted to the transportation of such commodities when moving to or from warehouses, plants, or other facilities of meat packinghouse, from Mishawaka, Ind., to points in Connecticut, Delaware, points in Kentucky on and east of Interstate Highway 65, Maine, Maryland, Massachusetts, New Jersey, New York (except Niagara, Orleans, Genesee, Erie, Wyoming, Chantagua, and Cattaraugus Counties), New Hampshire, Pennsylvania (except Erie, Crawford, Mercer, Lawrence, and Beaver Counties), Rhode Island, Vermont, Virginia, West Virginia, and Ohio south of U.S. Highway 22, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E34), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats*, in mechanically refrigerated vehicles, from the storage facilities utilized by Armour & Company, at or near Mankato, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, and that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along Interstate Highway 65 to junction U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E35), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, 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, in mechanically refrigerated vehicles (except hides, and commodities in bulk, in tank vehicles), from the plantsite of Armour and Company, near Worthington, Minn., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, the District of Columbia, and that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along Interstate Highway 65 to junction U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E36), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, 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, in mechanically refrigerated vehicles (except commodities in bulk, in tank vehicles), from the plantsite of Iowa Beef Processors, Inc., located at or near Emporia, Kans., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, the District of Columbia, and that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 421 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E37), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, 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, in mechanically refrigerated vehicles (except commodities in bulk, in tank vehicles, and hides), from the plant site of Swift & Company at or near Grand Island, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, and that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along Interstate Highway 65 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction U.S. Highway 31W, thence along U.S. Highway 31W to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E38), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products* as described in 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), in mechanically refrigerated vehicles, from the plant site and storage facilities utilized by Wilson & Co., Inc., at or near Cherokee, Iowa, to points in Connecticut, Delaware, that part of Kentucky on and east of Interstate Highway 65, Maine, Maryland, Ohio, Massachusetts, New York, New Jersey, New Hampshire, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC–117883 (Sub-No. E39), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts* (other than liquids), as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), in trailers equipped with mechanical refrigeration, from the plant site of Swift & Company at or near Grand Island, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC–117883 (Sub-No. E40), filed May 6, 1974. Applicant: SUBLER TRANSFER, INC., P.O. Box 62, Versailles, Ohio, 45380. Applicant's representative: Edward J. Subler (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, other than liquids, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), in trailers equipped with mechanical refrigeration, from the plant site and storage facilities utilized by Wilson & Co., Inc., at or near Cherokee, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Gary, Ind.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74–16588 Filed 7–18–74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

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 announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act:

Committee name	Date, time, and place	Type of meeting and contact person
1. Endocrinology and Metabolism Advisory Committee.	Aug. 1, 9 a.m., conference room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 9 a.m. to 10 a.m., closed after 10 a.m., A. T. Gregoire, Ph. D., room 14B–04, 5600 Fishers Lane, Rockville, Md. 20852, 301–443–3490.

Purpose. Reviews and evaluates available data concerning safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the treatment of endocrine and metabolic disorders.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Discussion of NDA 17–535 (Dow Chemical Co.).

Committee name	Date, time, and place	Type of meeting and contact person
2. Panel on Review of Hemorrhoidal Drug Products.	Aug. 3 and 4, 9 a.m., Holiday Inn, Bethesda, Md.	Open Aug. 3, 9 a.m. to 10 a.m., closed Aug. 3 after 10 a.m., closed Aug. 4. Thomas DeCillis, room 10B–05, 5600 Fishers Lane, Rockville, Md. 20852, 301–443–4960.

Purpose. Reviews and evaluates available information concerning safety and effectiveness of active ingredients of currently marketed nonprescription drug products for hemorrhoidal application.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of safety and efficacy of over-the-counter hemorrhoidal drug products.

Committee name	Date, time, and place	Type of meeting and contact person
3. Panel on Review of Cardiovascular Devices.	Aug. 5, 9:30 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C.	Open 9:30 a.m. to 10:30 a.m., closed after 10:30 a.m., Glenn A. Rahmoeller, (HFK-400), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-2376.

Purpose. Reviews and evaluates available data concerning safety, effectiveness, and reliability of cardiovascular devices currently in use.

Agenda. Open session: Comments and presentations by interested persons. Closed session: The panel will review classification for Cardiovascular Implants and Cardiovascular Surgical Devices. The panel members will also begin identifying safety and efficacy criteria for devices which are classified in the scientific review category.

Committee name	Date, time, and place	Type of meeting and contact person
4. National Advisory Veterinary Medicine Committee.	Aug. 5 and 6, 9 a.m., conference room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open—Kenneth E. Taylor, D.V.M., (HFS-40), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4500.

Purpose. Advises the Commissioner of Food and Drugs on policy matters of national significance as they relate to assuring safety and efficacy of drugs, medical feeds, and food additives used in veterinary medicine and animal production; truthful labeling and wholesomeness of animal foods; animal nutrition; and the safety of food from animals that have been treated with drugs or fed drugs or other additives.

Agenda. Status reports: updating animal waste, antibacterials in animal feed, diethylstilbestrol, methodology and sensitivity of testing procedures, and animal foods (nonmedicated); remarks by the Commissioner of Food and Drugs; communications between FDA and practicing veterinarians; congressional committee report; medicated feed program; and Impact on Food Supply.

Committee name	Date, time, and place	Type of meeting and contact person
5. Panel on Review of Antiperspirant Drug Products.	Aug. 8 and 9, 9 a.m., conference room C, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Aug. 8, 9 a.m. to 10 a.m., closed Aug. 8, after 10 a.m., closed Aug. 9. Lee Geismar, room 10B-05, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates available data concerning the safety and effectiveness of active ingredients, and combinations thereof, of currently marketed nonprescription drug products for human use containing antiperspirant drug products, and adequacy of their labeling.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of safety and efficacy of over-the-counter antiperspirant drug products.

Committee name	Date, time, and place	Type of meeting and contact person
6. Panel on Review of Allergenic Extracts.....	Aug. 16 and 17, 9 a.m., room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open Aug. 16, 9 a.m. to 10 a.m., closed Aug. 16 after 10 a.m., closed Aug. 17. Clay Sisk, room 220, Building 29, 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-2883.

Purpose. Reviews and evaluates available data concerning the safety, effectiveness, and adequacy of labeling of currently marketed biological products or materials, either singly or in combination, that are administered to man for the diagnosis, prevention, or treatment of allergies and allergic diseases.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of allergenic extracts under investigation.

Committee name	Date, time, and place	Type of meeting and contact person
7. Panel on Review of Gastroenterological-Urological Devices.	Aug. 19, 9:30 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C.	Open 9:30 a.m., to 10:30 a.m., closed after 10:30 a.m. Thomas L. Anderson, M.D. (HFK-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3550.

Purpose. Reviews and evaluates all available data concerning the safety, effectiveness, and reliability of gastroenterology and urological devices currently in use.

Agenda. Open session: Comments and presentations by interested persons. General discussion of Good Manufacturing Practices (GMPs) and gastroenterological-urological medical devices. Closed session: Continuing review and classification of various classes of gastroenterological and urological devices.

Committee name	Date, time, and place	Type of meeting and contact person
8. Dental Drug Products Advisory Committee.	Aug. 21, 9 a.m., conference room I, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 9 a.m. to 10 a.m., closed after 10 a.m. Clarence C. Gilkes, D.D.S., room 18B-19, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3563.

Purpose. Reviews and evaluates all available data concerning the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the practice of dentistry.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Fluoride tablets; fluoride home treatment kits (discussion of confidential data submitted by manufacturers as a result of Federal Register statement).

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: July 12, 1974.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.74-16410 Filed 7-18-74;8:45 am]

[DESI 5378; Docket No. FDC-D-687; NDA 5-378, etc.]

DRUGS FOR HUMAN USE—DRUG EFFICACY STUDY IMPLEMENTATION CERTAIN SINGLE ENTITY ORAL ANORECTIC DRUGS IN CONVENTIONAL OR CONTROLLED RELEASE DOSAGE FORMS

Follow-Up Notice and Opportunity for Hearing

The Food and Drug Administration published an announcement in the FEDERAL REGISTER of August 8, 1970 (35 FR 12678) regarding the efficacy of the following single entity oral anorectic drugs:

1. Biphetamine "7½" Capsules, Biphetamine "12½" Capsules, and Biphetamine "20" Capsules, respectively, containing 3.75 milligrams, 6.25 milligrams, and 10 milligrams each of dextroamphetamine and amphetamine per capsule, all as cation exchange resin complexes of sulfonated polystyrene; Strasenburgh Laboratories, Division of Wallace and Tiernan Inc., Post Office Box 1710, Rochester, NY 14603 (NDA 10-093).

2. Ionamin "15" Capsules and Ionamin "30" Capsules, containing, respectively, 15 milligrams phentermine and 30 milligrams phentermine per capsule, both as cation exchange resin complexes of sulfonated polystyrene; Strasenburgh Laboratories Division of Wallace and Tiernan Inc. (NDA 11-613).

3. Methedrine Tablets containing 5 milligrams methamphetamine hydrochloride per tablet; formerly marketed by Burroughs Wellcome & Co., Inc., 3030 Cornwallis Road, Research Triangle Park, NC 27709 (NDA 5-504).

4. Amphedroxyn Hydrochloride Tablets containing 5 milligrams methamphetamine hydrochloride per tablet; Eli Lilly and Co., Post Office Box 618, Indianapolis, Ind. 46206 (NDA 6-390).

5. Delfetamine Stedytabs containing 30 milligrams dl-methamphetamine hydrochloride per controlled release tablet; Eastern Research Laboratories, Inc., 302 South Central Ave., Baltimore, MD 21202 (NDA 12-416).

6. Desoxyn Tablets containing 2.5 milligrams or 5 milligrams methamphetamine hydrochloride per tablet, Desoxyn Gradumet Tablets containing 5, 10, or 15 milligrams methamphetamine hydrochloride per tablet, and Desoxyn Elixir containing 20 milligrams methamphetamine hydrochloride per 30 milliliters; Abbott Laboratories, 14th and Sheridan Road, North Chicago, Ill. 60064 (NDA 5-378).

7. Drinalfa Tablets containing 5 milligrams methamphetamine hydrochloride per tablet; E. R. Squibb, P.O. Box 400, Princeton, NJ 08544 (NDA 5-756).

8. Tenuate Dospan Tablets containing 75 milligrams diethylpropion hydrochloride per controlled release tablet; Merrell-National Laboratories, Division of Richardson-Merrell Inc., 110 East Amity Road, Cincinnati, OH 45215 (NDA 12-546).

9. Racemic Desoxyephedrine Hydrochloride Tablets containing 5 milligrams dl-methamphetamine hydrochloride per tablet; High Chemical Co., 1760 North Howard Street, Philadelphia, PA 19122 (NDA 5-969).

10. Miller-Drine Tablets containing 10 milligrams dl-methamphetamine hydrochloride per tablet; Smith, Miller and Patch, Inc., 401 Joyce Kilmer Avenue, New Brunswick, NJ 08902 (NDA 6-003).

11. Norodin Tablets containing 5 milligrams methamphetamine hydrochloride per tablet; Endo Laboratories, 1000 Stewart Avenue, Garden City, Long Island, NY 11533 (NDA 5-632).

12. D-O-E Tablets containing 5 milligrams methamphetamine hydrochloride per tablet; Tilden-Yates Laboratories, Inc., 295 Lafayette Street, New York, NY 10012 (NDA 5-603).

Of the new drug applications listed above, approval of the following applications and supplements thereto, was withdrawn August 8, 1972 (37 FR 15948) on the grounds that the applicants had not made required reports under section 505(j) of the Act (21 U.S.C. 355(j)) and §§ 310.300 or 310.302 (e) and (f) of the new-drug regulations (21 CFR 310.300, 310.302):

NDA 5-632, Norodin Tablets (methamphetamine hydrochloride); Endo Laboratories.

NDA 6-390, Amphedroxyn Hydrochloride Tablets (methamphetamine hydrochloride); Eli Lilly and Company.

Other drugs (combination anorectic drugs) were also included in the notice of August 8, 1970. They are not affected by this notice.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, which is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (HFD-300), 5600 Fishers Lane, Rockville, MD 20852.

The August 8, 1970 notice stated that the above-listed drugs were regarded as lacking substantial evidence of effectiveness for specific indications; and possibly effective for their claimed anorectic effects, for their claims for prolonged, continuous or sustained release, and for certain other claims.

Based on information submitted by the manufacturers of anorectic drugs and a review of available evidence, the Commissioner of Food and Drugs finds it appropriate to amend the announcement of August 8, 1970 insofar as it pertains to the drugs listed above, as set forth below.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new drug application is required from any person marketing such drug without approval.

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports as well as other available evidence and concludes that:

1. All of the drugs listed above are effective in the management of exogenous obesity as a short-term (a few weeks) adjunct in a regimen of weight reduction based on caloric restriction.

2. Dextroamphetamine and amphetamine are also effective for narcolepsy and for minimal brain dysfunction in children (hyperkinetic behavior disorders), as an aid to general management.

3. All of the drugs lack substantial evidence of effectiveness for all other of their claims.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The preparations are in capsule, tablet, or liquid form as indicated above, suitable for oral administration.

2. *Labeling conditions.* a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the Act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indications, Actions, and the Drug Dependence portions of the Warnings sections are as follows (Complete labeling guidelines are available on request):

FOR PHENTERMINE AND DIETHYLPROPION HYDROCHLORIDE

INDICATION

(Name of drug) is indicated in the management of exogenous obesity as a short-term (a few weeks) adjunct in a regimen of weight reduction based on caloric restriction. The limited usefulness of agents of this class (see ACTIONS) should be measured against possible risk factors inherent in their use such as those described below.

ACTIONS

(Name of drug) is a sympathomimetic amine with pharmacologic activity similar to the prototype drugs of this class used in obesity, the amphetamines. Actions include central nervous system stimulation and elevation of blood pressure. Tachyphylaxis and tolerance have been demonstrated with all drugs of this class in which these phenomena have been looked for.

Drugs of this class used in obesity are commonly known as "anorectics" or "anorexigenics". It has not beeen established, however, that the action of such drugs in treating obesity is primarily one of appetite suppression. Other central nervous system actions, or metabolic effects may be involved, for example.

Adult obese subjects instructed in dietary management and treated with "anorectic" drugs, lose more weight on the average than those treated with placebo and diet, as determined in relatively short-term clinical trials.

The magnitude of increased weight loss of drug-treated patients over placebo-treated patients is only a fraction of a pound a week. The rate of weight loss is greatest in the first weeks of therapy for both drug and placebo subjects and tends to decrease in succeeding weeks. The possible origins of the increased weight loss due to the various drug effects are not established. The amount of weight loss associated with the use of an "anorectic" drug varies from trial to trial, and the increased weight loss appears to be related in part to variables other than the drugs prescribed, such as the physician-investigator, the population treated, and the diet prescribed. Studies do not permit conclusions as to the relative importance of the drug and non-drug factors on weight loss.

The natural history of obesity is measured in years, whereas the studies cited are restricted to a few weeks duration; thus, the total impact of drug-induced weight loss over that of diet alone must be considered clinically limited.

DRUG DEPENDENCE SECTION OF WARNINGS SECTION

Drug Dependence. (Name of drug) is related chemically and pharmacologically to the amphetamines. Amphetamines and related stimulant drugs have been extensively abused, and the possibility of abuse of (name of drug) should be kept in mind when evaluating the desirability of including a drug as part of a weight reduction program. Abuse of

amphetamines and related drugs may be associated with intense psychological dependence and severe social dysfunction. There are reports of patients who have increased the dosage to many times that recommended. Abrupt cessation following prolonged high dosage administration results in extreme fatigue and mental depression; changes are also noted on the sleep EEG. Manifestations of chronic intoxication with anorectic drugs include severe dermatoses, marked insomnia, irritability, hyperactivity, and personality changes. The most severe manifestation of chronic intoxication is psychosis, often clinically indistinguishable from schizophrenia.

FOR AMPHETAMINE, DEXTROAMPHETAMINE, METHAMPHETAMINE HYDROCHORIDE AND DL-METHAMPHETAMINE HYDROCHLORIDE

INDICATION

Exogenous obesity as a short-term (a few weeks) adjunct in a regiment of weight reduction based on caloric restriction, for patients in whom obesity is refractory to alternative therapy, e.g., repeated diets, group programs, and other drugs. The limited usefulness of (name of drug) (see ACTIONS) should be weighed against possible risks inherent in use of the drug, such as those described below.

For amphetamine and dextroamphetamine, additional indications are:

Narcolepsy—Minimal Brain Dysfunction in Children as adjunctive therapy to other remedial measures (psychological, educational, social).

Special Diagnostic Considerations:

Special etiology of Minimal Brain Dysfunction (MBD) is unknown, and there is no single diagnostic test. Adequate diagnosis requires the use not only of medical but of special psychological, educational, and social resources.

The characteristic signs most often observed are chronic history of short attention span, distractibility, emotional libality, impulsivity, moderate to severe hyperactivity, minor neurological signs and abnormal EEG. Learning disabilities may or may not be present. The diagnosis of MBD must be based upon a complete history and evaluation of the child and not solely on the presence of one or more of these signs.

Drug treatment is not indicated for all children with MBD. Appropriate educational placement is essential and psychological or social intervention may be necessary. When remedial measures alone are insufficient, the decision to prescribe stimulant medication will depend upon the physician's assessment of the chronicity and severity of the child's symptoms.

Drug treatment is not intended for use in the child whose hyperactivity is due to environmental factors and/or primary psychiatric disorders.

ACTIONS

(Name of drug) is a sympathomimetic amine with CNS stimulant activity. Peripheral actions include elevation of systolic and diastolic blood pressures and weak bronchodilator and respiratory stimulant action. Drugs of this class used in obesity are commonly known as "anorectics" or "anorexigenics". It has not been established, however, that the action of such drugs in treating obesity is primarily one of appetite suppression. Other central nervous system actions, or metabolic effects, may be involved, for example.

Adult obese subjects instructed in dietary management and treated with "anorectic" drugs, lose more weight on the average than those treated with placebo and diet, as determined in relatively short-term clinical trials.

The magnitude of increased weight loss of drug-treated patients over placebo-treated patients is only a fraction of a pound a week. The rate of weight loss is greatest in the first weeks of therapy for both drug and placebo subjects and tends to decrease in succeeding weeks. The origins of the increased weight loss due to the various possible drug effects are not established. The amount of weight loss associated with the use of an "anorectic" drug varies from trial to trial, and the increased weight loss appears to be related in part to variables other than the drug prescribed, such as the physician-investigator, the population treated, and the diet prescribed. Studies do not permit conclusions as to the relative importance of the drug and non-drug factors on weight loss.

The natural history of obesity is measured in years, whereas the studies cited are restricted to a few weeks duration; thus, the total impact of drug-induced weight loss over that of diet alone must be considered clinically limited.

DRUG DEPENDENCE SECTION OF WARNINGS SECTION

Drug Dependence. (Name of drug) has been extensively abused. Tolerance, extreme psychological dependence, and severe social disability have occurred. There are reports of patients who have increased the dosage to many times that recommended. Abrupt cessation following prolonged high dosage administration results in extreme fatigue and mental depression; changes are also noted on the sleep EEG. Manifestations of chronic intoxication with (name of drug) include severe dermatoses, marked insomnia, irritability, hyperactivity, and personality changes. The most severe manifestation of chronic intoxication is psychosis, often clinically indistinguishable from schizophrenia.

3. *Marketing status.* Marketing of such drugs may be continued under the conditions described in the notice entitled Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study, published in the FEDERAL REGISTER July 14, 1970 (35 FR 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and a supplement for updating information, including full manufacturing information with respect to items 7 and 8 of Form FD-356H (§ 314.1(c)), as described in paragraphs (a)(1)(i) and (iii) of the notice of July 14, 1970. For preparations claiming controlled release, such supplement should contain studies comparing blood levels occurring with the controlled release form with blood levels occurring with single units of the conventional form given multiple times. For example, when comparing a 30 mg. controlled release form normally given every 12 hours with a 10 mg. conventional form normally given every 4 hours, the comparison should involve 1 unit of the controlled release form given once and one unit of the 10 mg. form given every 4 hours.

b. For any person who does not hold an approved or effective new drug application, the submission of an abbreviated new drug application as described in paragraph (a)(3)(i) of that notice, except that full manufacturing information with respect to items 7 and 8 of Form FD-356H (§ 314.1(c)) is required. For preparations claiming controlled release such supplement should contain studies comparing blood levels occurring with the controlled release form with blood levels occurring with single units of the conventional form given multiple times. For example, when comparing a 30 mg. controlled release form normally given every 12 hours with a 10 mg. conventional form normally given every 4 hours, the comparison should involve 1 unit of the controlled release form given once and one unit of the 10 mg. form given every 4 hours.

c. For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) (or, if indicated above, those parts of the application(s) providing for the drug product(s) listed above) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in § 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201 (p) of the act or because it is exempt

from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 19, 1974, a written notice of appearance and request for hearing, and (2) on or before September 17, 1974, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 130.14 as published and discussed in detail in the FEDERAL REGISTER of March 13, 1974 (39 FR 9750), recodified as 21 CFR 314.200 on March 29, 1974 (39 FR 11680).

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during regular business hours, Monday through Friday.

Communications forwarded in response to this announcement should be identified with the reference number DESI 5378, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (HFD-100), Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Generic Drug Staff (HFD-107), Office of Scientific Evaluation, Bureau of Drugs.

Submissions pursuant to the notice of opportunity for hearing (identify with docket number): Hearing Clerk, Food and Drug Administration (HFC-20), Room 6-86, Parklawn Building.

Requests for the Academy's report: Drug Efficacy Information Activity (HFD-8), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Manager (HFD-101), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Director, Bureau of Drugs (21 CFR 2.121).

Dated: July 3, 1974.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.74-16522 Filed 7-18-74; 8:45 am]

[DESI 12179; Docket No. FDC-D-700; NDA 12-179 etc.]

OTIC PREPARATIONS CONTAINING ACETIC ACID WITH OR WITHOUT HYDROCORTISONE IN A PROPYLENE GLYCOL VEHICLE CONTAINING PROPYLENE GLYCOL DIACETATE AND BENZETHONIUM CHLORIDE

Follow-up Notice and Notice of Opportunity for Hearing

In a notice (DESI 12179) published in the FEDERAL REGISTER of September 18, 1970 (35 FR 14630), the Commissioner of Food and Drugs announced his conclusions pursuant to the evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs;

NDA 12-179; VoSol Otic Solution containing acetic acid in a propylene gylcol vehicle containing propylene glycol diacetate and benzethonium chloride, and

NDA 12-770; VoSol-HC Otic Solution containing hydrocortisone, and acetic acid, in a proplylene gylcol vehicle containing propylene gylcol diacetate and benzethonium chloride, both marketed by Wampole Laboratories, 35 Commerce Road, Stamford, CT 06902.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, which is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (HFD-300), 5600 Fishers Lane, Rockville, MD 20852.

The notice stated that VoSol-HC Otic Solution was regarded as probably effective and VoSol Otic Solution as probably effective and possibly effective for their labeled indications. Pursuant to the notice, Wampole Laboratories submitted data. The data have been evaluated and have been determined to provide substantial evidence of effectiveness for the indications described below.

The two studies submitted to establish effectiveness of VoSol Otic Solution for the possibly effective indication (prophylaxis of otitis externa in swimmers and susceptible subjects), failed to demonstrate substantial evidence of effectiveness. When each of these studies was separately analyzed, the results showed no significant difference between the treatment and control groups.

Accordingly, the previous announcement is amended to read as follows:

A. *Effectiveness classification.* The Food and Drug Administration has considered the Academy's reports, as well as other available evidence, and concludes that

1. Acetic acid is effective for the treatment of superficial infections of the external auditory canal caused by organisms usceptible to the action of the antimi robial.

2. Acetic acid with hydrocortisone is effective for the treatment of superficial infections of the external auditory canal caused by organisms susceptible to the action of the antimicrobial, complicated by inflammation.

3. Acetic acid lacks substantial evidence of effectiveness for the use in the prophylaxis of otitis externa in swimmers and susceptible subjects.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated

supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The preparations are in a suitable vehicle for otic administration.

2. *Labeling conditions.* a. The labels bear the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drugs are labeled to comply with all requirements of the Act and regulations, and the labeling bears adequate information for safe and effective use of the drug(s). The "Indications" are as follows:

ACETIC ACID OTIC SOLUTION

INDICATIONS

For the treatment of superficial infections of the external auditory canal caused by organisms susceptible to the action of the antimicrobial.

ACETIC ACID WITH HYDROCORTISONE OTIC SOLUTION

INDICATIONS

For the treatment of superficial infections of the external auditory canal caused by organisms susceptible to the action of the antimicrobial, complicated by inflammation.

3. *Marketing status.* Marketing of such drugs may be continued under the conditions described in the notice entitled Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study, published in the FEDERAL REGISTER of July 14, 1970 (35 FR 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and an abbreviated supplement for updating information as described in paragraphs (a)(1) (i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new drug application, the submission of an abbreviated new drug application as described in paragraph (a)(3)(i) of that notice.

c. For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) (or, if indicated above, those parts of the application(s) providing for the drug product(s) listed above) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in § 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201(p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before August 19, 1974, a written notice of appearance and request for hearing, and (2) on or before September 17, 1974, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 130.14 as published and discussed in detail in the FEDERAL REGISTER of March 13, 1974 (39 FR 9750), recodified at 21 CFR 314.200 on March 29, 1974 (39 FR 11680).

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A.3 of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during regular business hours, Monday thru Friday.

Communications forwarded in response to this announcement should be identified with the reference number DESI 12179, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852:

Supplements (identify with NDA number): Office of Scientific Evaluation (HFD-100), Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Generic Drug Staff (HFD-107), Office of Scientific Evaluation, Bureau of Drugs.

Submissions pursuant to the notice of opportunity for hearing (identify with docket number): Hearing Clerk, Food and Drug Administration (HFC-20), Room 6-86, Parklawn Building.

Requests for the Academy's report: Drug Efficacy Information Activity (HFD–8), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Manager (HFD–101), Bureau of Drugs.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050–53, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director, Bureau of Drugs (21 CFR 2.121).

Dated: July 10, 1974.

CARL M. LEVENTHAL,
Acting Director,
Bureau of Drugs.

[FR Doc.74–16521 Filed 7–18–74;8:45 am]

National Institutes of Health

ENDOCRINOLOGY STUDY SECTION, DIVISION OF RESEARCH GRANTS

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Endocrinology Study Section, Division of Research Grants, at 9 a.m., August 20–23, 1974, Sheraton Motor Inn, Silver Spring, Md.

This meeting will be open to the public for approximately one hour at the beginning of the first session of the first day to discuss administrative details relating to Study Section business. Attendance by the public will be limited to space available. This meeting will be closed to the public thereafter, in accordance with the provisions set forth in sections 552(b)(4) and 552(b)(6) of Title 5 U.S. Code and section 10(d) of Pub. L. 92–463, in order to review, discuss and evaluate grant applications.

Mr. Richard Turlington, Chief, Grants Inquiries Office of the Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20014, telephone area code 301–496–7441, will furnish summaries of the meetings and rosters of committee members. Mr. Morris M. Graff, Executive Secretary, Room 333, Westwood Building, Bethesda, Maryland 20014, telephone number 301–496–7346, will furnish substantive program information.

Anyone planning to attend the meeting should contact the Executive Secretary to confirm the exact meeting time.

(Catalog of Federal Domestic Assistance Program Nos. 13.309, 13.314, 13.317, 13.331, 13.335, 13.346, 13.356, National Institutes of Health, DHEW)

Dated: July 2, 1974.

SUZANNE L. FREMEAU,
Committee Management
Officer, NIH.

[FR Doc.74–16554 Filed 7–18–74;8:45 am]

NATIONAL ADVISORY RESEARCH RESOURCES COUNCIL

Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory Research Resources Council, Division of Research Resources, August 12, 1974, National Institutes of Health, Building 31, Conference Room 9, Bethesda, Maryland 20014.

The entire meeting will be open to the public from 9 a.m. to adjournment to discuss the options for restructuring the General Research Support Program. Attendance by the public will be limited to space available.

Mr. James Augustine, Information Officer, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, (301) 496–5545, will provide summaries of the meeting and rosters of the Council members.

Dr. James F. O'Donnell, Assistant Director, Division of Research Resources, Building 31, Room 5B05, Bethesda, Maryland 20014, (301) 496–6611, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.337, National Institutes of Health.)

Dated: July 15, 1974.

SUZANNE L. FREMEAU,
Committee Management
Officer, NIH.

[FR Doc.74–16553 Filed 7–18–74;8:45 am]

Office of the Secretary

CENTER FOR DISEASE CONTROL

Statement of Organization, Functions, and Delegations of Authority

Part 9 (Center for Disease Control) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (39 FR 1461, January 9, 1974) is hereby amended with regard to Section 9–B, *Organization and Functions*, under the heading entitled "Bureau of Laboratories (9G00)," as follows:

1. Amend the statement for the Office of the Director (9G01) by adding item (7) coordinates activities of a field lab from the Vector-Borne Diseases Division (9G65) as follows:

Office of the Director (9G01). (1) Provides leadership and guidance on policy and program planning and development, and program management and operations; (2) manages a comprehensive nationwide program for improving medical laboratory services; (3) provides coordination and liaison relating to Bureau activities which serve as national and international reference centers and various national groups and the World Health Organization; (4) provides coordination for other international activities of the Bureau; (5) coordinates the activities of the Bureau that provide technical support to the Food and Drug Administration program for regulation of diagnostic products; (6) supports the research and other programs of the Bureau through assistance in experimental design, statistical analyses, quality control, and technical editing service; (7) coordinates activities of a field laboratory conducting research and services in the area of tropical vector-borne diseases.

2. Amend item (3) under Biological Products Division (9G43) to read as follows: (3) develops products specifications, produces and distributes reference biological reagents, and evaluates commercially prepared biological products.

3. Delete "reagents," from item (1) under Scientific Services Division (9G63).

4. Delete "parasitic," from item (2) under Vector-Borne Diseases Division (9G65).

Dated: July 5, 1974.

JOHN OTTINA,
Assistant Secretary for
Administration and Management.

[FR Doc.74–16604 Filed 7–18–74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area I for the State of Oregon; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Multnomah Foundation for Medical Care designating it as the Professional Standards Review Organization for PSRO Area I located in the State of Oregon, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.41.

Such notice was also published in three consecutive issues of *The Oregonian* and *The Oregon Journal* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area I of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area I who objects to the Secretary entering into an agreement with the Multnomah Foundation for Medical Care on the grounds that such organization is not representative of doctors in PSRO Area I, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area I, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area I have expressed timely objection to entering into an agreement with the Multnomah Foundation for

Medical Care. Therefore, the Secretary will proceed to enter into an agreement with the Multnomah Foundation for Medical Care designating it as the Professional Standards Review Organization for PSRO Area I located in the State of Oregon.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16600 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area II for the State of Minnesota; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Foundation for Health Care Evaluation designating it as the Professional Standards Review Organization for PSRO Area II located in the State of Minnesota, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.27.

Such notice was also published in three consecutive issues of *The Minnesota Star, The Minnesota Tribune, The St. Paul Dispatch* and *The Pioneer Press* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area II of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area II who objects to the Secretary entering into an agreement with the Foundation for Health Care Evaluation on the grounds that such organization is not representative of doctors in PSRO Area II, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area II, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area II have expressed timely objection to entering into an agreement with the Foundation for Health Care Evaluation. Therefore, the Secretary will proceed to enter into an agreement with the Foundation for Health Care Evaluation designating it as the Professional Standards Review Organization for PSRO Area II located in the State of Minnesota.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16594 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area II for the State of Tennessee; Notice to Physicians

On May 24, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Tennessee Foundation for Medical Care, Inc., designating it as the Professional Standards Review Organization for PSRO Area II located in the State of Tennessee, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.47.

Such notice was also published in three consecutive issues of *The Knoxville Journal* and *The Nashville Tennessian* on May 24, 25, 26, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area II of the content of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area II who objects to the Secretary entering into an agreement with the Tennessee Foundation for Medical Care, Inc., on the grounds that such organization is not representative of doctors in PSRO Area II, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 23, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area II, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area II have expressed timely objection to entering into an agreement with the Tennessee Foundation for Medical Care, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the Tennessee Foundation for Medical Care, Inc., designating it as the Professional Standards Review Organization for PSRO Area II located in the State of Tennessee.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16599 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area III for the State of Massachusetts; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Charles River Health Care Foundation, Inc. designating it as the Professional Standards Review Organization for PSRO Area III located in the State of Massachusetts, which area is designated a Professional Standards Review Organization Area in 42 CFR 110.25.

Such notice was also published in three consecutive issues of *The Boston Evening Globe* and *The Boston Herald American* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area III of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area III who objects to the Secretary entering into an agreement with the Charles River Health Care Foundation, Inc., on the grounds that such organization is not representative of doctors in PSRO Area III, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area III, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area III have expressed timely objection to entering into an agreement with the Charles River Health Care Foundation, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the Charles River Health Care Foundation, Inc. designating it as

the Professional Standards Review Organization for PSRO Area III located in the State of Massachusetts.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16601 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area IV for the State of Maryland; Notice to Physicians

On May 23, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Prince George's Foundation for Medical Care, Inc. designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of Maryland, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.24.

Such notice was also published in three consecutive issues of *The Washington Post* and *The Washington Star News* on May 24, and on June 11, 12, 13, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area IV of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who objects to the Secretary entering into an agreement with the Prince George's Foundation for Medical Care, Inc., on the grounds that such organization is not representative of doctors in PSRO Area IV, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 22, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area IV, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area IV have expressed timely objection to entering into an agreement with the Prince George's Foundation for Medical Care, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the Prince George's Foundation for Medical Care, Inc. designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of Maryland.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16597 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area IV for the State of Massachusetts; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Bay State Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of Massachusetts, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.25.

Such notice was also published in three consecutive issues of *The Boston Evening Globe* and *The Boston Herald American* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area IV of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who objects to the Secretary entering into an agreement with the Bay State Professional Standards Review Organization on the grounds that such organization is not representative of doctors in PSRO Area IV, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area IV, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area IV have expressed timely objection to entering into an agreement with the Bay State Professional Standards Review Organization. Therefore, the Secretary will proceed to enter into an agreement with the Bay State Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area IV located in the State of Massachusetts.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16596 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Area VIII for the State of California; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the San Joaquin Area Professional Standards Review Organization, Inc., designating it as the Professional Standards Review Organization for PSRO Area VIII located in the State of California, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.7.

Such notice was also published in three consecutive issues of *The Stockton Record* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area VIII of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area VIII who objects to the Secretary entering into an agreement with San Joaquin Area Professional Standards Review Organization, Inc., on the grounds that such organization is not representative of doctors in PSRO Area VIII, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area VIII, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area VIII have expressed timely objection to entering into an agreement with the San Joaquin Area Professional Standards Review Organization, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the San Joaquin Area Professional Standards Review Organization, Inc.,

designating it as the Professional Standards Review Organization for PSRO Area VIII located in the State of California.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16602 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

State of Colorado; Notice to Physicians

On May 23, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Colorado Foundation for Medical Care designating it as the Professional Standards Review Organization for the State of Colorado, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.8.

Such notice was also published in three consecutive issues of *The Denver Post, The Rocky Mountain News, The Colorado Sun, The Star Journal, The Daily Sentinel, The Valley Courier,* and *The Coloradoan* on May 23, 24, and 25, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in Colorado of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in Colorado who objects to the Secretary entering into an agreement with the Colorado Foundation for Medical Care on the grounds that such organization is not representative of doctors in the State of Colorado, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 22, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in Colorado, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in the State of Colorado have expressed timely objection to entering into an agreement with the Colorado Foundation for Medical Care. Therefore, the Secretary will proceed to enter into an agreement with the Colorado Foundation for Medical Care designating it as the Professional Standards Review Organization for the State of Colorado.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16603 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

State of Mississippi; Notice to Physicians

On May 23, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Mississippi Foundation for Medical Care, Inc. designating it as the Professional Standards Review Organization for the State of Mississippi, which area is designated a Professional Review Organization Area in 42 CFR 101.28.

Such notice was also published in three consecutive issues of *The Jackson Clarion Ledger* and *The Memphis Commercial* on May 23, 24, 25, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in Mississippi of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in Mississippi who objects to the Secretary entering into an agreement with the Mississippi Foundation for Medical Care, Inc., on the grounds that such organization is not representative of doctors in Mississippi, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 22, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in Mississippi, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 per centum of the doctors engaged in the active practice of medicine or osteopathy in Mississippi have expressed timely objection to entering into an agreement with the Mississippi Foundation for Medical Care, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the Mississippi Foundation for Medical Care, Inc., designating it as the Professional Standards Review Organization for the State of Mississippi.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc.74-16598 Filed 7-18-74;8:45 am]

PROFESSIONAL STANDARDS REVIEW ORGANIZATION

State of Wyoming; Notice to Physicians

On May 20, 1974, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Wyoming Health Services Company, Inc. designating it as the Professional Standards Review Organization for the State of Wyoming, which area is designated a Professional Standards Review Organization Area in 42 CFR 101.56.

Such notice was also published in three consecutive issues of *The Star Tribune, The Wyoming Eagle, The State Tribune, The Boomerang, Rawlin's Tribune, The Riverton Rangers, The Rocket Minor, The Sheridan Press,* and *The North Wyoming Daily News* on May 20, 21, 22, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine and osteopathy, including the appropriate State and county medical and specialty societies, and hopsitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in Wyoming of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in Wyoming who objects to the Secretary entering into an agreement with Wyoming Health Services Company, Inc., on the grounds that such organization is not representative of doctors in the State of Wyoming, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 2111, Rockville, Maryland 20852, on or before June 19, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in Wyoming, the Secretary has determined, pursuant to 42 CFR 101.105, that not more than 10 percentum of the doctors engaged in the active practice of medicine or osteopathy in Wyoming have expressed timely objection to entering into an agreement with the Wyoming Health Services Company, Incorporated. Therefore, the Secretary will proceed to enter into an agreement with the Wyoming Health Services Company, Inc., designating it as the Profes-

sional Standards Review Organization for the State of Wyoming.

Dated: July 15, 1974.

HENRY E. SIMMONS,
Deputy Assistant Secretary for Health, Director, Office of Professional Standards Review.

[FR Doc. 74-16595 Filed 7-18-74:8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-446-DR; Docket No. NFD-222]

MINNESOTA

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11749 of December 10, 1973, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238; and by virtue of the Act of May 22, 1974, entitled Disaster Relief Act of 1974 (88 Stat. 143); notice is hereby given that on July 13, 1974, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Minnesota resulting from severe storms and flooding beginning about June 18, 1974, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Minnesota. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11749, and delegated to me by the Secretary of the Department of Housing and Urban Development Delegation of Authority, Docket No. D-73-238, I hereby appoint Mr. Robert E. Connor, HUD Region 5, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas in the State of Minnesota to have been adversely affected by this declared major disaster:

The counties of:

Dodge	Olmsted
Fillmore	Wabasha
Houston	Winona

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

Dated: July 15, 1974.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

[FR Doc.74-16592 Filed 7-18-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

NATIONAL PLAN FOR NAVIGATION

Implementation of Radionavigation System

1. *Purpose.* This notice modifies the Department of Transportation National Plan for Navigation (NPN) by announcing the designation and implementation of Loran-C as the government provided radionavigation system for the U.S. coastal/confluence zone and the subsequent deactivation of the Loran-A radionavigation system. It is issued in advance of a new edition of the NPN to provide users and other interested parties maximum lead time to plan for use of the new system.

2. *Scope.* The provisions of this modification apply to the Loran-A and Loran-C radionavigation systems funded and operated by the U.S. Coast Guard as listed in Section 7, to current and prospective system users, and to those engaged in providing Loran-A and Loran-C radionavigation equipment. Geographically, it covers especially the U.S. maritime coastal/confluence zone as defined in Section 6; but also concerns any other areas where usable signals are available from either the Loran-A or Loran-C systems, as defined above.

3. *Reference.* The modifications covered herein apply to the current edition of the NPN issued April 1972. Since this document is for planning purposes only and does not have the force of law, no specific paragraph citations are given in this Notice. The NPN is no longer available from the Department of Transportation (DOT). Copies can be obtained from the National Technical Information Service, Springfield, Virginia 22151, under Accession Number AD 741944.

4. *Background.* In the April 1972 edition of the NPN, it was stated that the primary unresolved navigation issue was the designation of the government sponsored radionavigation system for the coastal/confluence zone. The NPN stated that a choice would be made among four systems which were in operation or appeared capable of being implemented within a reasonable time. These were Loran-A, Loran-C, differential Omega, and Decca. The Secretary of Transportation directed the U.S. Coast Guard, the agency given statutory responsibility for providing maritime navigation systems, to conduct a study and recommend a system. The factors to be considered were capability to meet the technical requirements; and costs including system installation, operating expenses, present investment, and user equipment. As part of the study, the average navigational accuracy requirements in the coastal/confluence zone as shown in the NPN were refined to show the ranges of accuracy required in various parts of the zone. In addition to the general navigation requirements, the needs of commercial fishermen and the scientific community were considered. The results of the study are briefly summarized:

(a) *Loran-A.* The system is operational and can meet the present less stringent requirements and appears capable of being improved to meet the highest accuracy requirements. However, it can do this only marginally and the improvement program presents a high technological risk. Because of the poor overland propagation characteristics of the system, it is not capable of meeting navigation requirements on the Great Lakes or interior of the country. Present transmission equipment would have to be replaced and the total system cost would be of the same order as Loran-C. The system is in fairly widespread use and there is low cost user equipment available. However, new receivers would have to be designated to achieve the high accuracy of the proposed improved Loran-A systems. Very little of the present transmitting equipment can meet the higher accuracy requirements and most of it is approaching the end of its useful life.

(b) *Loran-C.* The system is operational and has been proven to meet all the marine navigational accuracy requirements throughout the coastal/confluence zone and shows possibility of meeting the higher precision needs of the harbor/harbor entrance zone. It can meet the needs of the Great Lakes and with additional transmitting stations provide coverage over other areas as well. System cost is as low or lower than any other proposed system. A major drawback had been the lack of a low cost (under $5,000) automatic tracking receiver. The low cost Loran-A/C receivers available are generally of the pulse match type which cannot provide the desired accuracy. As part of the study program, the Coast Guard contracted for the development of a low cost receiver. This project resulted in two models which were demonstrated successfully. In addition, several other manufacturers developed and are marketing automatic tracking receivers which retail for as low as $3,500.

(c) *Differential Omega.* This system which has not yet gone beyond the feasibility demonstration stage makes use of the worldwide Omega navigation system. It utilizes correction data applied to the Omega fix manually or automatically through special equipment and obtained from a number of fixed monitoring stations. Correction data are broadcast continuously to the local area, as a given datum is valid for only a short time. The accuracy decreases rapidly as the distance from the monitor increases and the number of monitors required to cover the coastal/confluence zone would be high. The probability of meeting the accuracy requirement in the outer reaches

of the coastal/confluence zone is questionable. The system cost would be considerable and the cost of user equipment for the civilian community is unknown at this time.

(d) *Decca.* This is an operational system capable of meeting the requirements except in the outer reaches of the coastal/confluence zone at night due to sky wave interference. Because of the comparative short range capability, a large number of stations would be required. The system cost would be several times that of Loran-A or Loran-C. User equipment costs are comparable or slightly higher than Loran-C.

Based on the studies, the Commandant, U.S. Coast Guard recommended Loran-C be selected as the radionavigation system to be provided for the coastal/confluence zone. After further investigations and consultations with other government agencies and the representatives of user organizations, the Secretary of Transportation selected Loran-C as the government provided radionavigation system for the coastal/confluence zone. This decision was publicly announced on May 16, 1974.

5. *National Navigation Policy.* The NPN states, among other items that the DOT National Navigation Policy is to "* * * coordinate planning for facility implementation and deployment in the interest of electromagnetic frequency conservation, overall economies, and avoidance of unnecessary duplication." This policy is reaffirmed. The Department therefore plans to gradually phase out Loran-A, as Loran-C service is provided or improved in any existing Loran-A service area.

DOT realizes that there are a number of manufacturers, vendors, and users of Loran-A equipment and considerable investment in receivers. In order to allow a reasonable time for orderly phase out of existing equipment, the May 16, 1974 announcement provides for about five years notice before the decommissioning of any U.S. operated Loran-A chain which has been providing navigational services primarily for civil use, i.e., U.S. coastal/confluence zone. Included in the five year period for any area will be the simultaneous operation of the Loran-A and Loran-C systems for at least twenty-four months after the latter has been certified by the Coast Guard for operational use.

6. *Requirements.* The NPN had defined the coastal/confluence zone as the seaward approaches to land, considered to extend about 50 NM from the coast, although the distance could vary from about 20 NM to 120 NM. The navigation system accuracy requirement was given as ¼ NM rms. These were average requirements and served their purpose at the time the NPN was issued.

When the system comparison studies were initiated it was necessary to better define the requirements. The inner boundary of the coastal/confluence zone is defined as the harbor entrance. The outer boundary is redefined as 50 NM offshore or the edge of the continental shelf (100 fathom curve), whichever is greater. The navigation system accuracy requirement has been established such that the system would provide 95 percent assurance that a vessel could be navigated (with a tolerance of ¼ NM) along a track to its designated destination or within its designated shipping lane. Existing lane widths vary from 1 NM at harbor entrances and in the Gulf of Mexico fairways to 5 NM at the edge of the high seas zone.

7. *Operating Plan.* The coastal/confluence decision as well as other developments will result in a number of changes to the Operating Plan of the NPN. Besides those Loran stations operated by the Coast Guard adjacent to U.S. waters, there are a number of overseas stations operated in response to requirements of the Department of Defense (DOD). Since these in many cases also serve the civil community, their scheduled operation has been included. To provide system users the greatest possible lead time in advance of issuing a new NPN, the most important system changes are summarized:

(a) *Loran-A.* Current coverage will be found on the Loran-A Coverage Diagram, Defense Mapping Agency Hydrographic Center Chart N.O. 5131, rather than as shown in Figure 1 of the NPN. DOD has changed its requirement for the Loran-A system operation from the end of 1974 to the end of 1977, except for Baffin Bay. This assumes that a worldwide replacement system such as Omega is operating in the areas concerned. The planned termination dates for the U.S. operated Loran-A chains are:

DOMESTIC	
Aleutian Islands	July 1, 1979.
Gulf of Alaska	Do.
Hawaiian Islands	Do.
West Coast	Do.
Caribbean	July 1, 1980.
East Coast	Do.
Gulf of Mexico	Do.
OVERSEAS	
Baffin Bay	June 30, 1975.
Iwo Jima-Okinawa	Dec. 31, 1977.
Mariana Islands	Do.
Marshall Islands	Do.

(b) *Loran-C.* The existing Loran-C system will be upgraded and expanded to provide coverage for the entire U.S. coastal/confluence zone and the Great Lakes. Overseas stations will continue to be operated by the Coast Guard in response to the requirements of DOD. The current system coverage is given in the Loran-C Coverage Diagram, Defense Mapping Agency Hydrographic Center Chart N.O. 5130 rather than as shown in Figure 2 of the NPN. The planned dates for Loran-C chain operational certification to provide coverage for U.S. contiguous waters are:

West coast	Jan. 1, 1977.
Gulf of Alaska expansion	Do.
East coast reconfiguration	July 1, 1978.
Gulf of Mexico expansion	Do.
Great Lakes expansion	Feb. 1, 1980.

The Hawaiian Island Chain is under study to determine if the existing Loran-C coverage can be improved in the area of the major islands.

(c) *Omega.* There has been slippage in both the modernization of existing stations and the construction of the new stations to complete operation of the world wide system. According to the latest information, the improved configuration of current stations should be operational by late 1974, while world wide operation is not expected before the end of 1976.

Signed at Washington, D.C., July 15, 1974.

CLAUDE S. BRINEGAR,
Secretary of Transportation.

[FR Doc.74-16557 Filed 7-18-74;8:45 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-261; OL Modification]

CAROLINA POWER AND LIGHT CO.

Special Prehearing Conference

In the matter of Carolina Power and Light Company (H. B. Robinson, Unit No. 2) (facility license amendment).

On April 30, 1974, the Atomic Energy Commission published a notice "Proposed Issuance of Amendment to Facility License" in the FEDERAL REGISTER (39 FR 15061). The notice advised that "any person whose interest may be affected by this proceeding may file a petition for leave to intervene."

Thereafter, Mr. John D. Whisenhunt filed a timely petition to intervene and the Commission established an Atomic Safety and Licensing Board to rule on petitions and/or requests for leave to intervene (June 13, 1974, 39 FR 20717).

Accordingly, a special prehearing conference on the subject matter will be held before the Atomic Safety and Licensing Board designated to rule on petitions at 10 a.m. local time, on July 25, 1974, in the Second Floor Courtroom (in the U.S. Post Office Building), U.S. District Court, 211 West Evans Street, Florence, South Carolina.

Matters to be discussed at this special prehearing conference will include the following:

1. Petitions to intervene and specific contentions.

2. Egects of the instant proceeding on the ongoing Appendix D, section B, environmental hearing and possible consolidation of both proceedings.

3. Any other pertinent matters.

The public is invited to attend, however, no limited appearance statements will be accepted at this prehearing conference. Statements by members of the public making limited appearances will be received at the commencement of Evidentiary Hearings which will be scheduled at a later date.

It is so ordered.

Issued at Bethesda, Maryland, this 16th day of July 1974.

For the Atomic Safety and Licensing Board (designated to rule on petitions to intervene in this proceeding).

JOHN F. WOLF,
Chairman.

[FR Doc.74-16682 Filed 7-18-74;8:45 am]

[Dockets Nos. STN 50-454, STN 50-455, STN 50-456, STN 50-457]

COMMONWEALTH EDISON CO.

Notice and Order for Evidentiary Hearing

In the matter of Commonwealth Edison Company (Byron Station, Units 1 and 2, and Braidwood Station, Units 1 and 2).

Take notice, the environmental evidentiary hearing in the subject proceeding for the Braidwood Station, Units 1 and 2, shall commence on August 7, 1974, at 9:30 a.m., local time, in the City Council Chamber, 150 West Jefferson Street, Joliet, Illinois 60431.

Those desirous of making limited appearances will be permitted to do so at the August 7th session. The limited appearances will be restricted to ten minutes for each person. Limited appearances may be made either orally or in writing.

It is so ordered.

Issued at Bethesda, Maryland, this 15th day of July, 1974.

ATOMIC SAFETY AND LICENSING BOARD,
JEROME GARFINKEL,
Chairman.

[FR Doc.74-16509 Filed 7-18-74;8:45 am]

[Dockets Nos. STN 50-488-STN 50-493]

DUKE POWER CO.

Hearing on Application for Construction Permits

In the matter of Duke Power Company (Perkins and Cherokee Nuclear Stations):

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in 10 CFR, Part 50, "Licensing of Production and Utilization Facilities," and 10 CFR, Part 2, "Rules of Practice," notice is hereby given that a hearing will be held, at a time and place to be set in the future by an Atomic Safety and Licensing Board (Board), to consider the application filed under the Act by Duke Power Company, for construction permits for six standardized pressurized water nuclear reactors designated as the Perkins Nuclear Station, Units 1, 2, and 3 and the Cherokee Nuclear Station, Units 1, 2, and 3 (the facilities), each of which is to be designed for initial operation at approximately 3800 megawatts thermal with a net electrical output of approximately 1280 megawatts. The proposed facilities are to be located in Davie County, North Carolina and Cherokee County, South Carolina.

The hearing will be scheduled to begin in the vicinity of the sites of the proposed facilities. The hearing will be conducted by an Atomic Safety and Licensing Board (Board) consisting of Dr. Donald P. deSylva, Dr. Walter H. Jordan, and Jerome Garfinkel, Esq., Chairman.

Pursuant to 10 CFR 2.785, an Atomic Safety and Licensing Appeal Board will exercise the authority and the review function which would otherwise be exercised and performed by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER at a later date.

Upon completion by the Commission's regulatory staff of a favorable safety evaluation of the application and an environmental review and upon receipt of a report by the Advisory Committee on Reactor Safeguards, the Director of Regulation will consider making affirmative findings on Items 1-3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of construction permits to the applicant:

Issues pursuant to the Atomic Energy Act of 1954, as amended.

1. Whether in accordance with the provisions of 10 CFR 50.35(a):

(a) The applicant has described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved on or before the latest date stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicant is technically qualified to design and construct the proposed facilities;

3. Whether the applicant is financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

Issue pursuant to National Environmental Policy Act of 1969 (NEPA).

5. Whether, in accordance with the requirements of Appendix D of 10 CFR Part 50, the construction permits should be issued as proposed.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4(n), the Board will determined: (1) Without conducting a de novo evaluation of the application, whether the application and the record of the proceeding contain sufficient information, the review of the application by the Commission's regulatory staff has been adequate to support the proposed findings to be made by the Director of Regulation on Items 1-4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permits proposed by the Director of Regulation; and (2) whether the review conducted by the Commission pursuant to NEPA has been adequate.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1-5 above as a basis for determining whether the construction permits should be issued to the applicant.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with section A.11 of Appendix D of 10 CFR Part 50: (1) Determine whether the requirements of section 102 (2) (C) and (D) of NEPA and Appendix D of 10 CFR Part 50 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; and (3) determine whether the construction permits should be issued, denied, or appropriately conditioned to protect environmental values.

The Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days after the notice of hearing is published or at such other time as the Board deems appropriate, for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any required special prehearing conference, and within sixty (60) days after discovery has been completed or at such other time as the Board may specify, for the purpose of dealing with matters specified in 10 CFR 2.752.

The Board will set the time and place for any special prehearing conference, prehearing conference and evidentiary hearing and the respective notices will be published in the FEDERAL REGISTER.

Pursuant to 10 CFR 2.761a, a hearing and decision by the Board on issues pursuant to NEPA and general site suitability and certain other possible issues may be held and issued prior to and separate from the hearing and decision on other

issues. In the event, the Board, after the hearing, makes favorable findings on such issues, the Director of Regulation may, pursuant to 10 CFR 50.10(e), authorize the applicant to conduct certain on-site work entirely at its own risk prior to completion of the remainder of the proceeding.

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may make an oral or written statement on the record. He does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of Items 1–5 above. Limited appearances will be permitted at the time of the hearing at the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission and others in the manner specified below.

Any person whose interest may be affected by the proceeding, who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR 2.714. A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have all the rights of the applicant to participate fully in the conduct of the hearing, such as the examination and cross-examination of witnesses, with respect to their contentions related to the matters at issue in the proceeding.

A petition for leave to intervene must be filed with the Secretary of the Commission and others as specified below by August 19, 1974. Petition for leave to intervene which is not timely will not be granted unless the Board determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Board has considered those factors specified in 10 CFR 2.714(a) (1)–(4) and 2.714(d).

An answer to this notice, pursuant to the provisions of 10 CFR 2.705, must be filed by the applicant by August 8, 1974.

Papers required to be filed in this proceeding shall be filed by mail or telegram addressed to the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. A copy of the petition or request for limited appearance should also be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545 and to Troy B. Conner, Jr., Esq., Conner, Hadlock and Knotts, 1747 Pennsylvania Avenue NW, Washington, D.C. 20006, attorney for the applicant.

For further details, see the application for construction permits dated May 24, 1974, and amendments thereto, the applicant's revised environmental report dated June 17, 1974, and Combustion Engineering's Standard Safety Analysis Report (CESSAR), Docket No. STN 50–470, which is currently under staff review, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., between the hours of 8:30 a.m. and 5 p.m. on weekdays. Copies of those documents are also available for inspection by members of the public at the Davie County Public Library, 416 N. Main Street, Mocksville, North Carolina, between the hours of 9 a.m. and 5 p.m. Tuesday through Friday, and 9 a.m. and 2:30 p.m. on Saturday; and at the Cherokee County Library, Gaffney, South Carolina, between the hours of 9 a.m. and 6 p.m. on Wednesday, Friday and Saturday. As they become available, a copy of the safety evaluation report by the Commission's Directorate of Licensing, the Commission's draft and final environmental statements, the report of the Advisory Committee on Reactor Safeguards (ACRS), the proposed construction permits, the transcripts of the prehearing conferences and of the hearing, and other relevant documents, will also be available at the above locations. Copies of the Directorate of Licensing's safety evaluation report and the Commission's final environmental statement, the proposed construction permits, and the ACRS report may be obtained, when available, by request to the Deputy Director for Reactor Projects, Directorate of Licensing, United States Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 9th day of July, 1974.

ATOMIC ENERGY COMMISSION,
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74–16507 Filed 7–18–74;8:45 am]

[Docket Nos. STN 50–488, STN 50–489, STN 50–490, STN 50–491, STN 50–492, and STN 50–493]

DUKE POWER CO.

Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicant's Environmental Reports

Duke Power Company, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application which was docketed on May 24, 1974, for authorization to construct and operate six pressurized water nuclear power reactors at its Perkins and Cherokee sites. The application was tendered on March 29, 1974. Following a preliminary review for completeness, the application—the Preliminary Safety Analysis Report, General and Financial Information and the Antitrust Information—was found to be acceptable for docketing on May 21, 1974. However, the Environmental Reports were not sufficiently complete for docketing and Duke Power Company filed revised Environmental Reports on June 17, 1974. The revised Reports were found to be acceptable on July 5, 1974. This application has been filed utilizing two approaches of the Commission's Standardization Policy for nuclear power plants—the "reference system" and "duplicate plant" concepts. (See "Licensing of Duplicate Nuclear Power Plants; Review of Standard Nuclear Power Plant Designs," Notice of Proposed Rules, 39 FR 13668, April 16, 1974.) The application references the standard nuclear steam supply system design of Combustion Engineering's Standard Safety Analysis Report (CESSAR), Docket No. STN 50–470, which is currently under staff review. The remainder of the plant design, with the exception of some specific site features, consists of identical duplicates for all six units. Docket Nos. STN 50–488, STN 50–489, and STN 50–490 have been assigned to Units 1, 2, and 3, respectively, at the Perkins site and STN 50–491, STN 50–492, and STN 50–493 have been assigned to Units 1, 2, and 3, respectively, at the Cherokee site. These docket numbers should be referenced in any correspondence relating to this application.

The Perkins site is located in the southeast portion of Davie County, North Carolina, on the Yadkin River about 11 miles west of Lexington, 12 miles north of Salisbury and about 17 miles southeast of Winston-Salem. The Cherokee site is located in the eastern portion of Cherokee County, South Carolina, on the west bank of the Broad River about 6 miles southeast of Blacksburg and 21 miles northeast of Spartanburg.

Each of the proposed nuclear units, designated by the applicant as the Perkins Nuclear Station, Units 1, 2, and 3, and the Cherokee Nuclear Station, Units 1, 2, and 3, are designed for initial operation at approximately 3800 megawatts thermal with a net electrical output of approximately 1280 megawatts.

A Notice of Hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, Regulation, on or before September 17, 1974. The request should be filed in connection with Docket Nos. STN 50-488-A, STN 50-489-A, STN 50-490-A, STN 50-491-A, STN 50-492-A, and STN 50-493-A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, at the Davie County Public Library, 416 N. Main Street, Mocksville, North Carolina 20780, and at the Cherokee County Library, Gaffney, South Carolina 29340.

Duke Power Company has also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 50, separate Environmental Reports for the Perkins and Cherokee Stations. The reports discuss environmental considerations related to the proposed construction of the Perkins and Cherokee Stations. The reports are being made available for public inspection at the aforementioned locations, and are being made available at the Clearinghouse and Information Center, 116 West Jones Street, Raleigh, North Carolina 27603, at the Piedmont Triad Council of Governments, P.O. Box 8945, Greensboro, North Carolina 27410, at the Office of the Governor, Division of Administration, Wade Hampton Office Building, Columbia, South Carolina 29201, and at the South Carolina Appalachian Council of Governments, Drawer 6668, 11 Regency Hills Drive, Greensville, South Carolina 29606.

After the Environmental Reports have been analyzed by the Commission's Director of Regulation or his designee, draft environmental statements related to the proposed action will be prepared by the Commission. Upon preparation of the draft environmental statements, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statements. The summary notice will request comments from interested persons on the proposed action and on the draft statements. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials thereon will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare final environmental statements, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Maryland, this 8th day of July 1974.

For the Atomic Energy Commission.

OLAN D. PARR,
Chief,
Light Water Reactors Group 1-3.

[FR Doc.74-16500 Filed 7-18-74;8:45 am]

[Docket Nos. STN 50-498 and STN 50-499]

HOUSTON LIGHTING AND POWER ET AL.

Receipt of Application for Construction Permits, Facility Licenses, and Availability of Applicants' Environmental Report

Houston Lighting and Power Company, the City of San Antonio, Central Power and Light Company, and the City of Austin (the applicants), pursuant to section 103 of the Atomic Eenergy Act of 1954, as amended, have filed an application, which was docketed July 5, 1974, for authorization to construct and operate two generating units utilizing two pressurized water reactors. The application was tendered on May 17, 1974. Following a preliminary review for completeness, the application was accepted on June 20, 1974, for docketing. Docket Nos. STN 50-498 and STN 50-499 have been assigned to the application and should be referenced in any correspondence relating to the application.

The proposed nuclear facilities, designated by the applicants as the South Texas Project, Units 1 and 2 are located on the west side of the Colorado River, in south central Matagorda County, Texas and are designed for initial operation at approximately 3800 megawatts (thermal) each, with a net electrical output of approximately 1250 megawatts each.

A Notice of Hearing with opportunity for public participation is being published separately.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before September 17, 1974. The request should be filed in connection with Docket Nos. STN 50-498-A and STN 50-499-A.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and at the Matagorda County Courthouse, 1700 7th Street, Bay City, Texas.

The applicants have also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 50, an Environmental Report dated July 1, 1974. The report, which discusses environmental considerations related to the construction and operation of the proposed facilities is being made available for public inspection at the aforementioned locations and at the Division of Planning Coordination, Office of the Governor, P.O. Box 12428, Capitol Station, Austin, Texas 78711, and at the Houston-Galveston Area Council, 3311 Richmond Avenue, Houston, Texas 77006.

After the Environmental Report has been analyzed by the Commission's Director of Regulation or his designee, a draft environmental statement will be prepared by the Commission's Regulatory staff. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the Regulatory staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Maryland, this 5th day of July, 1974.

For the Atomic Energy Commission.

A. W. DROMERICK,
Acting Chief, Light Water Reactors Project Branch 1-1, Directorate of Licensing.

[FR Doc.74-16501 Filed 7-18-74;8:45 am]

[Dockets Nos. STN 50-498, STN 50-499]

HOUSTON LIGHTING & POWER CO. ET AL.

Hearing on Application for Construction Permits

In the matter of Houston Lighting & Power Company, et al. (South Texas Project, Units 1 and 2).

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in 10 CFR, Part 50, "Licensing of Production and Utilization Facilities," and 10 CFR, Part 2, "Rules of Practice," notice is hereby given that a hearing will be held by an Atomic Safety and Licensing Board (Board), to consider the application filed under the Act by the Houston Lighting & Power Company, the City of San Antonio, Central Power and Light Company, and the City of Austin (the applicants), for construction permits for two pressurized water nuclear reactors designated as the South Texas Project, Units 1 and 2 (the facilities), each of which will be designed for operation at approximately 3800 thermal megawatts with a net electrical output of approximately 1250 megawatts. The proposed facilities are to be located on the west side of the Colorado River, in south central Matagorda County, Texas.

The hearing, which will be scheduled to begin in the vicinity of the site of the proposed facilities, will be conducted by an Atomic Safety and Licensing Board (Board) which has been designated by the Chairman of the Atomic Safety and Licensing Board Panel, consisting of Dr. Cadet H. Hand, Jr., Frederick J. Shon, and Elizabeth S. Bowers, Esq., Chairman.

Pursuant to 10 CFR 2.785, an Atomic Safety and Licensing Appeal Board will exercise the authority and the review function which would otherwise be exercised and performed by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER at a later date.

Upon completion by the Commission's regulatory staff of a favorable safety evaluation of the application and an environmental review and upon receipt of a report by the Advisory Committee on Reactor Safeguards, the Director of Regulation will consider making affirmative findings on Items 1–3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of construction permits to the applicants:

Issues pursuant to the Atomic Energy Act of 1954, as amended.

1. Whether in accordance with the provisions of 10 CFR 50.35(a):

(a) The applicants have described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and have identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicants and the applicants have identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicants are technically qualified to design and construct the proposed facilities;

3. Whether the applicants are financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

Issue Pursuant to National Environmental Policy Act of 1969 (NEPA).

5. Whether, in accordance with the requirements of Appendix D of 10 CFR Part 50, the construction permits should be issued as proposed.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4(n), the Board will determine: (1) without conducting a de novo evaluation of the application, whether the application and the record of the proceeding contain sufficient information, the review of the application by the Commission's regulatory staff has been adequate to support the proposed findings to be made by the Director of Regulation on Items 1–4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permits proposed by the Director of Regulation; and (2) whether the review conducted by the Commission pursuant to NEPA has been adequate.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1–5 above as a basis for determining whether the construction permits should be issued to the applicants.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with section A.11 of Appendix D of 10 CFR Part 50: (1) Determine whether the requirements of section 102 (2) (C) and (D) of NEPA and Appendix D of 10 CFR Part 50 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; and (3) determine whether the construction permits should be issued, denied, or appropriately conditioned to protect environmental values.

The Board will convene a special prehearing conference of the parties to the proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days after the notice of hearing is published or at such other time as the Board deems appropriate, for the purpose of dealing with the matters specified in 10 CFR 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any required special prehearing conference, and within sixty (60) days after discovery has been completed or at such other time as the Board may specify, for the purpose of dealing with the matters specified in 10 CFR 2.752.

The Board will set the time and place for any special prehearing conference, prehearing conference and evidentiary hearing and the respective notices will be published in the FEDERAL REGISTER.

Pursuant to 10 CFR § 2.761a, a hearing and decision by the Board on issues pursuant to NEPA and general site suitability and certain other possible issues may be held and issued prior to and separate from the hearing and decision on other issues. In the event the Board, after the hearing, makes favorable findings on such issues, the Director of Regulation may, pursuant to 10 CFR 50.10(e), authorize the applicants to conduct certain on-site work entirely at their own risk prior to completion of the remainder of the proceeding.

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715. A person making a limited appearance may make an oral or written statement on the record. He does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of Items 1–5 above. Limited appearances will be permitted at the time of the hearing at the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission and others in the manner specified below.

Any person whose interest may be affected by the proceeding, who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR 2.714. A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have all the rights of the applicants to participate fully in the conduct of the hearing, such as the examination and cross-examination of

witnesses, with respect to their contentions related to the matters at issue in the proceeding.

A petition for leave to intervene must be filed with the Secretary of the Commission and others as specified below by August 19, 1974. A petition for leave to intervene which is not timely will not be granted unless the Board determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Board has considered those factors specified in 10 CFR 2.714(a)(1)–(4) and 2.714(d).

An answer to this notice, pursuant to the provisions of 10 CFR 2.705, must be filed by the applicants by August 8, 1974.

Papers required to be filed in this proceeding shall be filed by mail or telegram addressed to the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. A copy of the petition or request for limited appearance should also be sent to the Chief Hearing Counsel, Office of the General Counsel, Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545, and to Jack R. Newman, Esq., Newman, Reis & Axelrad, 1025 Connecticut Avenue NW, Washington, D.C. 20036, attorney for the applicants.

For further details, see the application for construction permits dated July 1, 1974, and amendments thereto, and the applicants' environmental report dated July 1, 1974, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., between the hours of 8:30 a.m. and 5 p.m. on weekdays. Copies of those documents are also available at the Matagorda County Courthouse, 1700 7th Street, Bay City, Texas, for inspection by members of the public between the hours of 8 a.m. and 5 p.m., Monday through Friday. As they become available, a copy of the safety evaluation report by the Commission's Directorate of Licensing, the Commission's draft and final environmental statements, the report of the Advisory Committee on Reactor Safeguards (ACRS), the proposed construction permits, the transcripts of the prehearing conferences and of the hearing, and other relevant documents, will also be available at the above locations. Copies of the Directorate of Licensing's safety evaluation report and the Commission's final environmental statement, the proposed construction permits, and the ACRS report may be obtained, when available, by request to the Deputy Director for Reactor Projects, Directorate of Licensing, United States Atomic Energy Commission, Washington, D.C. 20545.

Dated at Washington, D.C., this 9th day of July, 1974.

ATOMIC ENERGY COMMISSION,
PAUL C. BENDER,
Secretary of the Commission.

[FR Doc.74–16506 Filed 7–18–74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 25280; Agreement C.A.B. 24300; Order 74–7–64]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Adopted by the Joint Traffic Conferences; Order

Issued under delegated authority July 16, 1974.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted by the Joint 3/1 North and Central Pacific Special Corates Board meeting held in Pasadena, March 14, 1974, names additional specific commodity rates for North/Central Pacific traffic, as well as cancelling some rates and amending certain commodity item descriptions. These revisions and additions, outlined in the attachments[1] in general reflect reductions from the otherwise applicable general cargo rates, and will herein be approved with the exception of rates for items 4416, 4417 and 4435 which were disapproved in Order 74–6–93 dated June 19, 1974. We would also note that while certain rates in the subject agreement are excluded from intermediate application to other points, our condition on Resolution 590 which requires intermediate application, imposed in Order 74–6–93, will apply to rates approved herein for the same reasons set forth in that order.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act (with the exception of rates for items 4416, 4417 and 4435 which were previously disapproved in Order 74–6–93, June 19, 1974), provided that approval is subject to the conditions hereinafter ordered.

Accordingly, it is ordered, That:

Agreement C.A.B. 24300 be and hereby is approved with the exception of rates for items 4416, 4417 and 4435, *Provided,* That:

1. Approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; and

2. Specific commodity rates established pursuant thereto with respect to any United States point as an origin or destination, shall be available to and/or from any other United States city having an intermediate position based on shortest operated mileages, at levels no greater than those established for the more distant point.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74–16573 Filed 7–18–74;8:45 am]

[1] Filed as part of the original document.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE HUNGARIAN PEOPLE'S REPUBLIC

Entry or Withdrawal From Warehouse for Consumption

JULY 16, 1974.

On August 13, 1970, the United States Government concluded a comprehensive bilateral cotton textile agreement with the Government of the Hungarian People's Republic concerning exports of cotton textiles and cotton textile products from the Hungarian People's Republic to the United States over a five-year period beginning on August 1, 1970. The agreement was amended by an exchange of notes, dated May 31 and June 10, 1974. Among the provisions of the bilateral agreement, as amended, are those establishing an aggregate limit for the 64 categories and within the aggregate limit specific limits on Categories 24 and 39 for the agreement year beginning on August 1, 1974.

Accordingly, there is published below a letter of July 16, 1974, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs directing that the amounts of cotton textiles and cotton textile products in Categories 24 and 39, produced or manufactured in the Hungarian People's Republic, which may be entered into the United States for consumption or withdrawn from warehouse for consumption in the United States during the twelve-month period beginning August 1, 1974, be limited to the designated levels.

The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed

to assist only in the implementation of certain of its provisions.

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

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

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

JULY 16, 1974.

DEAR MR. COMMISSIONER: Pursuant to the Bilateral Cotton Textile Agreement of August 13, 1970, as amended, between the Governments of the United States and the Hungarian People's Republic, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective August 1, 1974 and for the twelve-month period extending through July 31, 1975, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 24 and 39, produced or manufactured in the Hungarian People's Republic, in excess of the following levels of restraint:

Category		*12-mo. level of restraint*
24	square yards	1,337,057
39	dozen pairs	69,284

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 24 and 39 produced or manufactured in the Hungarian People's Republic and which have been exported prior to August 1, 1974, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period, August 1, 1973 through July 31, 1974. In the event that the levels of restraint for that twelve-month period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of August 13, 1970, as amended, between the Governments of the United States and the Hungarian People's Republic which provide, in part, that within the aggregate limit, the limitations on Categories 24 and 39 may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for admanistrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers 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 the Hungarian People's Republic and with respect to imports of cotton textiles and cotton textile products from the Hungarian People's Republic 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.74-16556 Filed 7-18-74;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

BICYCLE SAFETY STANDARD

Notice of Denial of Petitions Requesting Procedure Under Consumer Product Safety Act

In a petition dated February 25, 1974, the Bicycle Manufacturers Association of America (BMA) requested the Consumer Product Safety Commission to proceed with the establishment of a bicycle safety standard pursuant to the Consumer Product Safety Act (15 U.S.C. 2051–81) in lieu of continuing to proceed pursuant to the Federal Hazardous Substances Act (15 U.S.C. 1261–74). The petitioner also requested suspension of all steps involved in promulgating such a standard under the Federal Hazardous Substances Act until the Commission ruled on the petition.

The petitioner contended that the requested change in procedure should be granted because:

1. A standard promulgated under the Consumer Product Safety Act would preempt conflicting State and local government standards.

2. Development of a standard under the Consumer Product Safety Act would cover all bicycles rather than just those solely designed for use by children, as proposed under the Federal Hazardous Substances Act (FEDERAL REGISTER of May 10, 1973; 88 FR 12300).

3. Promulgating the standard under the Federal Hazardous Substances Act will not reduce the risk of injury "to a sufficient extent," and therefore section 30(d) of the Consumer Product Safety Act (15 U.S.C. 2079(d)) requires that the standard be processed under that act.

4. A standard promulgated under the Consumer Product Safety Act will clearly be more effectively complied with than a standard promulgated pursuant to any other authority.

The first two arguments given were also presented in a similar petition by BMA dated June 14, 1973. BMA was notified that its June 14, 1973, petition was denied by the Commission.

Regarding arguments 3 and 4 above, the Commission finds that the petitioner has failed to provide persuasive arguments that a risk of injury could not be eliminated to a sufficient extent under the Federal Hazardous Substances Act or that a standard promulgated under the Consumer Product Safety Act will clearly be more effectively complied with than a standard promulgated pursuant to any other authority. Further, the Commission is unaware of any other arguments that would persuasively support petitioner's request.

Accordingly, pursuant to section 10(d) of the Consumer Product Safety Act (Pub. L. 92–573, 86 Stat. 1217 (15 U.S.C. 2059(d))), notice is given of the Commission's denial of the BMA petitions dated June 14, 1973, and February 25, 1974.

A copy of the petitions may be seen during working hours, Monday through Friday, in the Office of the Secretary, Consumer Product Safety Commission, 1750 K Street, NW., Washington, D.C. 20207.

Dated: July 16, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-16591 Filed 7-18-74;8:45 am]

EMPLOYEE MEMBERSHIP AND PARTICIPATION IN VOLUNTARY STANDARDS ORGANIZATIONS

Proposed Statement of Policy

The Consumer Product Safety Commission is in the process of establishing a policy concerning membership and participation by Commission personnel in voluntary standards organizations ("voluntary standards organizations" as used in this document is intended to include those organizations that develop voluntary standards either as a major or minor part of the organizations' purpose). Such a policy is considered a general statement of policy or a rule of agency procedure and therefore exempt from the notice and public procedure provisions of 5 U.S.C. 553(b)(3)(A) (Administrative Procedure Act). However, in view of the importance of such a policy, the fact that several requests have been made asking the policy be published for public comment and because a public meeting was previously held on this issue, the Commission has decided to seek public comments on the proposed policy. The decision to publish the proposed policy for comment is not intended to establish a precedent to be followed for the implementation of future procedural rules. The proposed policy is set forth below:

I. *Introduction.* The purpose of this policy is to establish guidelines for Commission employees governing membership and participation in the activities of voluntary standards development bodies that concern products subject to the jurisdiction of the CPSC. The Commission desires to ensure that such membership and participation:

(1) Complies with the intent of the Consumer Product Safety Act, and the other Acts administered by CPSC,

(2) Furthers the objectives and programs of the Consumer Product Safety Commission,

(3) Is not contrary to the public interest, and

(4) Does not present a real or apparent conflict-of-interest in the execution of I(1), I(2) and I(3), above.

II. *Policy Statement.* The Commission recognizes the role that voluntary standards may have in:

(1) Reducing unreasonable risks of injuries associated with consumer products,

(2) Eliminating, in some instances, the need for mandatory standards, and

(3) Providing a basis for mandatory standards.

The Commission realizes that there are advantages and benefits to be derived from the participation of its personnel in voluntary standards organizations. However, the Commission is also aware of the need to eliminate or reduce to a minimum any real or apparent conflict-of-interest situations as they might present an appearance of the Commission:

(1) Giving preferential treatment to any organization or group, or

(2) Losing its independence or impartiality.

Every effort must be made to avoid adversely affecting the confidence of the public in the integrity of the Commission.

III. *Procedure Safeguards.* The Commission recognizes that with regard to the decisions made by the Commission concerning the promulgation of consumer product safety rules:

(1) Only those members of the staff listed in Sections V(A) and V(B), below, have the responsibility for making the final recommendation to the Commissioners with regard to either adopting an existing standard or accepting an offer to develop a standard under Section 7 of the Consumer Product Safety Act,

(2) Individuals from several Commission offices and bureaus will be involved in the development of a staff recommendation concerning the acceptance of an existing standard or an offer to develop a standard,

(3) The recommendations and views of each person involved in the development of a staff recommendation will be carefully reviewed and either endorsed, questioned or rejected by that person's Division Chief, Office or Bureau Director, the Standards Coordinator, the Chief of the Technical Analysis Division, the Director of the Office of Standards Coordination and Appraisal, and the Executive Director,

(4) The Commissioners exercise the ultimate decision-making authority, and

(5) Any existing standard accepted as a proposed consumer product safety rule, and any proposed standard developed by an offeror will be subject to further review and comment by any and all interested or concerned persons after it is published in the FEDERAL REGISTER pursuant to section 9 of the Act. In view of the foregoing, the Commission establishes the following guidelines governing membership and participation in voluntary standard organizations.

IV. *Membership Criteria.* A. Commission employees may become individual members of voluntary standard development bodies at their own expense (5 U.S.C. 5946).

B. Commission employees, other than those holding positions enumerated in section V(A), and V(B), below, may also hold membership on Committees, subcommittees, councils or boards of such bodies, except as qualified in subsection G of section V below.

V. *Participation Criteria.* A. Commission employees holding the positions listed below, because they make the final decision, or because they advise those who make the final decision with regard to either adopting an existing standard or accepting an offer to develop a standard under Section 7 of the CPSA, shall not participate in the standardization activities of any organization that is involved in the development of voluntary standards concerning products subject to the jurisdiction of the Consumer Product Safety Commission.

(1) The Commissioners of the CPSC,

(2) The Commissioner's Special Assistants,

(3) The General Counsel, and

(4) The Legal Staff of the General Counsel.

B. Commission employees holding the positions listed in this subsection, because they develop the final recommendation to the Commission with regard to either adopting an existing standard or accepting an offer to develop a standard under Section 7 of the CPSA, shall not participate in the standardization activities of any organization that is involved in the development of voluntary standards concerning products subject to the jurisdiction of the CPSC.

(1) The Standards Coordinators of the Technical Analysis Division of OSCA.

(2) The Director of the Technical Analysis Division of OSCA,

(3) The Director of the Impact Analysis Division of OSCA,

(4) The Director of the Office of Standards Coordination and Appraisal and his immediate staff.

(5) The Executive Director and his staff,

(6) The Director of the Bureau of Engineering Sciences,

(7) The Director of the Bureau of Economic Analysis,

(8) The Director of the Bureau of Biomedical Science, and

(9) The Medical Director.

C. Commission employees, other than those holding offices listed in Section V(A) and Section V(B) above, may participate in the development of voluntary safety standards for consumer products but only in their capacity as employees of the Commission and as part of their official duties. Travel and other expenses will be provided as specified in appropriate regulations. Commission employees may engage in such participation only after having received advance approval for such participation from the Executive Director with the concurrence of the General Counsel.

D. Commission employees who attend meetings of voluntary standards organizations (but do not participate) must have such attendance approved in advance by the Executive Director with the concurrence of the General Counsel.

E. Commission employees shall not, except in extraordinary circumstances and when approved in advance by the Commission, participate in meetings concerning the development of voluntary standards or meetings where voluntary standards are developed that are not open for observation and participation, where appropriate, by any and all interested or concerned persons. Attendance at all meetings shall be noted in advance on the Public Calendar.

F. Attendance and participation in voluntary standardization activities shall be contingent on Commission employees being considered and listed by standards development committees and organizations as advisory, nonvoting members. In no case shall a Commission employee vote or otherwise indicate approval of a voluntary standard.

G. Commission employees who participate in the development of voluntary standards shall not accept voluntary standards committee positions which involve policy or primary leadership roles (e.g., chairman, secretary). Subject to prior approval by the Executive Director with the concurrence of the General Counsel, an employee may accept a committee position only if it is clearly in the public interest for that Commission employee to carry out the functions of that specific position.

H. The Commission will participate, upon request and subject to the provisions of para. V(C), in voluntary standards activities which appear to further the objectives and programs of the Commission and which are not inconsistent with on-going or anticipated regulatory programs of CPSC. In the event of duplication of effort by two or more groups in developing voluntary standards for the same products or class of products, the Commission may encourage the several interests to participate in the development of a single voluntary standard.

I. Commission employees who participate in the development of a voluntary standard and who later participate in an official capacity in the evaluation of that standard as the basis for a proposed consumer product safety rule, shall describe clearly in their evaluation of the voluntary standard the extent of their participation in the development of that voluntary standard.

Interested persons are invited to submit, on or before August 19, 1974, written comments regarding this proposal. Comments and any accompanying material should be submitted, preferably 5 copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the Office of the Secretary, tenth floor, 1750 K Street, NW., Washington, D.C., during working hours Monday through Friday.

Dated: July 16, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-16590 Filed 7-18-74;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Public Availability

Environmental impact statements received by the Council on Environmental Quality from July 8 through July 12, 1974. The date of receipt for each statement is noted in the summary. Under Council Guidelines, the *minimum* period for public review and comment on draft environmental impact statements is on or before September 3, 1974.

Copies of individual statements are available for review from the originating agency. Back copies will also be available from a commercial source, the Environmental Law Institute, of Washington, D.C.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fred H. Tschirley, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331–E, Administration Building, Washington, D.C. 20250, 202–447–3965.

FOREST SERVICE

Draft

Beaver Creek Unit, Daniel Boone National Forest, Ky., McCreary and Pulaski Counties, July 8: Proposed is a 10 year management plan for the 16,474 acre Beaver Creek Unit of the Daniel Boone National Forest. The Unit would be managed for water, wildlife, recreation, and timber resources; 500 acres would be designated as wilderness. Timber management will result in disturbance to soil, water, and vegetative cover. (ELR Order No. 41129.)

Final

Elk City Planning Unit, Nezperce National Forest, Idaho, Idaho County, July 8: The statement refers to the proposed multiple use plan for the 89,000 acre Elk City Planning Unit, Elk City Ranger District, Nezperce National Forest. The Unit contains 66,000 acres of National Forest lands of which 27,000 acres are presently roadless. Under the plan, management would be for the enhancement of timber production, for watershed protection (the Unit incorporates the entire American River watershed and portions of three other river drainages), for big game habitat improvement, and for scenic viewing, among other values. Major impacts will include those resulting from timber harvest, mining, domestic livestock grazing, ORV use, and recreational uses. Comments made by: EPA, State agencies and concerned citizens. (ELR Order No. 41113.)

Boundary Waters Canoe Area Plan, Superior National Forest, Minn., Cook, Lake, and St. Louis Counties, July 8: The proposed action is the development and implementation of a land use management plan containing management directions and policies for the administration of the 1,030,000 acre Boundary Waters Canoe Area. Comments made by: COE, DOT, EPA, FPC, DOI, agencies of Minnesota and Michigan, the Province of Canada, and concerned citizens. (ELR Order No. 41124.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Alma Unit No. 6 and Transmission Line, Wis., Alma and Buffalo Counties, July 8: Proposed is the granting of insured and guaranteed loan funds totalling $91,800,000 to the Dairyland Power Coop. for the construction of Alma Unit 6 (350 MW), and 103 miles of 161 kV transmission line. The power unit will employ low-sulfur western coal. The major adverse impact will result from visual intrusion upon the landscape of power lines (two volumes). (ELR Order No. 41126.)

SOIL CONSERVATION SERVICE

Final

Swan Creek Watershed Project, Ala., Limestone County, July 8: The statement refers to a project which is designed to provide flood protection on the 56,429 acre watershed. Conservation land treatment measures will be employed on 39,110 acres; structural measures will include 12.5 miles of channel works and 12 miles of channel clearing. Approximately 300 acres of forest land will be cleared for project installation. Comments made by: HEW, DOI, EPA, TVA, ARC, State agencies and concerned citizens. (ELR Order No. 41130.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN–PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314, 202–693–7168.

Draft

Chief Joseph Dam, Columbia River, Wash., Douglas and Okanogan Counties, July 8: The statement refers to the Chief Joseph Dam and its reservoir, Rufus Woods Lake, located on the Columbia River. Involved is the continued operation and maintenance of the existing dam, powerhouse, reservoir, and associated lands, including the granting of specified types of permits; the addition of 11 generating units to the powerhouse; and the raising of the normal full pool of the reservoir 10 feet, with associated modifications to the dam. Adverse impacts are alterations of Columbia River flow characteristics, the lowering of terrestrial and aquatic biological productivity, and the displacement of 45 persons (Seattle District). (ELR Order No. 41131.)

Final

Mississippi River, Baton Rouge to Gulf of Mexico, La., July 8: The proposed project is the maintenance of operation of navigation channels in the Mississippi River from Baton Rouge to deep water in the Gulf of Mexico. There will be maintenance dredging at 8 crossings in the Mississippi River, New Orleans Harbor, South and Southwest Passes, and bar channels; regulating and contracting works at the Head of Passes in South and Southwest Passes; regulating and controlling of outlets below New Orleans; and maintenance of jetty systems at the seaward ends of South and Southwest Passes. Placement of spoil on 725 acres of marsh and existing spoil banks below Head of Passes destroys wildlife habitat. Comments made by: DOI, EPA, USDA, DOC, USCG, HEW, HUD, AHP, State agencies. (ELR Order No. 41119.)

Rock Removal, Weymouth-Fore and Town Rivers, Mass., July 12: The statement refers to a navigation project to remove shoals in the Weymouth-Fore and Town River channels. A turning basin and an anchorage are also provided for. The material in the rivers is classified as ledged rock and requires blasting operations for its removal. The dumpsite to be used is the "Foul Area" designated for polluted materials. Blasting could have an impact on biota and the residences within the immediate project area (Waltham District). Comments made by: DOI, EPA, DOC, HEW, State and local agencies. (ELR Order No. 41147.)

Draft

Fiscal year 1975 Navigation Season Extension Demo. Project, Mich., July 8: The statement refers to a program element which is intended to demonstrate the practicality of certain enabling measures for extending the commercial navigation season on the Great Lakes-St. Lawrence Seaway System. There are 25 methods which are to be investigated. The program would commit monetary and manpower resources for actual operation of the test in a coming fiscal year (Detroit District). (ELR Order No. 41133.)

Huron Harbor Navigation Project, Ohio, Erie County, July 8: The project involves navigation improvements to Huron Harbor. The proposed plan entails the deepening and lakeward extension of the lake approach channel, deepening the river channel, and enlarging and deepening the turning basin. Project construction activities will have a temporary adverse impact upon water quality, aquatic life, recreational use, aesthetic values, boat traffic, and noise levels (Buffalo District) (58 pages). (ELR Order No. 41132.)

DEPARTMENT OF DEFENSE

NAVY

Contact: Mr. Joseph A. Grimes, Jr., Special Civilian Assistant to the Secretary of the Navy, Washington, D.C. 20350, 202–697–0892.

Final

Air Combat Maneuvering Range (ACMR) (2), North Carolina, July 8: The statement refers to the proposed establishment of an ACMR, 30 nautical miles in diameter between the altitudes of 5,000 and 50,000 feet over the Atlantic Ocean, 26 nautical miles east of Kitty Hawk, North Carolina. Within the range, aircrews will engage each other in simulated combat. Because of public opposition, the site has been relocated from the earlier selection over land at Pamlico Sound. Adverse impact will include engine noise, and occasional sonic boom, which will be heard on the ocean surface under the range. Comments made by: USDA, DOI, DOD, USCG, EPA, NASA, State agencies. (ELR Order No. 41120.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street, NW., Washington, D.C. 20426, 202–386–6084.

Final

Gas Line, Loudon Co., Vir. to Clinton Co., Penn., July 9: The statement refers to the proposed granting of an FPC certificate for the construction and operation of 191.1 mile 193.7 miles of 30" gas pipeline and two compressor stations for the project are the Columbia Gas Transmission Co.'s Loudon County Compressor Station, and Consolidated Gas Supply Corp.'s Leidy Compressor Station in Pennsylvania. (The applicant is the Consolidated System LNG Company.) Environmental impact would result to soil, vegetation, fish, wildlife, water quality, air quality, and noise quality. Comments made by: HEW, COE, DOC, HUD, AEC, EPA, USCG, DOI, USDA. (ELR Order No. 41138.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets, NW., Washington, D.C. 20405, 202–343–4161.

Final

Richard B. Russell Federal Building, Georgia, July 8: Proposed is the construction of a courthouse and Federal office building

which will provide space for 3,000 employees. The facility will have a gross area of 1,208,175 square feet in 24 stories, on a 4.139 acre site. Parking will be provided for 310 vehicles. There will be construction disruption; economic growth in the central business district may be spurred (43 pages). Comments made by: AHP, EPA, USDA, DOC, DOI, DOT, FPC, SBA, State and local agencies, and concerned citizens. (ELR Order No. 41118.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Acting Director, Office of Community and Environmental Standards, Room 7206, 451 7th Street, SW., Washington, D.C. 20410, 202–755–5980.

Final

Parkway Plaza Neighborhood Development, Napa, Calif., July 8: The statement refers to a proposed neighborhood development program in three blocks which are adjacent to the current nine block urban renewal area. Proposed activities include the acquisition of structures, the displacement of businesses and families, the realignment of Napa Creek, and the development of parking sites which will support the adjacent nine block commercial redevelopment. Twenty-six businesses, 22 individuals and 4 families will be displaced. Comments made by: HEW, COE, DOI, USDA, EPA, DOC, DOT, State agencies and concerned citizens. (ELR Order No. 41127.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202–343–3891.

BUREAU OF RECLAMATION

Draft

Auburn Folsom South Unit, Amendment, California, several counties, July 11: The draft amendment was prepared in response to a ruling on April 15, 1974 by Chief Judge Thomas A. MacBride of the U.S. District Court for the Eastern District of California that the final statement and supplement for the project did not comply with NEPA. The amendment discusses flood control and water supply alternatives to Auburn Reservoir. (ELR Order No. 41145.)

NATIONAL PARK SERVICE

Draft

West Beach Unit, Indiana Dunes National Lakeshore, Ind., Porter County, July 8: Proposed is an integrated program of development, management and preservation for the West Beach Unit of the Indiana Dune National Lakeshore at the southern tip of Lake Michigan. The action would result in increased recreational options for residents of the Calumet Region, and increased economic viability. Some wildlife habitation may be partially discouraged. (ELR Order No. 41122.)

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Contact: Mr. Ralph E. Cushman, Special Assistant, Office of Administration, NASA, Washington, D.C. 20546, 202–962–8107.

Final

Sewage Outfall Easement, Goddard Space Flight Center, Maryland, Prince Georges County, July 10: The statement refers to the proposed granting of an easement across the Center's property for the construction of a temporary sewage outfall line. The temporary facilities would serve a private development (Greenbriar Apartment Project) until an expected 1975 hook-up with the local public sewer system. A moratorium presently exists on public system hook-ups, subject to improvement of the Western Branch Sewage Treatment Plant. The primary environmental effect will be that resulting from the effluent discharge to the receiving stream. Comments made by: EPA, DOI, HEW, State, local, and regional agencies, and concerned citizens. (ELR Order No. 41144.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Quality, 400 7th Street, SW., Washington, D.C. 20590, 202–426–4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

US 6, Davenport, Iowa, Scott County, July 8: The proposed project involve the reconstruction of 1.9 miles of US 6 to a 4 lane divided highway. Adverse impacts are the use of agricultural land for right-of-way, the destruction of some wildlife habitat, increased noise levels, and possible water pollution during construction (77 pages). (ELR Order No. 41128.)

95th St. Improvement, Overland Park, Johnson Co., Kans., Johnson County, July 8: The project involves the improvement of 95th St. between the east frontage road of I 35 in Lenexa to the Bluejacket Drive intersection in Overland Park. Adverse impacts are the use of additional land for right-of-way, increased noise levels, and temporary, construction-related increases in air pollution (29 pages). (ELR Order No. 41121.)

Richmond Bypass, Madison County, Ky., July 10: The statement investigates the need for improving the Richmond Bypass to a four lane facility, from a point 0.5 mile east of KY 52 to US 25 and 421. The expected increase in traffic will result in increased noise levels (78 pages). (ELR Order No. 41139.)

U.S. 14, Mankato Bypass, Minn., Blue Earth County, July 8: Proposed is a 4.5 mile bypass of the City of Mankato. The highway will require 264 acres for right-of-way, including 95 acres of good agricultural land; 16 families and 2 businesses will be displaced (39 pages). (ELR Order No. 41123.)

I–25, Sandoval and Santa Fe Counties, N.M., Sandoval and Santa Fe Counties, July 9: The statement describes six continuous highway reconstruction proposals beginning south of Algodines and extending 21.5 miles to a point 0.4 miles north of the top of La Bajada Hills. Adverse impacts include the temporary effects of construction disruption, and the taking of 876 acres for right-of-way, including some Indian reservation lands. (ELR Order No. 41137.)

Final

Victoria Avenue, Oxnard to San Buenaventura, Calif., Ventura County, July 8: The statement considers three alternatives for the proposed improvement of transportation facilities between the Cities of Oxnard and Buenaventura across the Santa Clara River a major river channel and flood way. Project length is 3 miles. Noise may affect two residences (105 pages). Comments made by: DOI, HUD, USDA, DOT, USCG, State and local agencies. (ELR Order No. 41110.)

I–15, San Diego County, Calif., July 8: The statement refers to the construction of I–15 for 6.7 miles from 0.8 mile north of Lake Hodges Bridge to 0.2 mile north of the Country Club Lane in and near the city of Escondido. The proposed 8 lane freeway will be a bypass superseding the existing expressway through Escondido. Adverse impacts are increased levels of noise and air pollution and the use of approximately 400 acres of land (103 pages). Comments made by: USDA, HEW, DOI, State and local agencies. (ELR Order No. 41116.)

M21 from M24 to Wadhams, Mich., Lapeer and St. Clair Counties, July 8: The statement refers to the corridor determination for highway M 21, from M 24 south of Lapeer to the existing portion of M 21 near Wadhams. The highway would disrupt established land patterns, social and economic values, and surface water drainage patterns. Comments made by: DOT, DOI, COE, USDA, DOC, USCG, State and local agencies and concerned citizens. (ELR Order No. 41115.)

Route 725, St. Louis County, Mo., July 10: The project consists of a 6.6 mile extension of Route 725 from Page Ave. to I270. The new facility will be fully access controlled and multi-laned. Adverse impacts are the use of 525 acres of land, the displacement of 650 homes, 15 business and 200 mobile home sites, and the loss of some wildlife. Comments made by: HUD, DOI, USDA, EPA, State and local agencies. (ELR Order No. 41141.)

I40, Buncombe County, N.C., July 11: The statement refers to the construction of a 3.4 miles segment of I40 from Black Mountain to Ridgecrest, and the relocation of 0.66 mile of NC 6 on the southern side of Black Mountain. Adverse impacts are temporarily increased siltation, and relocation of approximately 42 families and 4 businesses (104 pages). Comments made by: USDA, COE, DOC, EPA, GSA, HEW, HUD, DOI, TVA, State and local agencies and concerned citizens. (ELR Order No. 41146.)

Legislative Route 557, Pennsylvania, Lehigh County, July 10: The proposed action is the reconstruction of Cedar Crest Boulevard in the City of Allentown, including widening and resurfacing. Approximately 0.6 acre of land and 78 trees will be taken from the Trexles Memorial Park, necessitating the filing of a 4(f) statement. Comments made by: USDA, HEW, HUD, DOI, EPA, DOT, State, local agencies, and concerned citizens. (ELR Order No. 41142.)

US 380, Wise County, Tex., July 8: The statement refers to the construction of 3.4 miles of US 380. The 4 lane highway will bypass the City of Decatur. The project will displace 14 families and 5 businesses (65 pages). Comments made by: DOT, HEW, USDA, EPA, State agencies. (ELR Order No. 41112.)

SR 16, Narrows Bridge, Wash., Pierce and Kitsap Counties, July 10: The statement refers to improvement of SR 16 to a four lane, fully-controlled facility from the Narrows Bridge to Tremont St., with partial access control from Tremont to the SR 160 interchange. Total project length is 20 miles. Adverse impact includes the commitment of 355 acres to right-of-way, and the displacement of 20 homes and 6 businesses (256 pages). Comments made by: COE, EPA, USDA, HEW, DOI, USCG, State and local agencies. (ELR Order No. 41143.)

US 8, Spring Creek Drive, Wis., Lincoln and Oneida Counties, July 10: The proposed project is the relocation and reconstruction of portions of U.S. Highway 8. Project length is 10 miles. Construction of the facility will require 190 acres of land consisting of 80% timberland, 15% open lands and 5% farm lands. Two farms will be crossed by the project. There will be a decrease in air quality (40 pages). Comments made by: DOI, EPA, USDA, State agencies. (ELR Order No. 41140.)

Draft

Interstate Spur I 759, Etowah County, Ala., July 8: The statement refers to the proposed construction of highway sections totalling two miles. Adverse impacts are the commitment of several acres of land to right-of-way; the displacement of several families and businesses; some erosion; increases in noise and air pollution; and destruction of some wildlife habitat. (ELR Order No. 41111.)

US 31, Oceana County, Mich., July 8: The statement refers to the relocation of 28.5

miles of US 31, from the Mushegon-Oceana County line to the Mason County Line. Adverse impact will include the removal of 25 homes, the taking of land for right-of-way, and increases in air, noise, water, and litter pollution (74 pages). (ELR Order No. 41114.)

US 54, El Paso County, Tex., July 8: Proposed is the construction of 10.32 miles of US 54 between Loop 375 and the Texas-New Mexico State line at Newman. The statement indicates no significant impacts (84 pages). (ELR Order No. 41117.)

Final

I 93, New Hampshire and Vermont, July 9: The statement refers to the construction of 6.5 miles of I 93 in New Hampshire and Vermont. Adverse impacts of the 4 lane facility would include the acquisition of land for right-of-way, increased noise levels, temporarily increased siltation, and the relocation of 2 residences. Comments made by: EPA, USDA, HUD, DOC, COE, FPC, USCG, State agencies. (ELR Order No. 41135.)

I 93, Caledonia County, Vt., July 9: The statement refers to the construction I 93 from Waterford, Vermont, 11 miles northerly to an intersection with I 91 near St. Johnsbury Village. Adverse impacts are the commitment of 329 acres to right-of-way, and the displacement of 10 families and one business (161 pages). Comments made by: HUD, EPA, DOC, DOI, COE, FPC, HEW. (ELR Order No. 41134.)

VETERANS ADMINISTRATION

Contact: Mr. Arthur W. Farmer, Assistant Chief, Medical Director for Administration and Facilities, Veterans Administration, 810 20420.

Vermont Avenue NW., Washington, D.C.

Final

Rehabilitation/Nursing Building, Sepulveda, Calif., Los Angeles County, July 9: The statement refers to the proposed construction of a 120 bed rehabilitation/nursing home care building on the property of the VA hospital in Sepulveda. Adverse impact will include the use of an open lawn area (little league baseball diamond) for the site, and resulting increases in local traffic on Woodley Avenue (32 pages). Comments made by: AHP, COE, DOC, HEW, HUD, DOI, GSA, EPA, State agencies. (ELR Order No. 41136.)

The following are corrected summaries for recently received environmental impact statements.

ATOMIC ENERGY COMMISSION

Final

Idaho Chemical Processing Plant, Idaho, Butte County, June 27: The statement refers to proposed legislative authorization and appropriation of funds for the construction and operation of an addition to the Idaho Chemical Processing Plant. The new facility will provide the capability for reprocessing fuel from High Temperature Gas Reactors (HTGR). Wastes from the addition will be disposed of by utilizing existing procedures and facilities. Comments made by: AEC, EPA, DOC, DOI, HEW, USDA, State agencies. (ELR Order No. 41062.)

GENERAL SERVICES ADMINISTRATION

Final

Sand Point Naval Air Station, Seattle, Wash., June 17: The statement refers to the proposed disposal of 312 acres of land on Lake Washington in Seattle. One hundred acres would be transferred to NOAA for use as a Pacific Northwest Regional Facility; 212 acres would be assigned to BOR for conveyance to the City of Seattle for park and recreation use. There would be significant impact from NOAA's planned shoreline dredging and construction of piers; park use will adversely affect a unique pheasant population. Comments made by: DOT, USCG, HUD, COE, DOI, USDA, DOD, State and local agencies. (ELR Order No. 40979.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.74-16520 Filed 7-18-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 238-8]

CIBA-GEIGY CORP.

Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 4F1513) has been filed by CIBA-GEIGY Corp., Post Office Box 11422, Greensboro, NC 27409, proposing establishment of a tolerance (40 CFR Part 180) for residues of the insecticide methidathion (*O,O*-dimethyl phosphorodithioate, *S*-ester with 4-(mercaptomethyl)-2-methoxy-Δ^2-1,3,4-thiadiazolin-5-one) in or on the raw agricultural commodity sunflower seed at 0.5 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a gas chromatographic procedure using a flame photometric detector for phosphorus.

Dated: July 12, 1974.

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

[FR Doc.74-16614 Filed 7-18-74;8:45 am]

[FRL 239-1]

CIBA-GEIGY CORP.

Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512 (21 U.S.C. 346a(d)(1))), notice is given that a petition (PP 4F1512) has been filed by CIBA-GEIGY Corp., P.O. Box 11422, Greensboro, NC 27409, proposing establishment of tolerances (40 CFR Part 180) for residues of the insecticide methidathion (*O,O*-dimethyl phosphorodithioate, S-ester with 4-(mercaptomethyl)-2-methoxy-Δ^2-1,3,4-thiadiazolin-5-one) in or on the raw agricultural commodities sorghum forage and fodder at 2 parts per million and sorghum grain at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a gas chromatographic procedure using a flame photometric detector.

Dated: July 12, 1974.

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

[FR Doc.74-16615 Filed 7-18-74;8:45 am]

[OPP-32000/85]

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 Ageny, Room EB-37, East Tower, 401 M Street, SW, Washington, D.C. 20460.

On or before September 17, 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 September 17, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 7122-RRE. The Archem Corp., 1514 Eleventh St., Portsmouth OH 45662. GUARDIAN WARFARIN TECHNICAL. Active Ingredients: Warfarin Technical (3)acetonylbenzyl)-4-hydroxycoumarin 99.5 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34274-R. Blue Ribbon Feed Mill Inc., RR No. 2, Celina OH 45822. CHIEF LOGAN BRAND RAT & MOUSE KILLER. Active Ingredients: 3-(A-Acetonylfurfuryl) 4-Hydroxycoumarin 0.025 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 11556–23. Chemagro, Div. of Baychem Corp. Box 4913, Kansas City MO 64120. CHEMAGRO CO-RAL (COUMAPHOS) EMULSIFIABLE LIVESTOCK INSECTICIDE. Active Ingredients: *O,O*-Diethyl *O*-(3-chloro-4-methyl-2-oxo-(2*H*)-1-benzopyran-7-yl) phosphorothioate 11.6 percent; Aromatic Petroleum Distillate 83.4 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9444–GG. Clive-Buckner, Inc., 16317 Piuma Ave., Cerritos PA 90701. 100 mg. NEW PURGE III INDUSTRIAL TYPE INSECT KILLER. Active Ingredients: Pyrethrins 0.500 percent; Piperonyl Butoxide Technical 1.000 percent; N-octyl bicycloheptene dicarboximide 1.670 percent; Petroleum Hydrocarbons 6.830 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 23304–E. Crummett Chemical, Inc., 3987 Forsythe Rd., Orlando, FL 32807. CRUMMETT CHEMICAL INC. MALATHION 57EC. Active Ingredients: Malathion (O,O-Dimethyl Dithiophosphate of Diethylmercaptosuccinate) 57.2 percent; Aromatic Petroleum Derivative Solvents 34.1 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 23304–R. Crummett Chemical, Inc. CRUMMETT CHEMICAL INC. DIAZINON 4E INSECTICIDE. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 47.79 percent; Aromatic petroleum derivative solvent 30.00 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 23304–U. Crummett Chemical, Inc. CRUMMETT CHEMICAL INC. BHC 1EC. Active Ingredients: Gamma Isomer of Benzene Hexachloride 11.7 percent; Other Isomers of Benzene Hexachloride 16.0 percent; Petroleum Distillate 62.8 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 23304–G. Crummett Chemical, Inc. CRUMMETT CHEMICAL INC. DIAZINON AG 500. Active Ingredients: O,O-diethyl O-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate 48 percent; Aromatic petroleum derivative solvent 39 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 464–34. The Dow Chemical Co., P.O. Box 1706, Midland MI 48640. DOWFUME 75 EFFECTIVE FUMIGANT FOR CONTROLLING INSECT PESTS IN STORED GRAIN. Active Ingredients: Ethylene Dichloride 70 percent; Carbon Tetrachloride 30 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 279–2874. FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. FURADAN 5 GRANULES INSECTICIDE. Active Ingredients: Carbofuran 5.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34290–R. James Exterminating & Supply Co., 2766 N. 22nd St., Philadelphia PA 19132. CALL-EM-OUT AND KILL EM. Active Ingredients: Petroleum Distillate 93.7750 percent; Aromatic Pet. Dist. Solvent 5.0000 percent; O,O'-Diethyl-(2-Isopropyl-4-Methyl 6-Pyrimidinyl) phosphorothioate 0.1000 percent; Technical Piperonyl Butoxide 0.1875 percent; Pyrethrins 0.0375 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 690–LL. Perk Products Co., 1338 Lewis St., Nashville TN 37210. BLAM GUARANTEED SURE DEATH TO RATS AND MICE. Active Ingredients: Warfarin (3' - (a-acetonylbenzyl)-4-hydroxycoumarin) 0.025 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11273–RE. Sandoz-Wander, Inc., P.O. Box 1489, Homestead FL 33030. EVITAL, A GRANULAR HERBICIDE FOR CRANBERRIES. Active Ingredients: (4-chloro-5-(methylamino) - 2 - (alpha,alpha, alpha-trifluoro-m-tolyl) - 3(2H)-pyridazinone 5 percent. Active Ingredients: Application proceeds under 2(a) of interim policy.

EPA File Symbol 11273–RG. Sandoz-Wander, Inc., P.O. Box 1489, Homestead FL 33030. ZORIAL 80 WP HERBICIDE. Active Ingredients: (4-chloro-5-(methylamino) -2-(alpha,alpha,alpha-trifluoro - m - tolyl)-3 (2H)-pyridazinone 80 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA Reg. No. 201–119. Shell Chemical Co., A Division of Shell Oil Co., Agricultural Div., 1700 K St., Washington DC 20006. SHELL D–D SOIL FUMIGANT. Active Ingredients: Chlorinated C3 Hydrocarbons, including 1,3-Dichloropropene, 1,2-Dichloropropane, 3,3-Dichloropropene, 2,3-Dichloropropene and Other Related Chlorinated Hydrocarbons 100.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11682–GE. J. R. Simplot Co., P.O. Box 912, Pocatello ID 83201. SIMPLOT SOILBUILDERS VIDDEN D SOIL FUMIGANT. Active Ingredients: 1,3-Dichloropropene, 1,2-Dichloropropane, and related chlorinated aliphatics 99.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11682–EN. J. R. Simplot Co. SIMPLOT SOILBUILDERS TELONE C SOIL FUNGICIDE AND NEMATICIDE. Active Ingredients: 1,3-Dichlorpropene and related chlorinated aliphatics 85 percent; Chloropicrin (Trichloronitromethane) 15 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11682–ER. J. R. Simplot Co. SIMPLOT SOILBUILDERS TELONE SOIL FUMIGANT. Active Ingredients: 1,3-Dichloropropene and related chlorinated aliphatics 99.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1023–36. The Upjohn Co., 7171 Portage Rd., Kalamazoo MI 49001. BOTRAN 75W. Active Ingredients: 2,6-dichloro-4-nitroaniline 75 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14775–EU. Asgrow Kilgore Co., The Upjohn Co., P.O. Drawer D, Plant City FL 33566. ASGROW KIL-FUME 60–40 FOR THE CONTROL OF NEMATODES, WIREWORMS AND CERTAIN OTHER SOIL PESTS. Active Ingredients: Ethylene Dibromide 40.00 percent. Method of Support: Application proceeds under 2(c) of interim policy.

REPUBLISHED ITEMS

The following items represent a correction and/or change in the list of Applications Received published in the FEDERAL REGISTER of July 9, 1974 (39 FR 25246).

EPA File Symbol 13442–G. Environment Engineering, Inc., 1310 Headquarters Dr., Greensboro NC 27405. ALGAE-NO. Published as ALGAE-MO.

EPA File Symbol 1148–GE. Leffingwell Chemical Co., 111 S. Berry St., Brea CA 92621. ROTOL APHIS SPRAY. Published as EPA File Symbol 1148–GB.

Dated: July 15, 1974.

DOUGLAS D. CAMPT,
Acting Director,
Registration Division.

[FR Doc.74–16613 Filed 7–18–74;8:45 am]

[OPP–68002; FRL–233–4]

VINYL CHLORIDE

Amendment to Emergency Suspension Order Concerning Registrations for Certain Products and Intent To Cancel Registrations

In addition to the list of products published in the FEDERAL REGISTER on Friday, April 26, 1974 (39 FR 14753), the following indoor aerosol pesticides containing vinyl chloride were also subject to the emergency suspension order of that date. I hereby amend the appendix to that order.

Dated: July 12, 1974.

JOHN QUARLES,
Acting Administrator.

Additional indoor aerosol pesticides affected by suspension order

Reg. No.	Product	Company
4684–3	African Violet Spray	Stim-U-Plant Labs.
7572–4	Blue White Ant & Roach Killer	Blue White Chemical Co.
4–12	Bonide Household Flea Killer Spray	Bonide Chemical Co., Inc.
2382–53	Clipper Mate Lubricates, Sanitizes, Cools	Carson Chemicals, Inc.
6222–2	Dogette Flea Killer & Coat Conditioner	Lora Labs.
6222–4	Cat-ette Flea Killer	Do.
2382–33	Fogging Dispenser	Carson Chemicals, Inc.
1990–334	Insect Repellent for Personal Use	Farmland Industries.
334–306	"K" Insect Spray	Hysan Corp.
1926–43	Kilzum Fly & Mosquito Insecticide w/allethrin	Navy Brand Manufacturing Co.
1926–44	Kilzum Crawling Insect Killer w/Bagon	Do.
2382–30	Lice and Mite Spray	Carson Chemicals, Inc.
1304–24	McNess Push-Button Spray Insect Killer	Furst-McNess Co.
2169–76	Patterson's Aerosol Insect Killer	Patterson Chemical Co.
334–251	Pet Repel	Hysan Corp.

[FR Doc.74–16477 Filed 7–18–74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20099]

AMERICAN TELEPHONE AND TELEGRAPH CO., ET AL.

Offer of Facilities for Use by Other Common Carriers; Memorandum Opinion and Order Extending Time

1. We have under consideration (a) the intentions expressed by American Telephone and Telegraph Company (AT&T) to file certain tariff changes on August 1, 1974 that are referred to in AT&T's letter dated June 25, 1974 to the Commission that is discussed in Footnote 13 of our Memorandum Opinion and Order herein released on July 5, 1974 (39 FR 25688) (FCC 74–690) and (b) the requirement in such order (See Paragraph 18) that interested parties file comments on such letter within 30

days from the release date of such order, that is, by August 5, 1974.

2. We are of the opinion that it would be more beneficial to the Commission if the initial comments herein be addressed to the actual tariff filings that are to be made on August 1, 1974 rather than on the contents of the June 25, 1974 letter. To accomplish this, we will, on our own motion, postpone the time for filing initial comments to afford all participants a period of approximately 30 days after the tariff revisions are filed to submit their initial comments.

3. Accordingly, *It is ordered*, pursuant to the authority delegated under § 0.303(c) of the Commission's rules, that the date for filing comments herein is hereby extended from August 5, 1974 to September 3, 1974. In accordance with paragraph 18 of the July 5, 1974 Memorandum Opinion and Order (FCC 74–690), responses are now due October 3, 1974, and replies are due October 18, 1974.

Adopted: July 8, 1974.

Released: July 11, 1974.

[SEAL] WALTER R. HINCHMAN,
Chief, Common Carrier Bureau.

[FR Doc.74–16514 Filed 7–18–74;8:45 am]

[Dockets Nos. 20103 and 20104; Files Nos. BPH–7907 and 8118]

TOTAL RADIO, INC., AND EVANGEL MINISTRIES, INC.

Applications for Construction Permits; Designation for Consolidated Hearing on Stated Issues

In re applications of: Total Radio, Inc., Neenah-Menasha, Wisconsin requests: 100.1 MHz, No. 261; 3 kW (H & V); 300 feet, and Evangel Ministries, Inc., Neenah-Menasha, Wisconsin requests: 100.1 MHz, No. 261; 3 kW (H & V); 300 feet.

1. The Chief of the Broadcast Bureau, acting pursuant to delegated authority, has under consideration, the above-captioned applications, and a petition to deny the application of Evangel Ministries, Inc., by Kleeco Radio, Inc., licensee of station WGLB–FM, Port Washington, Wisconsin.

2. The original transmitter site chosen by Evangel Ministries, Inc., was short spaced to WGLB–FM. The petition submitted by Kleeco Radio protested a request for waiver of the rules by Evangel Ministries for that site. However, Evangel Ministries subsequently amended the engineering portion of its application and specified a different site which fully complies with the spacing requirements of § 73.207 of the Commission's rules. Consequently, the petition by Kleeco Radio will be dismissed as moot.

3. A comparison of programming proposals is warranted when one applicant proposes predominantly specialized programming and the other specifies general market programming. Ward L. Jones, FCC 67–82 (1967); Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, Footnote 9 at 397 (1965). In this case, Evangel Ministries proposes 61.5 percent religious programming with news, sermons, Bible lectures and forums comprising an additional 30 percent. Total Radio, on the other hand, proposes general market programming. Therefore, the programming proposals of the applicants may be compared under the standard comparative issue.

4. While the application of Total Radio, Inc., states that a telephone survey of the general public was conducted, it is not clear who conducted the survey. Accordingly, a Suburban[1] issue will be included.

5. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

6. *Accordingly, it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the efforts made by Total Radio, Inc., to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet those problems.

2. To determine which of the proposals would, on a comparative basis, better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

7. *It is further ordered*, That the petition to deny filed by Kleeco Radio, Inc., is dismissed as moot.

8. *It is further ordered*, That grant of either application should be subject to the condition that program tests shall not be authorized until station WTCH–FM, Shawano, Wisconsin, begins program tests on channel 257 (99.3 megahertz), and that a station license shall not be granted until station WTCH–FM is licensed for channel 257.

9. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

10. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74–16513 Filed 7–18–74;8:45 am]

[1] Suburban Broadcasters, 20 RR 951 (1961).

FEDERAL POWER COMMISSION

ALASKAN NATURAL GAS TRANSMISSIONS SYSTEMS

Memorandum of Understanding Between the Department of the Interior[1] and the Federal Power Commission for Preparation of Alaskan Natural Gas Transmission Systems—Environmental Impact Statement

The Department of the Interior and the Federal Power Commission have received applications for natural gas pipeline right-of-way permits across federal lands and certificates of public convenience and necessity authorizing the construction of natural gas transmission facilities, all in connection with a proposed transportation system which would ultimately deliver large volumes of natural gas from the Arctic Regions of Northeast Alaska to the lower United States.

The Alaskan Arctic Gas Pipeline Company requested federal permits and certificates on March 21, 1974, to contruct a 48-inch pipeline for transportation of natural gas from the Prudhoe Bay area in the northern slope of Alaska. The proposed pipeline route would extend across Northeast Alaska through the Arctic National Wildlife Range, a distance of about 195 miles, before crossing the international boundary and going south through Canada.

Additional certificate applications have been filed with the Federal Power Commission by Pacific Gas Transmission Company, Interstate Transmission Associates and Northern Border Pipeline Company requesting Commission approval of related natural gas transmission systems which may be required to distribute the Alaskan Arctic gas throughout the United States. In this regard, additional permit applications are expected to be filed with the Department of the Interior. Pursuant to these applications, the pipeline routes are expected to be generally located as follows:

(1) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, and California to San Francisco; and

(2) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, Nevada and California to Los Angeles; and

(3) From northern Montana through North Dakota, South Dakota, Minnesota, Iowa, Illinois, Indiana, Ohio, West Virginia to Pennsylvania.

Copies of all applications are available for public inspection at the Bureau

[1] See FR Doc. 74–16498, Department of the Interior, Office of the Secretary, appearing in this issue.

of Land Management Offices in Anchorage and Fairbanks, Alaska, and in Washington, D.C., and at the Federal Power Commission, Office of Public Information, in Washington, D.C.

It is expected that others will also apply for Federal right-of-way permits and certificates of public convenience and necessity to construct a natural gas pipeline system from the Prudhoe Bay area across Alaska on a north-south route ultimately delivering the gas to the lower United States by cryogenic oceangoing tankers.

On May 15, 1974, and May 20, 1974, respectively, the Secretary of the Department of the Interior and the Chairman of the Federal Power Commission signed a memorandum of understanding which is published in its entirety below.

Dated: July 15, 1974.

KENNETH F. PLUMB,
Secretary.

MEMORANDUM OF UNDERSTANDING FOR PREPARATION OF ALASKAN NATURAL GAS TRANSPORTATION SYSTEMS ENVIRONMENTAL IMPACT STATEMENT

Parties. The parties of this Memorandum are the U.S. Federal Power Commission (FPC) and the U.S. Department of the Interior (INTERIOR).

Purpose. The purpose of this Memorandum is to define the responsibilities of FPC staff and INTERIOR in the preparation of an environmental impact statement (EIS) as required by section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4321–4327 (1970), for the proposed natural gas transportation systems from the Prudhoe Bay area in Alaska to the lower United States.

Proposed action. On March 21, 1974 the Alaska Arctic Gas Pipeline Company applied for Federal permits and certificates of public convenience and necessity to construct the Alaska portion of a natural gas pipeline system which is proposed to run from the Prudhoe Bay area, across northeast Alaska, then south through Canada to the lower United States. Further certificate and permit applications by other organizations are also expected in connection with related pipeline systems which may be required to transport and distribute the natural gas on various routes throughout the lower United States. While all specific details are not available at this time, these routes within the United States are expected to be generally located as follows: (1) From Kingsgate, British Columbia, through Idaho, Washington, Oregon, and California to San Francisco; (2) from Kingsgate, British Columbia, through Idaho, Washington, Oregon, Nevada, and California to Los Angeles; and (3) from northern Montana through North Dakota, South Dakota, Minnesota, Iowa, Illinois, Indiana, Ohio, West Virginia, and into Pennsylvania.

It is expected that in the near future the El Paso Natural Gas Company will also apply for Federal permits and certificates to construct a natural gas pipeline system from the Prudhoe Bay area, across Alaska on a north-south route similar to that followed by the Alyeska Pipeline Service Company, ultimately delivering the gas to the lower United States by cryogenic oceangoing tankers.

Existing responsibilities. FPC has responsibility for the evaluation and jurisdiction for the certification of the proposed transportation systems. The FPC staff, with the assistant of INTERIOR and others, will conduct a detailed independent analysis and prepare a detailed environmental statement as required by the Commission's Order No. 415–C of December 18, 1972. Because any pipeline involved will cross the public lands and other areas of INTERIOR jurisdiction, and because permits or concurrences will be required for such crossings, INTERIOR is directly involved in the proposed action and is required to prepare a detailed environmental impact statement.

Agreement. In view of the above considerations, FPC and INTERIOR agree to the following:

1. Jointly, FPC and Interior will:

a. In order to effectively and expeditiously assess the environmental impacts of the action, assume joint responsibility for preparing an EIS.

b. Establish an interagency task force to prepare the required EIS. Co-chairman of the task force will be designated by each agency, with responsibility for overseeing the completion of the EIS. Each agency will designate an executive director with primary responsibility for managing its respective staff effort in the preparation of the EIS. Each agency will designate a project manager who will be responsible for supervising its respective task force members. Other Federal government agencies will be invited to serve on the task force. Work groups for preparing the individual sections of the statement will include members of the task force, other government personnel, as well as sub-contractors and consultants where necessary.

c. jointly assume responsibility for preparing all sections mutually agreed to be necessary and not specifically identified in paragraphs 2(d) and 3(c) below.

d. Each bear the cost of its own participation in preparing the EIS out of appropriate funds and such reimbursement as may be proper and required by law and regulations.

2. FPC will:

a. Designate a task force co-chairman, an executive director, and a project manager.

b. Assign a minimum of one FPC staff member to each work group.

c. Be responsible for the preparation of an EIS for the pipeline transportation and pertinent facilities under Sections 3 and 7 of the Natural Gas Act, 52 Stat. 821–833; Title 15 U.S.C. 717–717w as amended.

d. Assume primary responsibility for preparing those sections of the EIS relating to the liquefaction, ocean transport, and gasification of natural gas. As appropriate, FPC may request assistance from the Coast Guard, Maritime Administration, the Department of Transportation Office of Pipeline Safety, and others.

e. Furnish to INTERIOR such witnesses as may be necessary to support FPC's portion of the EIS in public hearings.

f. Provide advice and assistance to INTERIOR as may be required in the preparation of the EIS.

a. Designate a task force co-chairman, an executive director, and a project manager.

b. Establish work groups to participate in the preparation of the EIS.

c. Assume primary responsibility for those sections of the EIS relating to land transportation of natural gas through pipeline systems across Federal lands and other areas of INTERIOR jurisdiction in the United States.

As appropriate, INTERIOR may request assistance from the Corps of Engineers, Environmental Protection Agency, the Forest Service, and others.

d. Furnish to FPC such witnesses as may be necessary to support INTERIOR'S portion of the EIS in public hearings.

e. Provide advice and assistance to FPC as may be required in the preparation of the EIS.

4. If it becomes necessary due to FPC's statutory or regulatory authority for certain sections of the EIS to have both FPC and INTERIOR versions, the separate versions will contain appropriately noted authorship.

Approved:

Dated: May 15, 1974.

ROGERS C. B. MORTON,
Secretary,
Department of the Interior.

Dated: May 20, 1974.

JOHN N. NASSIKAS,
Chairman,
Federal Power Commission.

[FR Doc.74–16498 Filed 7–18–74;8:45 am]

[Docket No. RI73–70, et al.]

AMOCO PRODUCTION CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject To Refund

JULY 12, 1974.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds. It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders. (A) Under the Natural Gas Act, particularly §§ 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column. This supplement shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI73-70	Amoco Production Co	57	27	Phillips Petroleum Co. (Texas-Hugoton Field, Dallam, Hansford, and Sherman Counties, Tex. and Guymon-Hugoton Field, Texas County, Okla.) (Hugoton-Anadarko Area).	$33,218	6-13-74	----------	6-14-74	[1] [3] 13.90682	[1] [3] 14.5	RI73-70.
RI73-70	do			do	13,167	6-13-74	----------	6-14-74	[2] [3] 13.89129	[2] [3] 14.46375	RI73-70.
RI73-374	do	568	4	Phillips Petroleum Co. (Guymon-Hugoton Field, Texas County, Okla.) (Hugoton-Anadarko Area).	29	6-13-74	----------	6-14-74	[5] 13.89129	[5] 14.46375	RI73-174.

*Unless otherwise stated, the pressure base is 14.65 lb/in²a.
[1] Texas production.
[2] Oklahoma production.
[3] Sweet gas rate.

The proposed increases of Amoco Production Company reflect revenue-sharing increases for wellhead sales to Phillips Petroleum Company from the Hugoton Field in Texas and Oklahoma. Phillips gathers and processes the gas in its Sherman Plant and resells the residue gas under its FPC Gas Rate Schedule No. 4 to Michigan Wisconsin Pipe Line Company. Phillips has previously protested other rate filings for the subject rate schedules involving the same contractual problem on the grounds that the proposed rates were not contractually authorized. There is no question here as to the justness and reasonableness of the proposed rates which do not exceed the applicable ceilings established in Opinion No. 586. The sole question presented is whether Amoco is contractually authorized to make the subject filings. Accordingly, we shall suspend Amoco's increases for one day from the date of filing pending resolution of the same contractual issue involved here in Docket Nos. RI71-691 and RI73-70.

[FR Doc.74-16497 Filed 7-18-74;8:45 am]

[Project No. 2210]

APPALACHIAN POWER CO.

Application for Amendment of License

JULY 12, 1974.

Public notice is hereby given that application was filed February 7, 1974 under the Federal Power Act (16 U.S.C. 791a-825r) by Appalachian Power Company (Correspondence to: Mr. John W. Vaughan, Executive Vice President, Appalachian Power Company, 40 Franklin Road, Roanoke, Virginia 24009 and Mr. A. Joseph Dowd, Vice President and General Counsel, American Electric Power Service Corporation, Two Broadway, New York, New York 10004) for amendment of license for constructed Project No. 2210, known as the Smith Mountain Combination Project, located on the Roanoke River in Bedford, Franklin, Campbell, Pittsylvania and Roanoke Counties, Virginia.

The application seeks permission to install a fifth generating unit at the constructed Smith Mountain Combination Project. Applicant would install a 104 nw pump-turbine motor-generator unit (and an appurtenant transformer) at the project's upper development in a space provided in the existing powerhouse as authorized under the terms of the license issued April 25, 1960. Certain additions and modifications would be made to the unit's existing intake facilities. No additional transmission facilities would be required.

The upper development powerhouse would have a new mode of operation with the installation of the new unit wherein more water would be transferred to the lower (Leesville) reservoir of the project on Mondays, thereby raising its elevation to 609 feet, which is about four feet higher than the current Monday maximum. Thereafter, the lower reservoir level would rise progressively to elevation 613 feet (the current weekly maximum) on Friday, with daily fluctuations about 1.5 (vertical) feet more than at present. Smith Mountain Reservoir will be drawn down about 1.9 feet over the Monday through Friday period as it is now. There would be no changes in the minimum and maximum levels of the reservoirs due to the proposed mode of operation.

The proposed unit would be used in meeting peak demands of the Applicant's electric power system and the American Electric Power System.

Any person desiring to be heard or to make protest with reference to said application should on or before August 19, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16488 Filed 7-18-74;8:45 am]

[Docket No. E-8855]

BOSTON EDISON CO.

Order Accepting for Filing and Suspending Proposed Rate Increase, Granting Intervention, and Establishing Procedures

JULY 12, 1974.

On June 14, 1974, Boston Edison Company (Edison) tendered for filing a proposed increase in rates to four total requirements municipal customers: Concord, Massachusetts; Norwood, Massachusetts, Reading, Massachusetts; and Wellesley, Massachusetts (Boston Edison FPC Rate Schedule Nos. 47, 48, 49 and 51, respectively). The filing also proposes changes in the charges for special facilities and modifications in the fuel adjustment clause. Edison states that the proposed rates would provide an increase in annual revenues (based on the twelve month period ending December 31, 1973) of $999,603, constituting an increase of 6.5%. The proposed effective date of the filing is July 15, 1974.

Notice of Edison's filing was issued on June 28, 1974, with comments, protests or petitions to intervene due on or before July 9, 1974. On July 9, 1974, the Municipal Light Department of the City of Reading, Massachusetts filed a protest and petition to intervene. Also on July 9, 1974, the Towns of Concord, Norwood, and Wellesley, Massachusetts together filed a protest and petition to intervene. Both of these filings make allegations which challenge Edison's proposed increase on its merits, and both request that we suspend the proposed increase for the full five month statutory term and set Edison's filing for hearing.

Our review of the instant filing and the issues raised thereby indicates that the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall suspend the proposed rate changes for the full statutory period and establish hearing procedures to determine the justness and reasonableness of Edison's proposed rates.

We note Edison's existing Rate S-2 (proposed to be increased by the instant filing and redesignated Rate S-3) and Edison's fuel adjustment clause are the subject of Commission investigation

and hearing in Docket No. E–7738, et al., presently awaiting decision by the Presiding Administrative Law Judge. In that docket as in the instant filing, Edison's proposed fuel adjustment clause imputes the company's fuel cost variations to purchased power. Such imputation is not in conformance with our Opinion No. 633. However, since this very issue is undergoing consideration in the aforementioned docket, reconsideration of it in the instant docket would constitute improvident relitigation and would be an improper duplication of effort. Therefore, pending resolution of the issues in Docket No. E–7738, et al., we shall accept Edison's proposed fuel adjustment clause for filing and suspend it (in conjunction with other issues raised by the instant filing) for the full statutory period. A further order regarding the propriety of the imputation of the company's fuel cost variations to purchased power in Edison's fuel adjustment clause shall be issued in this docket in conformance with our ultimate decision on this point in Docket No. E–7738, et al.

The Commission finds. (1) The proposed changes in rates and charges, tendered by Edison on June 14, 1974, should be accepted for filing as hereinafter ordered.

(2) The proposed changes in rates and charges may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful under Section 205 of the Federal Power Act and should be suspended for the full five month statutory period.

(3) Due to the present consideration in Docket No. E–7738, et al., of the provision in Edison's proposed fuel adjustment clause which would impute the company's fuel cost variations to purchased power, reconsideration of this same provision in the instant docket would be improper and therefore, pending resolution of the issues in Docket No. E–7738, et al., we shall suspend Edison's proposed fuel adjustment clause for the full five month statutory period and shall ultimately issue an order in the instant docket in conformance with our decision on this point in Docket No. E–7738, et al.

(4) Good cause exists to permit the intervention of the above-named intervenors.

The Commission orders. (A) Pursuant to the authority of Section 205 of the Federal Power Act and the Commission's Rules and Regulations (18 CFR Chapter I), a public hearing shall be held on November 19, 1974, at 10:00 a.m., e.d.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C., concerning the lawfulness of Edison's proposed rate increase.

(B) Pending such aforementioned hearing and a decision thereon, Edison's proposed increase in rates and charges is hereby accepted for filing as of July 15, 1974, suspended for the full five month statutory term, and the use thereof deferred until December 15, 1974.

(C) On or before October 7, 1974, the Commission Staff shall serve its prepared testimony and exhibits, if any. The prepared testimony and exhibits of the intervenors, if any, shall be served on or before October 22, 1974. Any rebuttal evidence by Edison shall be served on or before November 5, 1974. At the hearing to be held November 19, 1974, the direct evidence of all parties shall be admitted into the record and cross-examination of such evidence shall commence.

(D) A Presiding Administrative Law Judge shall preside at a hearing initiated by this order, and shall conduct such hearing in accordance with the Federal Power Act, the Commission's rules and regulations, and the terms of this order.

(E) The above-named petitioners are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in their petitions to intervene; and *Provided, further,* That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order issued by the Commission in this proceeding.

(F) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74–16493 Filed 7–18–74;8:45 am]

[Docket No. E–8885]

CINCINNATI GAS & ELECTRIC CO.

Tariff and Rate Changes

JULY 12, 1974.

Take notice that on July 2, 1974, The Cincinnati Gas & Electric Company (Cincinnati) tendered for filing a proposed FPC Electric Tariff, Original Volume No. 1. The new tariff which is proposed to become effective August 1, 1974, contains changes in rate schedules for municipal wholesale electric service to the Villages of Bethel, Blanchester, Hamersville, Ripley and Georgetown, Ohio and for similar service to the West Harrison Gas and Electric Company, a wholly owned subsidiary of Cincinnati serving the Town of West Harrison, Indiana. Cincinnati states that the schedules in the tariff filed will supersede schedules presently on file with this Commission which terminated according to their individual terms. The agreement of the parties served under the proposed contracts had not been secured as of the date of the filing.

The proposed tariff changes include increased rates and charges which would increase revenues from these jurisdictional sales and service by $104,139 based on the 12-month period ending December 31, 1973.

The reasons stated by Cincinnati for the tariff changes are: (1) To overcome a revenue deficiency from this type of service occasioned by the continued inflationary impact on its costs during the 10 year period the existing rates have been in effect; (2) to distinguish between wholesale customers rendered service at primary, or transmission voltages, and those served at distribution voltage, so as to give recognition to the former's ownership of transformation facilities, and; (3) to update its rate schedule format and conform its fuel adjustment clause to current Commission policy.

Copies of the filing were served upon Cincinnati's affected jurisdictional customers, the Public Utilities Commission of Ohio, and the Public Service Commission of Indiana.

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 24, 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.74–16491 Filed 7–18–74;8:45 am]

[Docket No. CP74–330]

CITY OF DRAKESBORO, KENTUCKY, AND TEXAS GAS TRANSMISSION CORP.

Notice of Application

JULY 11, 1974.

Take notice that on June 24, 1974, the City of Drakesboro, Kentucky (Applicant), Kentucky General Delivery, Drakesboro, Kentucky 42337, filed in Docket No. CP74–330 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Gas Transmission Corporation (Respondent) to establish physical connection of its transportation facilities with the facilities of, and sell natural gas to the Natural Gas Distribution System of the City of Drakesboro, Kentucky, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it owns and operates a natural gas distribution system serving 608 residential and commercial customers in the community of Drakesboro and its environs, namely, Belton, Beechmont, Beech Creek, and Browder, Kentucky. Applicant states that it has been notified by its natural gas supplier, National Chemical Utilities Corporation

(NCUC), that it is unlikely that NCUC will be able to supply Applicant's requirements for natural gas for an indefinite period of time in the future. Applicant further states that it has no other available source of natural gas for its distribution system and that its customers will suffer severe hardship unless the alternative supply of gas sought herein is approved. Accordingly, Applicant requests that the Commission order Respondent to provide uninterruptable service of natural gas to Applicant. Applicant anticipates maximum-day requirements for residential and commercial customers of 1,000 Mcf of gas per day and annual requirements of 86,870 Mcf of gas for the first three years of gas service proposed hereunder.

Applicant states that the cost of gas purchased will be determined under Respondent's Rate Schedule SG–3 (base loan 50.9 cents per Mcf; excess rate 61.9 cents per Mcf).

Applicant states that it leases an 1850 foot two-inch gas transmission line which interconnects its facilities with a ten-inch gas transmission line owned by Respondent.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before August 2, 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 156.9). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–16487 Filed 7–18–74;8:45 am]

[Docket No. CP74–204]

COLUMBIA GULF TRANSMISSION CO. ET AL.

Amendment to Application

JULY 11, 1974.

Take notice that on June 26, 1974, Columbia Gulf Transmission Company (Columbia Gulf), P.O. Box 683, Houston, Texas 77001, Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, and Tennessee Gas Pipeline Company, a division of Tenneco Inc. (Tennessee), Tenneco Building, Houston, Texas 77002, (Applicants) filed in Docket No. CP74–204 an amendment to the application filed jointly by Columbia Gulf and Natural in said docket pursuant to section 7(c) of the Natural Gas Act by adding Tennessee as a party-applicant and by proposing certain modifications and additions to the construction and operation of applied-for pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

In their original application Columbia Gulf and Natural sought authorization to exchange capacity in existing and proposed pipeline systems for the exchange and transportation of natural gas in the West Cameron and Eugene Island areas, offshore Louisiana, and to construct and operate certain facilities related to such exchanges, including a 20-inch pipeline, together with a platform and compression in Eugene Island Block 250, extending from Columbia Gulf's existing facilities in Eugene Island Block 309 to a point of connection with the Columbia Gulf-Tennessee Blue Water Project in Eugene Island Block 241.

Applicants, by this amendment, specifically seek authorization to construct and operate the above-mentioned Eugene Island facilities modified by changing the diameter of a 4.9-mile segment of such pipeline from 20 inches to 24 inches and installing a 3,000 horsepower gas turbine-compressor package in Eugene Island Block 250 instead of 1,100 horsepower of compression as originally proposed by Columbia Gulf and Natural. Applicants state that Tennessee's participation in this project is for the purpose of enabling Tennessee to attach presently available gas reserves of Tenneco Oil Company (Tenneco) and Texaco Inc. (Texaco) in Eugene Island Blocks 338 and 339 to the Blue Water Project. The application indicates that by such participation there will be no duplication of effort and as a result the cost to Tennessee will be less than if Tennessee were to construct separately and stand the expense of the necessary connecting facilities. The application further points out that such joint use arrangements are encouraged by § 2.65 of the Commission's General Policy and Interpretations (18 CFR 2.65).

In addition, Columbia Gulf proposes to interconnect the new platform with an existing, adjoining platform in Eugene Island Block 250 by means of approximately 100 feet of 10-inch pipe to enable Natural to divert gas volumes purchased from Shell Oil Company (Shell) in Eugene Island Block 331 to an existing pipeline of Michigan Wisconsin Pipe Line Company in Block 250 for transportation to shore, so that Shell, as operator of the Calumet Plant can process for liquefiable hydrocarbons the gas volumes sold to Natural. The application indicates that Shell will pay for the cost of such interconnection, estimated to be $229,400.

Applicants state that capacity in their proposed pipeline (approximately 225,000 Mcf per day), including the segments of 20-inch pipeline of Columbia Gulf and Natural which will be connected thereto to form a continuous pipeline between Eugene Island Blocks 331 and 241, will be shared equally by the three Applicants.

Applicants state that the total cost to them of the revised pipeline facilities proposed in this amendment is estimated to be $13,055,324, an increase of $1,422,924 over the corresponding facilities described in the original application.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before August 2, 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–16485 Filed 7–18–74;8:45 am]

[Dockets Nos. RP74–22 and RP74–57, et al.]

EL PASO NATURAL GAS CO.

Order Granting Motion, Rejecting Proposed Charges and Expediting Decision

JULY 15, 1974.

On May 13, 1974, The People of the State of California and the Public Utilities Commission of the State of California (California) filed a Motion requesting that the Commission issue an order amending its order of February 8, 1974, in Docket No. RP74–57 so as to require El Paso Natural Gas Company to eliminate from its increased rates proposed in Docket No. RP74–57, prior to their taking effect subject to refund on July 10, 1974, any amounts relating to increased overriding royalty payments. In the alternative, California requests that if El Paso is permitted to collect such amounts in Docket No. RP74–57, any subsequent refund should be dependent upon the resolution of the issues in Docket No. RP74–22. On June 3, 1974, the Commission Staff filed Comments in support of California's Motion. Also on June 3, El Paso filed an Answer and Opposition to the Motion.

On September 24, 1973, El Paso in Docket Nos. RP74–22 filed new rates with this Commission to reflect increases in the cost of gas in its Southern Division attributable to increases which "may be due and payable" by El Paso to owners of certain overriding royalties in San Juan Basin area. El Paso proposed a tracking procedure or, alternatively, a deferred accounting and surcharge procedure. By order of October 24, 1973, the Commission rejected El Paso's proposed increase. However, by order of December 21, 1973, the Commission granted rehearing of its October 24 order and prescribed a hearing to determine the propriety of the proposed amendments and to determine if the Regulations should be waived to permit them to go into effect.

On January 10, 1974, in Docket No. RP74–57, El Paso filed a general rate increase for its Southern Division, also reflecting about $19 million increased payments "which may be due to owners of production payments and special overriding royalty interests" in the San Juan Basin. By order of February 8, 1974, the Commission suspended the rates until July 10, 1974, noting the inclusion of the overriding royalty expense and the status of that item as the subject of a hearing in Docket No. RP74–22. By order of April 22, 1974, in Docket Nos. RP74–22 (and RP74–23) the Commission denied a motion to consolidate those proceedings with Docket No. RP74–57, saying that the proceedings in RP74–22 and 23 would afford a final decision on the overriding royalty issue far earlier than would be possible under a major rate case. The Commission remanded the issues in RP74–22 to the Administrative Law Judge for further proceedings.

On May 13, 1974, California filed its Motion to eliminate the overriding royalty cost from the rates to be collected beginning July 10, 1974, in Docket Nos. RP74–57, et al. California argues that El Paso's liability for payment of the increased overriding royalties has not been determined so that granting California's requested relief will not harm El Paso, while California is exposed to approximately $17 million of increased gas charges annually if California's request is denied. Further it says such amounts are not "known and measurable" changes occurring nine months after the end of the base period as is required by § 154.63 (d) (2) of the Commission's regulations. It contends the only inference that can be drawn from the Commission's orders cited above is that El Paso may not collect amounts attributable to increased overriding royalties in any proceeding, including Docket No. RP74–57, pending the outcome of Docket No. RP74–22.

The Staff takes a similar position in its comments. It emphasizes that these are not costs which were known and measurable at the time of the rate filing in RP74–57. It argues that El Paso's interests can be protected by a Commission determination in RP74–22 and 23. It says that by the Commission's order of April 22, 1974, refusing to consolidate RP74–22 with RP74–57 the Commission indicated its desire to deal with El Paso's controversial collection proposal in the separate proceeding in RP74–22 and 23 without exposing consumers of gas to increased charges. If El Paso is permitted to collect the increased charges, the Staff, in the alternative, asks that the Commission require refunds upon resolution of the issues in RP74–22.

In answer, El Paso says that its customers would prefer a pay-as-you-go plan and that it is entitled pursuant to section 4(e) of the Natural Gas Act to refund rates attributable to the royalty increases. El Paso states that the questions present in Docket No. RP74–22 relate to the proposed amortization charge recovery vehicle and the propriety of El Paso's collecting the amounts at issue prior to judicial decisions regarding El Paso's contractual liability. These are not the same as the questions present in Docket No. RP74–57, according to the Company. El Paso notes that the rates in Docket No. RP74–57 were not rejected but were accepted for filing, and therefore should be accorded a hearing on the merits. According to El Paso, the Commission, by acceptance of El Paso's filing and by suspending the effectiveness of the increased rates, has determined that El Paso's rate increase filing fully complies with the procedural requirements of § 154.63 of the regulations. El Paso also contends that the fixed and determinable nature of its liability requires the conclusion that the increased special overriding royalty amounts are not "out-of-period" adjustments.

We do not agree with El Paso's apparent contention that, since we accepted the filing in Docket No. RP74–57 and suspended the effectiveness of the increased rates, we are now powerless to reject charges which may be improperly included therein.[1] § 154.23 of the Commission's regulations under the Natural Gas Act states that "the acceptance for filing of any tariff, contract or part thereof is not to be considered as approval by the Commission". Any party may petition the Commission under the general provisions of § 1.7 of the rules of practice and procedure to order appropriate modification of rates either under suspension or subject to refund.

It would appear to us that California's Motion in this proceeding is well-founded. The increased payments "which may be due to owners of production payments and special overriding royalty interests" constitute, in our view, an extraordinary and potentially very large cost item to the Pipeline. At the present time, however, the amount of El Paso's as yet undetermined liability is very uncertain. We have, in effect, set for hearing in Docket No. RP74–22 the questions, inter alia, of (1) whether recovery of these amounts should commence prior to the final judicial determination of liability and prior to actual payment by the Pipeline to the royalty holders, and (should that question be resolved in the affirmative), (2) whether the collection mechanism proposed in that docket is proper. To permit these amounts to be collected subject to refund as part of the rates proposed in the general rate proceeding in Docket No. RP74–57 would undermine our intention that the first of these questions be resolved in Docket No. RP74–22, where we ordered a hearing to determine whether the Regulations should be waived to permit the proposed collection of the overriding royalty payments. As our order of December 21, 1973, clearly indicated, any relief in Docket No. RP74–22 was to be prospective, after the final resolution of these issues. Indeed, the final determination of the issues in Docket No. RP74–22, where the hearing has already been concluded, should resolve the questions of how and when El Paso should be permitted to reflect liability for these payments in its rates. We believe that to permit El Paso to begin collecting, even though subject to refund, these very substantial amounts prior to the resolution of Docket No. RP74–22, would not adequately protect the natural gas consumer.

We shall grant California's Motion and order El Paso to file in Docket No. RP74–57 within ten days of the issuance of this order new tariff sheets to reflect the elimination of amounts associated with increased overriding royalty payments. El Paso need not, of course, reflect that elimination of those amounts which may actually have been paid prior to the end of the nine month adjustment period. So as to expedite the resolution of the issues presented in these dockets, we shall direct the Administrative Trial Judge presiding in the proceeding in Docket No. RP74–22 to issue an initial decision on the merits within forty-five days of the submittal of reply briefs.

The Commission finds. (1) Good cause exists to grant California's motion and order that El Paso eliminate from the rates under suspension in Docket No. RP74–57 any amounts related to increased overriding royalty payments which have not been paid by El Paso prior to the end of the nine month adjustment period.

(2) Good cause exists to order the Presiding Administrative Law Judge in Docket No. RP74–22 to issue an initial decision on the merits within 45 days of the submittal of reply briefs.

The Commission orders. (A) California's Motion filed May 13, 1974, is hereby granted as indicated herein.

(B) El Paso shall, within 10 days of the issuance of this order, file tariff sheets which would eliminate from the rates under suspension in Docket No. RP74–57 any amounts related to increased overriding royalty payments which have not been paid by El Paso prior to the end of the nine month adjustment period.

(C) The Presiding Administrative Law Judge in Docket No. RP74–22 shall issue an initial decision on the merits within 45 days of the submittal of reply briefs.

(D) The Commission Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.74–16496 Filed 7–18–74;8:45 am]

[Docket No. G–2858, et al.]

EUFAULA ENTERPRISES, INC., ET AL.

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

JULY 10, 1974.

Take notice that each of the applicants listed herein has filed an application or

[1] In this regard, see: Shell Oil Co. v. F.P.C., 334 F. 2d 1002 (CA3, 1964).

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before July 19, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-2858 E 6-5-74	Eufaula Enterprises, Inc. (successor to Perry, Adams and Lewis, Inc.), 4121 West 83d St., Suite 128, Prairie Village, Kans. 66208.	Cities Service Gas Co., acreage in Kay County, Okla.	[1] 23.75	14.65
G-4904 E 6-17-74	Amoco Production Co. (successor to James R. Bancroft), Security Life Bldg., Denver, Colo. 80202.	Cities Service Gas Co., Hugoton Field, Finney County, Kans.	[2] 13.50325	14.65
G-4904 E 6-17-74	Amoco Production Co. (successor to Henry W. Sebesta, Jr., trustee, and P. H. Swearingen, Jr., trustee, Trustees for the Marion White BakkeTrust, and Trustees for the Isabel Elizabeth (Isabeth) Bakke Hardy Trust).	Cities Service Gas Co., Hugoton Field, Kearny, Haskell, Morton, and Finney Counties, Kans.	[2] 13.50325	14.65
G-7009 D 6-7-74	Cities Service Oil Co., P.O. Box 300, Tulsa, Okla. 74102.	Columbia Gas Transmission Corp., Moore "A" No. 1 and Elliott "A" No. 1 Gas Wells, Pike County, Ky.	[3]	----
G-8087 D 6-17-74	Texaco, Inc., P.O. Box 2100, Denver, Colo. 80201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Greenwood Field, Baca County, Colo.	[4]	----
G-9349 D 6-17-74	Monsanto Co. (Operator) et al., 1300 Post Oak Tower, 5051 Westheimer, Houston, Tex. 77027.	Texas Gas Pipe Line Corp., Big Hill Field, Jefferson County, Tex.	Depleted	----
G-11821 (G-4984) CF 6-10-74	Marathon Oil Co. (successor to Texaco, Inc.), 539 South Main Street, Findlay, Ohio 45840.	United Gas Pipe Line Co., Maxie Field, Forrest County, Miss.	21.00875	15.025
G-11949 CF 6-5-74	Mobil Oil Corp. (successor to Mary E. Swift, Independent Executrix of the Estate of Eugene C. Swift, deceased), 3 Greenway Plaza East, Suite 800, Houston, Tex. 77046.	El Paso Natural Gas Co., Pegasus Field, Midland and Upton Counties, Tex.	19.1941	14.65
G-13299 (G-13308) (G-18916) CF 6-10-74	Atlantic Richfield Co. (successor to Shell Oil Co. and Ashland Oil, Inc.), P.O. Box 2819, Dallas, Tex. 75221.	Michigan Wisconsin Pipe Line Co., Laverne Field, Beaver and Harper Counties, Okla.	[1] 19.7925	14.65
CI64-1049 3-20-74 [5]	Tenneco Oil Co., P.O. Box 2511, Houston, Tex. 77001.	Arkansas Louisiana Gas Co., Waskom Field, Caddo Parish, La.	[1] 29.1125	14.65
CI64-1235 E 5-16-74	Petroleum Corp. of Texas (Operator) et al. (successor to Anadarko Production Co.), P.O. Box 911, Breckenridge, Tex. 76024.	Arkansas Louisiana Gas Co., Gragg Field, Sebastian County, Ark.	[6] 16.0	14.65
CI65-2 CF 6-3-74	Arkla Exploration Co. (successor to Exxon Corp.), P.O. Box 1734, Shreveport, La. 71151.	Arkansas Louisiana Gas Co., Harley Bledsoe No. 1 Well, Le Flore County, Okla.	17.27002	14.65
CI65-403 CF 6-5-74	Mobil Oil Corp. (successor to Mary E. Swift, Independent Executrix of the Estate of Eugene C. Swift, deceased).	El Paso Natural Gas Co., Pegasus Field, Midland and Upton Counties, Tex.	19.32775	14.65
CI65-403 C 6-3-74	Mobil Oil Corp	El Paso Natural Gas Co., Pegasus Gasoline Plant Outlet, Midland and Upton Counties, Tex.	35.0	14.65
CI65-739 C 6-17-74	Shell Oil Co., P.O. Box 2463, Houston, Tex. 77001.	Michigan Wisconsin Pipe Line Co., Kings Bayou Field, Cameron Parish, La.	[1] 30.1125	15.025

Filing code: A—Initial service:
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.
See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI74-679 (CI66-567) F 5-20-74	Sun Oil Co. (successor to Medical Research, Inc., of Dallas), P.O. Box 2880, Dallas, Tex. 75221.	Michigan Wisconsin Pipe Line Co.; Woodward Area, Woodward County, Okla.	[8] 19.793	14.65
CI74-686 (CI68-1161) F 6-17-74 [9]	J. Peter Grace (successor to T. F. Hodge), 1114 Avenue of the Americas, New York, N.Y. 10036.	Arkansas Louisiana Gas Co., North Drummond Field, Garfield and Major Counties, Okla.	[8][10] 15.24	14.65
CI74-687 (CI66-1058) F 5-21-74	The California Co., a division of Chevron Oil Co. (successor to River Corp.), 1111 Tulane Ave., New Orleans, La. 70112.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Little Lake Field, Jefferson Parish, La.	[11]23.96667	15.025
CI74-699 (CI61-1088) B 6-5-74	Pennzoil Producing Co., 900 Southwest Tower, Houston, Tex. 77002.	United Gas Pipe Line Co., Tecula Field, Cherokee County, Tex.	Depleted	
CI74-700 (CI61-1039) B 6-5-74	do	do	do	
CI74-701 A	Continental Oil Co., P.O. Box 2197, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., La Reforma Field, Hidalgo County, Tex.	[12] 45.0	14.65
CI74-705 (CI65-412) B 5-31-74	Apache Corp. (Operator) et al., 1121 First Pl., Tulsa, Okla. 74103.	Natural Gas Pipeline Co. of America, Woodward Area, Woodward County, Okla.	Depleted	
CI74-706 (G-16529) F 6-3-74	Petroleum Corp. of Texas (successor to Amoco Production Co.), P.O. Box 911, Breckenridge, Tex. 76024.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Southwest Camp Creek Field, Beaver County, Okla.	18.285	14.65
CI74-707 B 6-3-74	Cotton Petroleum Corp., Suite 600, Parkland Plaza, 2121 South Columbia, Tulsa, Okla. 74114.	Arkansas Louisiana Gas Co., Centrahoma Field, Coal County, Okla.	Uneconomical	
CI74-709 (CI74-96) B 6-4-74	McLain J. Forman (Operator) et al., 540 Oil and Gas Bldg., New Orleans, La. 70112.	Texas Gas Transmission Corp., North Branch Field, Acadia Parish, La.	Depleted	
CI74-710 (CI60-91) B 6-4-74	David A. Chambers, 1022 United Founders Tower, Oklahoma City, Okla. 73112.	Panhandle Eastern Pipe Line Co., Lenora (Putnam) Field, Dewey County, Okla.	Nonproductive	
CI74-711 (CI61-1281) B 6-4-74	do	Michigan Wisconsin Pipe Line Co., Lenora (Putnam) Field, Dewey County, Okla.	do	
CI74-713 (G-13633) B 6-5-74	Pennzoil Producing Co., 900 Southwest Tower, Houston, Tex. 77002.	United Gas Pipe Line Co., Sandy Hook Field, Marion County, Miss.	Depleted	
CI74-715 A 6-6-74	The Louisiana Land and Exploration Co., 225 Baronne St., P.O. Box 60350, New Orleans, La. 70160.	Texas Eastern Transmission Corp., Block 321, East Cameron Area, offshore Louisiana.	[13] 60.0	15.025
CI74-718 (G-9743) B 6-10-74	Texaco, Inc., P.O. Box 430, Bellaire, Tex. 77401.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Rock Island Field, Colorado County, Tex.	Depleted	
CI74-719 (CI67-196) B 6-7-74	Southern Union Production Co., Suite 1700, Campbell Centre, 8350 North Central Expressway, Dallas, Tex. 75206.	El Paso Natural Gas Co., Noelke Field, Crockett County, Tex.	Depleted	
CI74-720 (CI71-18) F 6-10-74	Petroleum Corp. of Texas (successor to Anadarko Production Co.), P.O. Box 911, Breckenridge, Tex. 76024.	Kansas-Nebraska Natural Gas Co., Inc., Bradshaw Field, Hamilton County, Kans.	[14] 12.36	14.65

[1] Subject to upward and downward Btu adjustment.
[2] Subject to downward Btu adjustment and includes 0.00325 cents per M ft³ tax reimbursement.
[3] Interests assigned and sold to the Commonwealth of Kentucky, Department of Highways.
[4] Certain leases have been deleted from the contract because gas produced from this acreage does not meet quality specifications of the gas purchase agreement.
[5] Applicant proposes to cover its own interest in the sale of natural gas heretofore authorized to be made by Amoco Production Co. in Docket No. G-7518.
[6] Less 3.25 cents per M ft³ compression charge.
[7] Subject to upward and downward Btu adjustment and includes 4.1125 cents per M ft³ tax reimbursement.
[8] Subject to upward Btu adjustment; estimated adjustment is 0.35 cents per M ft³.
[9] Being renoticed because by letter filed June 17, 1974, Applicant requests a higher price.
[10] Subject to a deduction for compression by buyer.
[11] Includes upward Btu adjustment.
[12] Applicant is willing to accept a certificate at an initial rate of 25 cents per M ft³, subject to upward and downward Btu adjustment; however, the contract price is 45 cents per M ft³, subject to upward and downward Btu adjustment.
[13] "[Omitted]"
[14] "[Omitted]"
[15] Applicant is willing to accept a certificate at an initial rate of 26 cents per M ft³, subject to upward and downward Btu adjustment; however, the contract price is 60 cents per M ft³, subject to upward and downward Btu adjustment.
[16] Includes 1.14 cents per M ft³ downward Btu adjustment.

[FR Doc.74-16203 Filed 7-18-74;8:45 am]

[Docket No. E-8873]

GULF STATES UTILITIES CO.

Notice of Change in Metering Points

JULY 12, 1974.

Take notice that on June 27, 1974, Gulf States Utilities Company (Gulf States) tendered for filing certain changes in metering points for electric service to Cajun Electric Power Cooperative, Inc., under its FPC Rate Schedule No. 104. According to Gulf States, the changes provide for a new metering point at Ikeland Substation located north of Sulphur, Louisiana, and for a relocation of the Moss Bluff Metering Station two miles north of its present location at Moss Bluff, Louisiana. The new point at Ikeland Substation has an effective date of service of September 1, 1974, and the Moss Bluff relocation is to become effective July 1, 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 25, 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.74-16494 Filed 7-18-74;8:45 am]

[Docket No. CI74-319]

JAMES M. FORGOTSON

Petition for Special Relief

JULY 12, 1974.

Take notice that on April 30, 1974,[1] James M. Forgotson (Petitioner), 409 Beck Building, Shreveport, Louisiana 71101, filed a petition for special relief in Docket No. CI74-319, seeking 60 cents per Mcf for the sale of gas to Valley Gas Transmission Company under its FPC Gas Rate Schedule No. 6 from the Southeast Alice Area, Jim Wells County, Texas. Petitioner claims that it cannot undertake reworking operations at its current rate.

Any person desiring to be heard or to make any protest with reference to said petition should on or before July 29, 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.74-16489 Filed 7-18-74;8:45 am]

[Docket No. E-8878]

POTOMAC EDISON CO.

Tariff Change

JULY 12, 1974.

Take notice that the Potomac Edison Company, on July 1, 1974 tendered for filing proposed changes in its FPC Electric Service Tariff, Volume No. 2 and Rate Schedule FPC No. 12. The proposed changes, which result in both increases and decreases, would produce an overall increase in revenues from jurisdictional sales and service of $234,400 based on the 12-month period ending May 31, 1974. The changes also provide for application of a fuel cost adjustment to the consumption billed under the proposed schedules, and the above amount

[1] On November 5, 1973, Petitioner filed for abandonment and that application was noticed December 4, 1973.

includes $169,800 which would result from this change.

The Company states that the changes proposed are for the purpose of recovering increased costs incurred by the Company and to provide uniform application of wholesale for resale rates throughout The Potomac Edison Company's service area in Maryland, Pennsylvania, Virginia and West Virginia. PE requests that the changes be made retroactively effective as of May 31, 1974.

Copies of the filing were served upon the public utility jurisdictional customers and the Maryland Public Service Commission, the Pennsylvania Public Utility Commission, the Virginia State Corporation Commission and the West Virginia Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with section 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 29, 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.74-16490 Filed 7-18-74;8:45 am]

[Docket No. CP74-332]

UNITED GAS PIPE LINE CO.

Notice of Application

JULY 11, 1974.

Take notice that on June 28, 1974, United Gas Pipe Line Company (Applicant), 1500 Southwest Tower, Houston, Texas 77002, filed in Docket No. CP74-332 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon by sale certain pipelines and to abandon in place certain meter and regulating facilities on Applicant's pipeline system in central Mississippi, 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 by sale to the customer distributor, Mississippi Valley Gas Company (Mississippi Valley), approximately 6,003 feet of 3-inch and 1,813 feet of 2-inch pipeline known as Applicant's Tougaloo College Tap Line located in Hinds and Madison Counties, Mississippi. Applicant also proposes to abandon in place meter and regulating facilities located in Madison County, Mississippi.

Applicant states that the pipeline proposed to be abandoned presently serves the Tougaloo, Mississippi, area (including Tougaloo Christian College), but that in recent years Mississippi Valley has extended its distribution system into the Tougaloo area connecting customers as the area has developed. Applicant states that farm tap service formerly connected to Applicant's Tougaloo Line has been connected to Mississippi Valley's distribution system which system has now been extended to a point intersecting Applicant's line. As a result, Applicant proposes to sell its pipeline in the area to Mississippi Valley. Applicant states that the proposed sale will eliminate a delivery point for Applicant without affecting service to the customer attached thereto. Applicant further asserts that the proposed sale of pipeline will eliminate the necessity of relocating a major portion of the 3-inch line as the property along its right-of-way is developed for residential purpose.

Applicant states that the metering and regulating facilities proposed to be abandoned in place are obsolete and therefore will be of no further use to Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 2, 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 is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16492 Filed 7-18-74;8:45 am]

[Docket No. CP74-327]

WESTERN GAS INTERSTATE CO.

Notice of Application

JULY 11, 1974.

Take notice that on June 21, 1974, Western Gas Interstate Company (Applicant), 1500 Fidelity Union Tower, Dallas, Texas 75201, filed in Docket No. CP74-327 an application pursuant to Section 7 (b) and (c) of the Natural Gas Act for permission and approval to abandon approximately 8,960 feet of 4½-inch O.D. main line located south of Highway 64, Texas County, Oklahoma, and for a certificate of public convenience and necessity authorizing the construction and operation of 8,960 feet of 6½-inch O.D. main line, north of Highway 64, Texas County, Oklahoma, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the Oklahoma Highway Department has requested Applicant to relocate approximately 8,960 feet of pipeline so that the Highway Department can commence work on a section of Highway 64. In order to comply with such request, Applicant proposes to abandon a portion of its existing 4½-inch pipeline located south of Highway 64 and install a similar length of 6½-inch pipeline north of Highway 64. Applicant states that there will be no significant change in gas flow volume resulting from this relocation since the relocated section of pipeline comprises only a small part of the total existing main line.

Applicant estimates the total cost of the proposed facilities to be $40,673, which will be financed with internally generated funds.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 2, 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.74-16486 Filed 7-18-74;8:45 am]

[Docket No. RP73-94]

VALLEY GAS TRANSMISSION, INC.

Notice of Further Extension of Time and Postponement of Hearing

JULY 12, 1974.

On July 11, 1974, Valley Gas Transmission, Inc. (Valley) filed a motion for an extension of time within which to file evidence in the above-designated matter and that the hearing be postponed to July 24, 1974, following a prehearing conference on that day. Valley states that all participants in the informal conference held on July 9, 1974, have consented to the requested extension.

Upon consideration, notice is hereby given that the procedural dates set by notice issued July 3, 1974, in the above-designated matter are modified as follows:

Service of evidence, July 17, 1974.
Prehearing Conference, July 24, 1974 (10 a.m. e.d.t.).
Hearing, To commence at the conclusion of the prehearing conference.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-16495 Filed 7-18-74;8:45 am]

FEDERAL RESERVE SYSTEM

ASSOCIATED BANK CORP.

Acquisition of Bank

Associated Bank Corporation, Iowa City, Iowa, has applied for the Board's approval in three separate applications under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of Hawkeye State Bank, Iowa City, Iowa; Kalona Savings Bank, Kalona, Iowa; and First Trust & Union Savings Bank, Sigourney, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 8, 1974.

Board of Governors of the Federal Reserve System, July 11, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16548 Filed 7-18-74;8:45 am]

CONIFER GROUP INC.

Order Approving Acquisition of Conifer Personnel Resources Inc.

The Conifer Group Inc., Worcester, Massachusetts, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Conifer Personnel Resources Inc., Worcester, Massachusetts ("CPR"), a company that would engage in the activities of furnishing management consulting advice on a fee basis to nonaffiliated banks with respect to personnel operations, including recruiting, training and development, manpower planning, organizational skills, evaluation and compensation. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a)(12)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 18159). The time for filing comments and views has expired. The application and all comments and views received have been considered in light of the public interest factors in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant, the eighth largest banking organization in Massachusetts, controls three banks with aggregate deposits of about $274 million, representing 2.1 percent of total deposits in commercial banks in the State.[1]

CPR would provide to nonaffiliated banks management consulting advice concerning personnel operations, recruiting, development and specialized training. CPR proposes to provide management consulting advice to client banks in New England, New York State and Pennsylvania and plans to utilize seminars and workshops to convey such advice. This advice would be offered solely on an explicit fee basis.

It would appear that no adverse effects on competition would result from CPR offering bank management consulting advice. While such management consulting advice is currently available to banks as a correspondent banking service, it is not presently available from correspondent banks on an explicit fee basis. Further, Applicant's banking subsidiaries offer only limited correspondent services in this area. The Board concludes, therefore, that no significant existing or potential competition would be eliminated upon approval of this application.

There is no evidence in the record indicating that consummation of the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interests or other adverse effects on the public interest. It is expected that Applicant's de novo entry into this industry should have a procompetitive effect by increasing the number of firms offering this specialized consulting advice. Further, by making this advice available on an explicit fee basis rather than as a correspondent banking service, client banks will now be able to more accurately analyze the cost of such services and may be able to more efficiently allocate their funds.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Boston.

By order of the Board of Governors,[2] effective July 11, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-16550 Filed 7-18-74;8:45 am]

NORTHERN STATES BANCORPORATION, INC., AND TWIN GATES CORP.

Acquisition of Bank

Northern States Bancorporation, Inc., Detroit, Michigan ("Northern States"), and Twin Gates Corporation, Wilmington, Delaware ("Twin Gates"), have applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) for Northern States to acquire directly, and for Twin Gates to acquire indirectly, 100 percent of the voting shares (less directors' qualifying shares) of First National Bank of Plymouth, Plymouth, Michigan, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago.

[1] All banking data are as of June 30, 1973, and reflect bank holding company formations and acquisitions approved through June 30, 1974.

[2] Voting for this action: Chairman Burns and Governors Brimmer, Sheehan, Bucher, Holland, and Wallich. Absent and not voting: Governor Mitchell.

Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received serve System, July 11, 1974.

Board of Governors of the Federal Reserve System, July 11, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16549 Filed 7-18-74; 8:45 am]

PLYMOUTH BANCORPORATION, INC.

Formation of Bank Holding Company

Plymouth Bancorporation, Inc., Le Mars, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80.96 percent of the voting shares of First National Bank in Le Mars, Le Mars, Iowa. The factors that are considered in in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 1, 1974.

Board of Governors of the Federal Reserve System, July 9, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16551 Filed 7-18-74;8:45 am]

WYOMING NATIONAL CORP.

Acquisition of Bank

Wyoming National Corporation, Casper, Wyoming, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Wyoming National Bank of Gillette, Gillette, Wyoming, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than July 29, 1974.

Board of Governors of the Federal Reserve System, July 11, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16547 Filed 7-18-74;8:45 am]

NATIONAL ENDOWMENT FOR THE HUMANITIES

FELLOWSHIPS PANEL

Meeting

JULY 10, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Fellowships Panel will be held at Washington, D.C., on August 2, 8, and 16, 1974.

The purpose of the meeting is to review Fellowships for Independent Study and Research applications submitted to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.74-16482 Filed 7-18-74;8:45 am]

FELLOWSHIPS PANEL

Meeting

JULY 10, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Fellowships Panel will be held at Washington, D.C., on August 17, 23, and 24, 1974.

The purpose of the meeting is to review Fellowships for Independent Study and Research applications submitted to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.74-16483 Filed 7-18-74;8:45 am]

NATIONAL SCIENCE FOUNDATION

INTERNATIONAL DECADE OF OCEAN EXPLORATION PROPOSAL REVIEW PANEL

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given of a meeting of the International Decade of Ocean Exploration Proposal Review Panel to be held at 8:30 a.m. on August 6, 7, 8, and 9, 1974, in Room 704 at 1800 G Street, NW., Washington, D.C. 20550.

The purpose of this panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects.

This meeting will not be open to the public because at this meeting the panel will be engaged in the review and evaluation of pending proposals involving the consideration and discussion of proprietary information concerning scientific research submitted in confidence to the Foundation. These matters are within the exemptions of 5 U.S.C. 552(b). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated December 17, 1973, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information concerning this panel, individuals may contact Mr. Feenan D. Jennings, Head, Office for the International Decade of Ocean Exploration, Room 710, 1800 G Street, NW., Washington, D.C. 20550.

ELDON D. TAYLOR,
Acting Assistant Director for Administrative Operations.

JULY 12, 1974.

[FR Doc.74-16589 Filed 7-18-74;8:45 am]

OFFICE OF THE FEDERAL REGISTER

LIST OF ACTS REQUIRING PUBLICATION IN THE "FEDERAL REGISTER"

The basic provisions requiring or authorizing publication of documents in the FEDERAL REGISTER are contained in 5 U.S.C. 551-559 and 44 U.S.C. 1501-1511. This appendix lists the acts contemplated by 44 U.S.C. 1505(a)(3). Notice is hereby given that the Office of the Federal

Register is amending the list of acts requiring the publication of documents in the FEDERAL REGISTER by adding to the list the following acts enacted in 1973:

Description of act	*Citation*
American Revolution Bicentennial Commission.	Public Law 93-9; 87 Stat. 8; 31 U.S.C. 581 C-1.
Social Security Act, sec. 202(f)	Public Law 93-66; 87 Stat. 152; 42 U.S.C. 415 nt.
Rehabilitation Act of 1973, sec. 303(g)(1) and sec. 400(b).	Public Law 93-112; 87 Stat. 355; 29 U.S.C. 773, 29 U.S.C. 780.
Domestic Volunteer Service Act of 1973, sec. 420.	Public Law 93-113; 87 Stat. 394; 42 U.S.C. 5060.
American Revolution Bicentennial Administration, sec. 2(1).	Public Law 93-179; 87 Stat. 697 (not classified to U.S.C.).
Comprehensive Employment and Training Act of 1973, sec. 204(e) and sec. 602(a).	Public Law 93-203; 87 Stat. 839; 29 U.S.C. 844, 29 U.S.C. 982.
Eandangered Species Act of 1973, sec. 4 (b)(1)(A), (c), (f)(2)(A), and sec. 10(c).	Public Law 93-205; 87 Stat. 884; 16 U.S.C. 1533, 16 U.S.C. 1539.
Social Security benefits increase, sec. 3(k)(1).	Public Law 93-233; 87 Stat. 947; 42 U.S.C. 430.
Flood Disaster Protection Act of 1973, sec. 110(a).	Public Law 93-234; 87 Stat. 975; 42 U.S.C. 4104.
Regional Rail Reorganization Act of 1973, sec. 204(b), sec. 207(a)(1), and sec. 211(b).	Public Law 93-236; 87 Stat. 985; 45 U.S.C. 714, 45 U.S.C. 717, 45 U.S.C. 721.
Offshore Shrimp Fisheries Act of 1973, sec. 4(a).	Public Law 93-242; 87 Stat. 1061; 16 U.S.C. 1100(b)-2.

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 16, 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 COMMERCE

Bureau of the Census: General Revenue Sharing, Form RS-9-L8, Annual, Ellett, Local Governments County Officials.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

STAR User's Evaluation, Form ____, Single Time, Sheftel, Recipients of abstract journal Scientific and Technical Aerospace Reports.

TARIFF COMMISSION

Questionnaire for U.S. Producers of Certain Petrochemicals and Petrochemical Raw Materials, Form ____, Single Time, Evinger, Producers.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Milk Production Survey, Form ____, Monthly, Lowry, Milk Producers.

VETERANS ADMINISTRATION

Verification of Pursuit of Course Leading to a Standard College Degree, Form 22-6553, Occasional, Caywood, VA Representatives or School Officials.

EXTENSIONS

VETERANS ADMINISTRATION

Certification of Lessons Completed: (Chapter 34, Title 38, U.S.C.) Form 22-6553b, Occasional, Caywood, Veterans and Schools.

VELMA N. BALDWIN,
Assistant to the Director for Administration.

[FR Doc.74-16685 Filed 7-18-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Notice of Suspension of Trading

JULY 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 14, 1974 through July 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-16578 Filed 7-18-74;8:45 am]

[File No. 500-1]

FRANKLIN NATIONAL BANK

Notice of Suspension of Trading

JULY 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the preferred stock and 4.75 percent debentures of Franklin National Bank (New York, N.Y.) being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 14, 1974 through July 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-16575 Filed 7-18-74;8:45 am]

[File No. 500-1]

FRANKLIN NEW YORK CORP.

Notice of Suspension of Trading

JULY 12, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common and preferred stock and 7.30% notes of Franklin New York Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 14, 1974 through July 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-16576 Filed 7-18-74;8:45 am]

[70-5523]

SOUTHERN CO.

Proposed Exemption From Competitive Bidding Requirements Regarding Issue and Sale of Common Stock

JULY 10, 1974.

Notice is hereby given that The Southern Company ("Southern"), Perimeter Center East, P.O. Box 720071, Atlanta, Georgia 30346, a registered holding company, has filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rules 50 and 100 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Southern proposes to issue and sell, by a direct negotiated sale to underwriters for public offering, additional shares of its authorized but unissued common stock, par value $5 per share ("Common Stock"). The timing of the issue and the exact number of shares of Common Stock will be fixed in the light of market conditions at that time. Southern estimates the issue and sale of the Common Stock will result in aggregate cash proceeds to it of not more than $175,000,000. Southern requests exemption from the competitive bidding requirements of Rule 50 under the Act for the issuance and sale of such Common Stock to permit it to select, without preliminary competitive negotiations, one or more investment banking firms to form a syndicate which will act as underwriters for the Common Stock and with which Southern will negotiate the terms on which it will sell the Common Stock to such underwriters.

Pursuant to orders of the Commission in File Nos. 70–5261 and 70–5471 (Holding Company Act Release Nos. 17824, 17915 and 18340) Southern is authorized to make, from time to time during 1974, equity investments in the form of capital contributions to its operating subsidiaries, up to an aggregate amount of $249,000,000. Of such amount, $79,500,000 had been so invested at May 31, 1974 with funds derived from internal sources and short-term borrowing aggregating approximately $59,000,000. Southern estimates that at the time of sale of the Common Stock, short-term notes payable will aggregate $155,000,000. Southern proposes to utilize the proceeds from the sale of the Common Stock to repay, in part, such notes and to make further equity investments.

Southern states that it has solicited the views of twelve leading investment banking institutions on the problems the company may expect to face in marketing its proposed Common Stock issue. Four of these firms have submitted a report presenting the following factors which, it states, compels Southern to seek an exemption from the competitive bidding requirements of Rule 50. These factors are stated to be not only applicable to Southern but to the capital-raising problems of the electric utility industry in general. It is stated that:

First, that the rapid increase in demand for additional capital by the utility industry in general, and the increase in the demand for equity capital in particular, together with a corresponding reduction in the supply of available funds, has created a situation where it is extremely difficult for utilities to raise sufficient equity capital to meet their needs; and that the market for new utility issues has been poor in recent weeks, with some utilities finding it impossible to complete contemplated sales of new issues.

Second, that, in view of the current market situation, it may not be possible for Southern to raise the necessary equity capital through the sale of the Common Stock without a coordinated effort on the part of the entire securities industry; that such a coordinated effort is not possible under the competitive bidding requirements which automatically split the securities industry into two or more segments; that the recent increase in short-term volatility of the securities market has made it extremely difficult to raise equity capital through the competitive bidding method, since that method does not allow the flexibility available with a negotiated transactions; and that negotiated transaction would give Southern the ability to adjust its time schedule for sale of the proposed Common Stock to meet rapidly changing market conditions.

In addition to the foregoing, Southern states that it has required increasingly large amounts of equity capital in recent years, the proposed Common Stock issue to be the largest electric utility stock issue of this year. During the five year period 1966–1970, Southern issued common stock in the aggregate amount of $200 million, as contrasted with an aggregate amount of $467 million during the following 3-year period. Southern estimates that it will require at least $700 million of common stock financing during the period 1974–1976, including the proposed sale of the Common Stock. Furthermore, Southern also states that the past and prospective volume of common stock financing has imposed heavy pressure on the market for Southern stock, the price of which has been in a generally declining trend for the past several years.

A statement of the fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment. It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than August 5, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–16574 Filed 7–18–74;8:45 am]

[File No. 500–1]

STRATTON GROUP, LTD.

Notice of Suspension of Trading

JULY 12, 1974.

The common stock of Stratton Group, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of the Stratton Group, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from July 14, 1974 through July 23, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74–16577 Filed 7–18–74;8:45 am]

CUMULATIVE LIST OF PARTS AFFECTED—JULY

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WASHINGTON, D.C.

Volume 39 ■ Number 140

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

■

CARE AND TREATMENT OF MENTALLY ILL NATIONALS AND CITIZENS

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 211—CARE AND TREATMENT OF MENTALLY ILL NATIONALS OF THE UNITED STATES, RETURNED FROM FOREIGN COUNTRIES

PART 212—ASSISTANCE FOR UNITED STATES CITIZENS RETURNED FROM FOREIGN COUNTRIES

Regulations for the programs administered under Pub. L. 86–571, approved July 5, 1960, 74 Stat. 308, with respect to care and treatment of mentally ill nationals of the United States, returned from foreign countries, and regulations under section 1113 of the Social Security Act, as amended, with respect to assistance for United States citizens returned from foreign countries, were published in the FEDERAL REGISTER on December 31, 1964 (29 FR 19252). Parts 211 and 212 are amended to reflect administrative changes in organizational structure and responsibility within the Department of Health, Education, and Welfare, i.e., the organization of the Social and Rehabilitation Service, published June 4, 1970 (35 FR 8714).

The amendments consist of the addition of definitions for the terms "Service" and "Administrator"; the deletion of the no longer applicable organizational titles "Bureau of Family Services", "Commissioner of Welfare" and "Director"; and the substitution, as appropriate, of the terms "Service" and "Administrator".

Because of the purely technical nature of these amendments, they are being published in final form without previous notice of proposed rulemaking.

Sec.

211.1 General definitions.
211.2 General.
211.3 Certificates.
211.4 Notification to legal guardian, spouse, next of kin, or interested persons.
211.5 Action under State law; appointment of guardian.
211.6 Reception; temporary care, treatment, and assistance.
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211.11 Request for release from hospitalization.
211.12 Federal payments.
211.13 Financial responsibility of the eligible person; collections, compromise, or waiver of payment.
211.14 Disclosure of information.
211.15 Nondiscrimination.

AUTHORITY: Sections 1–11, 74 Stat. 308–310; 24 U.S.C. 321–329.

§ 211.1 General definitions.

When used in this part:

(a) "Act" means Public Law 86–571, approved July 5, 1960, 74 Stat. 308, entitled "An Act to provide for the hospitalization, at Saint Elizabeths Hospital in the District of Columbia or elsewhere, of certain nationals of the United States adjudged insane or otherwise found mentally ill in foreign countries, and for other purposes";

(b) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(c) The term "Department" means the Department of Health, Education, and Welfare;

(d) The term "Administrator" means the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare;

(e) The term "eligible person" means an individual with respect to whom the certificates referred to in section 211.3 are furnished to the Administrator in connection with the reception of an individual arriving from a foreign country;

(f) The term "Public Health Service" means the Public Health Service in the Department of Health, Education, and Welfare;

(g) The term "agency" means an appropriate State or local public or nonprofit agency with which the Administrator has entered into arrangements for the provision of care, treatment, and assistance pursuant to the Act;

(h) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam;

(i) The term "residence" means residence as determined under the applicable law or regulations of a State or political subdivision for the purpose of determining the eligibility of an individual for hospitalization in a public mental hospital;

(j) The term "legal guardian" means a guardian, appointed by a court, whose powers, duties, and responsibilities include the powers, duties, and responsibilities of guardianship of the person.

§ 211.2 General.

The Administrator shall make suitable arrangements with agencies to the end that any eligible person will be received, upon request of the Secretary of State, at the port of entry or debarkation upon arrival in the United States from a foreign country and be provided, to the extent necesasry, with temporary care, treatment, and assistance, pending transfer and release or hospitalization pursuant to the Act. The Administrator shall also make suitable arrangements with appropriate divisions of the Public Health Service, with Saint Elizabeths Hospital in the District of Columbia, with Federal hospitals outside of the Department, or with other public or private hospitals to provide the eligible person with care and treatment in a hospital. The Administrator shall maintain a roster setting forth the name and address of each eligible person currently receiving care and treatment, or assistance, pursuant to the Act.

§ 211.3 Certificates.

The following certificates are necessary to establish that an individual is an eligible person:

(a) *Certificates as to nationality.* A certificate issued by an authorized official of the Department of State, stating that the individual is a national of the United States.

(b) *Certificate as to mental condition.* Either (1) a certificate obtained or transmitted by an authorized official of the Department of State that the individual has been legally adjudged insane in a named foreign country; or (2) a certificate of an appropriate authority or person stating that at the time of such certification the individual was in a named foreign country and was in need of care and treatment in a mental hospital. A statement shall, if possible, be incorporated into or attached to the certificate furnished under this paragraph setting forth all available medical and other pertinent information concerning the individual.

(c) *Appropriate authority or person.* For the purpose of paragraph (b)(2) of this section a medical officer of the Public Health Service or of another agency of the United States, or a medical practitioner legally authorized to provide care or treatment of mentally ill persons in the foreign country, is an "appropriate authority or person," and shall be so identified in his execution of the certificate. If such a medical officer or practitioner is unavailable, an authorized official of the Department of State may serve as an "appropriate authority or person," and shall, in the execution of the certificate, identify himself as serving as such person due to the unavailability of a suitable medical officer or practitioner.

§ 211.4 Notification to legal guardian, spouse, next of kin, or interested persons.

(a) Whenever an eligible person arrives in the United States from a foreign country, or when such person is transferred from one State to another, the Administrator shall, upon such arrival or transfer (or in advance thereof, if possible), provide for notification of his legal guardian, or in the absence of such a guardian, of his spouse or next of kin, or in the absence of any of these, of one or more interested persons, if known.

(b) Whenever an eligible person is admitted to a hospital pursuant to the Act, the Administrator shall provide for immediate notification of his legal guardian, spouse, or next of kin, if known.

§ 211.5 Action under State law; appointment of guardian.

Whenever an eligible person is incapable of giving his consent to care and treatment in a hospital, either because of his mental condition or because he is a minor, the agency will take appropriate action under State law, including, if necessary, procuring the appointment of a legal guardian, to ensure the proper planning for and provision of such care and treatment.

§ 211.6 Reception; temporary care, treatment, and assistance.

(a) *Reception.* The agency will meet the eligible person at the port of entry or debarkation, will arrange for appropriate medical examination, and will

plan with him, in cooperation with his legal guardian, or, in the absence of such a guardian, with other interested persons, if any, for needed temporary care and treatment.

(b) *Temporary care, treatment, and assistance.* The agency will provide for temporary care, treatment, and assistance, as reasonably required for the health and welfare of the eligible person. Such care, treatment, and assistance may be provided in the form of hospitalization and other medical and remedial care (including services of necessary attendants), food and lodging, money, payments, transportation, or other goods and services. The agency will utilize the Public Health Service General Hospital nearest to the port of entry or debarkation or any other suitable public or private hospital, in providing hospitalization and medical care, including diagnostic service as needed, pending other appropriate arrangements for serving the eligible person.

§ 211.7 Transfer and release of eligible person.

(a) *Transfer and release to relative.* If at the time of arrival from a foreign country or any time during temporary or continuing care and treatment the Administrator finds that the best interests of the eligible person will be served thereby, and a relative, having been fully informed of his condition, agrees in writing to assume responsibility for his care and treatment, the Administrator shall transfer and release him to such relative. In determining whether his best interest will be served by such transfer and release, due weight shall be given to the relationship of the individuals involved, the financial ability of the relative to provide for such person, and the accessibility to necessary medical facilities.

(b) *Transfer and release to appropriate State authorities, or agency of the United States.* If appropriate arrangements cannot be accomplished under paragraph (a) of this section, and if no other agency of the United States is responsible for the care and treatment of the eligible person, the Administrator shall endeavor to arrange with the appropriate State mental health authorities of the eligible person's State of residence or legal domicile, if any, for the assumption of responsibility for the care and treatment of the eligible person by such authorities and shall, upon the making of such arrangements in writing, transfer and release him to such authorities. If any other agency of the United States is responsible for the care and treatment of the eligible person, the Administrator shall make arrangements for his transfer and release to that agency.

§ 211.8 Continuing hospitalization.

(a) *Authorization and arrangements.* In the event that appropriate arrangements for an eligible person in need of continuing care and treatment in a hospital cannot be accomplished under § 211.7, or until such arrangements can be made, care and treatment shall be provided by the Administrator in Saint Elizabeths Hospital in the District of Columbia, in an appropriate Public Health Service Hospital, or in such other suitable public or private hospital as the Administrator determines is in the best interests of such person.

(b) *Transfer to other hospital.* At any time during continuing hospitalization, when the Administrator deems it to be in the interest of the eligible person or of the hospital affected, the Administrator shall authorize the transfer of such person from one hospital to another and, where necessary to that end, the Administrator shall authorize the initiation of judicial proceedings for the purpose of obtaining a commitment of such person to the Secretary.

(c) *Place of hospitalization.* In determning the placement or transfer of an eligible person for purposes of hospitalization, due weight shall be given to such factors as the location of the eligible person's legal guardian or family, the character of his illness and the probable duration thereof, and the facilities of the hospital to provide care and treatment for the particular health needs of such person.

§ 211.9 Examination and reexamination.

Following admission of an eligible person to a hospital for temporary or continuing care and treatment, he shall be examined by qualified members of the medical staff as soon as practicable, but not later than the fifth day after his admission. Each such person shall be reexamined at least once within each six month period beginning with the month following the month in which he was first examined.

§ 211.10 Termination of hospitalization.

(a) *Discharge or conditional release.* If, following an examination, the head of the hospital finds that the eligible person hospitalized for mental illness (whether or not pursuant to a judicial commitment) is not in need of such hospitalization, he shall be discharged. In the case where hospitalization was pursuant to a judicial commitment, the head of the hospital may, in accordance with laws governing hospitalization for mental illness as may be in force and generally applicable in the State in which the hospital is located, conditionally release him if he finds that this is in his best interests.

(b) *Notification to committing court.* In the case of any person hospitalized under section 211.8 who has been judicially committed to the custody of the Secretary, the Secretary will notify the committing court in writing of the discharge or conditional release of such person under this section or of his transfer and release under § 211.7.

§ 211.11 Request for release from hospitalization.

If an eligible person who is hospitalized pursuant to the Act, or his legal guardian, spouse, or adult next of kin, requests his release, such request shall be granted by the Administrator if his best interests will be served thereby, or by the head of the hospital if he is found not to be in need of hospitalization by reason of mental illness. The right of the Administrator or the head of the hospital, to refuse such request and to detain him for care and treatment shall be determined in accordance with laws governing the detention, for care and treatment, of persons alleged to be mentally ill as may be in force and applicable generally in the State in which such hospital is located, but in no event shall the patient be detained more than forty-eight hours (excluding any period of time falling on a Sunday or a legal holiday observed by the courts of the State in which such hospital is located) after the receipt of such request unless within such time (a) judicial proceedings for such hospitalization are commenced or (b) a judicial extension of such time is obtained, for a period of not more than five days, for the commencement of such proceedings.

§ 211.12 Federal payments.

The arrangements made by the Administrator with an agency or hospital for carrying out the purposes of the Act shall provide for payments to such agency or hospital, either in advance or by way of reimbursement, of the costs of reception, temporary care, treatment, and assistance, continuing care and treatment, and transportation, pursuant to the Act, and payments for other expenditures necessarily and reasonably related to providing the same. Such arrangements shall include the methods and procedures for determining the amounts of the advances or reimbursements, and for remittance and adjustment thereof.

§ 211.13 Financial responsibility of the eligible person; collections, compromise, or waiver of payment.

(a) *For temporary care and treatment.* If an eligible person receiving temporary care, treatment, and assistance, pursuant to the Act, has financial resources available to pay all or part of the costs of such care, the Administrator shall require him to pay for such costs, either in advance or by way of reimbursement, unless in his judgment it would be inequitable or impracticable to require such payment.

(b) *For continuing care and treatment.* Any eligible person receiving continuing care and treatment in a hospital, or his estate, shall be liable to pay or contribute toward the payment of the costs or charges therefor, to the same extent as such person would, if a resident of the District of Columbia, be liable to pay, under the laws of the District of Columbia, for his care and maintenance in a hospital for the mentally ill in that jurisdiction.

(c) *Collections, compromise, or waiver of payment.* The Administrator may, in his discretion, where in his judgment substantial justice will be best served thereby or the probable recovery will not warrant the expense of collection, compromise, or waive the whole or any portion of, any claim for continuing care

and treatment, and assistance, and in the process of arriving at such decision, the Administrator may make or cause to be made such investigations as may be necessary to determine the ability of the patient to pay or contribute toward the cost of his continuing care and treatment in a hospital.

§ 211.14 Disclosure of information.

(a) No disclosure of any information of a personal and private nature with respect to an individual obtained at any time by any person, organization, or institution in the course of discharging the duties of the Secretary under the Act shall be made except insofar:

(1) As the individual or his legal guardian, if any (or, if he is a minor, his parent or legal guardian), shall consent;

(2) As disclosure may be necessary to carry out any functions of the Secretary under the Act;

(3) As disclosure may be directed by the order of a court of competent jurisdiction;

(4) As disclosure may be necessary to carry out any functions of any agency of the United States which are related to the return of the individual from a foreign country, or his entry into the United States; or

(5) As expressly authorized by the Administrator.

(b) An agreement made with an agency or hospital for care, treatment, and assistance pursuant to the Act shall provide that no disclosure will be made of any information of a personal and private nature received by such agency or hospital in the course of discharging the duties under such agreement except as is provided therein, or is otherwise specifically authorized by the Administrator.

(c) Nothing in this section shall preclude disclosure, upon proper inquiry, of information as to the presence of an eligible person in a hospital, or as to his general condition and progress.

§ 211.15 Nondiscrimination.

(a) No eligible person shall, on the ground of race, color, or national origin, be excluded from participation, be denied any benefits, or otherwise be subjected to discrimination of any nature or form in the provision of any benefits, under the Act.

(b) The prohibition in paragraph (a) of this section precludes discrimination either in the selection of individuals to receive the benefits, in the scope of benefits, or in the manner of providing them. It extends to all facilities and services provided by the Administrator or an agency to an individual, and to the arrangements and the procedures under this part relating thereto, in connection with reception, temporary care, treatment, and assistance, and continuing hospitalization under the Act.

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212.1 General definitions.
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212.9 Disclosure of information.
212.10 Nondiscrimination.

AUTHORITY: Sec. 302, 75 Stat. 142, sec. 1102, 49 Stat. 647; 42 U.S.C. 1313, 1302.

§ 212.1 General definitions.

When used in this part:

(a) "Act" means section 1113 of the Social Security Act, as amended;

(b) The term "Secretary" means the Secretary of Health, Education, and Welfare;

(c) The term "Department" means the Department of Health, Education, and Welfare;

(d) The term "Service" means the Social and Rehabilitation Service, Department of Health, Education, and Welfare;

(e) The term "Administrator" means the Administrator, Social and Rehabilitation Service;

(f) The term "eligible person" means an individual with respect to whom the conditions in § 212.3 are met;

(g) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam;

(h) The term "United States" when used in a geographical sense means the States;

(i) The term "agency" means State or local public agency or organization or national or local private agency or organization with which the Administrator has entered into agreement for the provision of temporary assistance pursuant to the Act;

(j) The term "temporary assistance" means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health, or welfare of individuals, including guidance, counseling, and other welfare services.

§ 212.2 General.

The Administrator shall develop plans and make arrangements for provision of temporary assistance within the United States to any eligible person, after consultation with appropriate offices of the Department of State, the Department of Justice, and the Department of Defense. Temporary assistance shall be provided, to the extent feasible, in accordance with such plans, as modified from time to time by the Administrator. The Administrator shall enter into agreements with agencies whose services and facilities are to be utilized for the purpose of providing temporary assistance pursuant to the Act, specifying the conditions governing the provision of such assistance and the manner of payment of the cost of providing therefor.

§ 212.3 Eligible person.

In order to establish that an individual is an eligible person, it must be found that:

(a) He is a citizen of the United States or a dependent of a citizen of the United States;

(b) A written statement has been transmitted to the Service by an authorized official of the Department of State containing information which identifies him as having returned, or been brought, from a foreign country to the United States because of the destitution of the citizen of the United States, or the illness of such citizen or any of his dependents, or because of war, threat of war, invasion, or similar crisis. Such statement shall, if possible, incorporate or have attached thereto, all available pertinent information concerning the individual. In case of war, threat of war, invasion, or similar crisis, a determination by the Department of State that such a condition is the general cause for the return of citizens of the United States and their dependents from a particular foreign country, and evidence that an individual has returned, or been brought, from such country to the United States shall be considered sufficient identification of the reason for his return to, or entry into the United States; and

(c) He is without resources immediately accessible to meet his needs.

§ 212.4 Reception; initial determination, provision of temporary assistance.

(a) The Service, or the agency upon notification by the Service, will meet individuals, identified as provided in § 212.3 (b), at the port of entry or debarkation.

(b) The Service or agency will make findings, setting forth the pertinent facts and conclusions, and an initial determination, according to standards established by the Service, as to whether an individual is an eligible person.

(c) The Service or agency will provide temporary assistance within the United States to an eligible person, according to standards of need established by the Service, upon arrival at the port of entry or debarkation, during transportation to his intermediate and ultimate destinations, and after arrival at such destinations.

(d) Temporary assistance may be furnished only for twelve months from the month of arrival of the eligible person in the United States unless he is handicapped in attaining self-support or self-care for such reasons as age, disability, or lack of vocational preparation. In such cases temporary assistance may be extended upon prior authorization by the Service for six additional months.

§ 212.5 Periodic review and redetermination; termination of temporary assistance.

(a) The Service or agency will review the situation of each recipient of temporary assistance at frequent intervals to consider whether or not circumstances have changed that would require a different plan for him.

(b) Upon a finding by the Service or agency that a recipient of temporary assistance has sufficient resources available to meet his needs, temporary assistance shall be terminated.

§ 212.6 **Duty to report.**

The eligible person who receives temporary assistance, or the person who is caring for or otherwise acting on behalf of such eligible person, shall report promptly to the Service or agency any event or circumstance which would cause such assistance to be changed in amount or terminated.

§ 212.7 **Repayment to the United States.**

(a) An individual who has received temporary assistance shall be required to repay, in accordance with his ability, any or all of the cost of such assistance to the United States, except insofar as it is determined that:

(1) The cost is not readily allocable to such individual;

(2) The probable recovery would be uneconomical or otherwise impractical;

(3) He does not have, and is not expected within a reasonable time to have, income and financial resources sufficient for more than ordinary needs; or

(4) Recovery would be against equity and good conscience.

(b) In determining an individual's resources, any claim which he has against any individual, trust or estate, partnership, corporation, or government shall be considered, and assignment to the United States of such claims shall be taken in appropriate cases.

(c) A determination that an individual is not required to repay the cost of temporary assistance shall be final and binding, unless such determination was procured by fraud or misrepresentation of the individual or some other person, or the individual voluntarily offers to repay.

(d) A determination that an individual is required to repay any or all of the cost of temporary assistance may be reconsidered at any time prior to repayment of the required amount. A further determination shall be made with respect to his liability to repay the balance of such amount on the basis of new evidence as to whether (1) he has, or is expected within a reasonable time to have, income and financial resources sufficient for more than ordinary needs, or (2) recovery would be against equity and good conscience.

§ 212.8 **Federal payments.**

The agreement made by the Administrator with an agency for carrying out the purposes of the Act shall provide for payment to such agency, either in advance or by way of reimbursement, of the cost of temporary assistance provided pursuant to the Act, and payment of the cost of other expenditures necessarily and reasonably related to providing the same. Such agreement shall include the cost of other expenditures necessarily and reasonably related to providing the same. Such agreement shall include the method for determining such costs, as well as the methods and procedures for determining the amounts of advances or reimbursement and for remittance and adjustment thereof.

§ 212.9 **Disclosure of information.**

(a) No disclosures of any information of a personal and private nature with respect to an individual obtained at any time by any person, organization, or institution in the course of discharging the duties of the Secretary under the Act shall be made except insofar:

(1) As the individual or his legal guardian, if any (or, if he is a minor, his parent or legal guardian), shall consent;

(2) As disclosure may be necessary to carry out any functions of the Secretary under the Act;

(3) As disclosure may be necessary to carry out any functions of any agency of the United States which are related to the return of the individual from a foreign country, or his entry into the United States; or

(4) As expressly authorized by the Administrator.

(b) An agreement made with an agency for the provision of temporary assistance pursuant to the Act shall provide that no disclosure will be made of any information of a personal and private nature received by such agency in the course of discharging the duties under such agreement except as is provided therein, or is otherwise specifically authorized by the Administrator.

§ 212.10 **Nondiscrimination.**

(a) No eligible person shall, on the ground of race, color, or national origin be excluded from participation, be denied any benefits, or otherwise be subjected to discrimination of any nature or form in the provision of any benefits under the Act.

(b) The prohibition in paragraph (a) of this section precludes discrimination either in the selection of individuals to receive the benefits, in the scope of benefits, or in the manner of providing them. It extends to all facilities and services provided by the Service or an agency to an individual, and to the arrangements and the procedures under this part relating thereto, in connection with reception and temporary assistance under the Act.

Effective date: These amendments shall become effective on July 19, 1974.

(Sec. 1102, 49 Stat. 647 (42 U.S.S. 1302))

(Catalog of Federal Domestic Assistance Program No. 13.761, Public Assistance Maintenance Assistance (State Aid).)

Dated: June 19, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and Rehabilitation Service.

Approved: July 15, 1974.

CASPAR W. WEINBERGER,
Secretary.

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PART III

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified herein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary tary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions. Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

New General Wage Determination Decisions.

Alabama	AR–4011
South Carolina	AR–4003
	AR–4008

Modifications to General Wage Determination Decisions. The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Alabama:	
AQ–4096	Mar. 29, 1974
Arkansas:	
AQ–95	May 3, 1974
Delaware:	
AQ–2122	May 24, 1974
Florida:	
AQ–4050	Jan. 11, 1974
AQ–4055	Jan. 25, 1974
AQ–4070; AQ–4071	Feb. 15, 1974
AQ–4091; AQ–4092	Mar. 22, 1974
AQ–4099; AQ–4100	Apr. 12, 1974
AQ–4107	May 3, 1974
AQ–4115	May 17, 1974
AQ–4127	June 28, 1974
AR–4001	July 5, 1974
Kansas:	
AQ–32	Sept. 28, 1973
AQ–44	Nov. 16, 1973
Nebraska:	
AQ–25	Sept. 7, 1973
AQ–63	Dec. 7, 1973
AQ–65	Dec. 14, 1973
Oklahoma:	
AQ–96	May 10, 1974
AQ–120; AQ–123	June 28, 1974
Pennsylvania:	
AQ–2059	Feb. 15, 1974
AQ–2070	Mar. 15, 1974
AQ–2080	Apr. 5, 1974
AR–2001	July 5, 1974
Tennessee:	
AQ–4118; AQ–4119	May 31, 1974
AR–4007	July 5, 1974
Virginia:	
AQ–2111	May 3, 1974
Washington, D.C.:	
AQ–2110	May 3, 1974

Supersedeas Decisions to General Wage Determination Decisions. The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the number of the decisions being superseded.

Alabama:	
AQ–4095(AR–4012)	Mar. 29, 1974
Colorado:	
AQ–1117(AR–1003)	June 21, 1974
Connecticut:	
AQ–3097(AR–3028); AQ–3098(AR–3029)	Feb. 15, 1974
AQ–3149(AR–3025)	Mar. 22, 1974
AQ–3166(AR–3026)	May 3, 1974
Michigan:	
AQ–3049(AR–3001); AQ–3058(AR–3010); AQ–3060 (AR–3012); AQ–3065 (AR–3017)	Dec. 21, 1973
AQ–3059(AR–3011)	Jan. 1, 1974
AQ–3055(AR–3007)	Jan. 11, 1974
AQ–3057(AR–3009)	Feb. 1, 1974
AQ–3123(AR–3021)	Apr. 19, 1974
Pennsylvania:	
AQ–2053(AR–2009)	Feb. 28, 1974

Signed at Washington, D.C., this 12th day of July 1974.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

NEW DECISION

STATE: Alabama
DECISION NO.: AR-4011
COUNTY: *See below
DATE: Date of Publication
DESCRIPTION OF WORK: Building construction (excluding single family homes and garden type apartments up to and including 4 stories).

*Colbert & Lauderdale

17-39-Alabama-1 (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.71	.30	.30		.05
Boilermakers	7.50	.40	.90		.02
Bricklayers:					
Bricklayers; Blocklayers; Stonemasons	7.15				
Saw operator	7.40				
Carpenters:					
Carpenters; Soft floor layers	7.17	.30	.25		
Piledrivermen	7.32	.30	.25		
Millwrights	7.42	.30	.25		
Cement masons:					
Cement masons	5.95				
Power equipment operators	5.80				
Electricians:					
Electricians	7.65	.25	1%		.5%
Cable splicers	7.90	.25	1%		.5%
Elevator constructors	7.49	.395	.26	2½%+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	5.60				
Ironworkers	7.605	.40	.25		.03
Laborers:					
Common	4.75	.15	.20		
Air tool operator (Jackhammer, vibrator)	4.95	.15	.20		
Plasterers' tenders	4.75	.15	.20		
Mason tenders	4.75	.15	.20		
Mortar mixers	4.95	.15	.20		
Pipelayers	4.95	.15	.20		
Painters	5.40		.20		.05
Plasterers	6.20				
Plumbers; Steamfitters	7.40	.35	.35	.45	.08
Roofers	5.75		.20		.05
Sheet metal workers	8.00	.40	.35		.02
Sprinkler fitters	8.60	.50	.70		.08
Truck drivers:					
½ to 3 tons	3.70				
3 to 5 tons	3.97				
5 tons & over including special equipment such as euclids, dumpsters, dumptors, etc.	4.37				

17-39-Alabama-1 (2-2)

Welders: Receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6 paid holidays: A through F
b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

17-39-Alabama-PEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$7.98	.25	.25		
GROUP B	6.78	.25	.25		
GROUP C	6.13	.25	.25		

GROUP A - Backhoe, bulldozer, crane, crane car, central mixing plant, concrete pump, derrick, dragline, dredge, drill, elevating grader, finishing machine (concrete), forklift, front end loader, gradall, grout pump, helicopter pilot, hoist, locomotive engineer, mechanic, motor patrol, mucking mach., piledriver, post hole digger, scraper (pull type & self prop.) shovel, sweeper, tractor (spec. equip.), trenching machine, well point & winch truck operators

GROUP B - Bituminous dist., central air comp., concrete mixer (port.) fireman floating equip., front end loader, rubber tire, ¾ cu. yd. & under, locomotive brakeman, locomotive flagman, locomotive switchman, oiler-driver (35 ton crane & over outboard motor boat (when used for towing), paving machine, portable hoist "truck hoist type", post hole digger mounted on farm type tractor & walk behind type trenching machine operators

GROUP C - Air compressor (port.) conveyor, fireman stationary equip., mechanic helper, oiler, oiler-driver, outboard motor boat & pump operators

All cranes, derricks & gantry oprs. operating such equip. with an overall height of 150 feet, including tibs. all scraper operators - addt'l $.25 per hr

NEW DECISION

STATE: South Carolina COUNTIES: See below*
DECISION NUMBER: AR-4003 DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

*COUNTIES: Abbeville, Cherokee, Laurens, Newberry, and Union

44-SC-1-F (1-2)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air conditioning mechanic	$5.00				
Asbestos workers	6.73				
Bricklayers	4.81				
Carpenters	4.21				
Cement masons	3.50				
Electricians	4.30				
Elevator Constructors	5.89	.395	.26	2%+a&b	
Elevator Constructors' helpers	4.12	.395	.26	2%+a&b	
Glaziers	3.75				
Ironworkers:					
Structural, ornamental & reinforcing	4.52				
Laborers:					
Laborers	2.62				
Mason tenders	2.75				
Lathers	3.75				
Painters, brush & roller	3.50				
Plasterers	4.20				
Plumbers & pipefitters	4.55				
Roofers	3.15				
Sheet metal workers	4.07				
Tile setters	4.10				
Truck Drivers	2.83				
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Asphalt paver	3.18				
Asphalt plant	3.08				
Backhoe	3.50				
Bulldozer	3.62				
Crane	4.50				
Forklift & scraper	2.75				
Front end loader	3.75				
Mechanic	3.32				
Motor grader	3.75				
Roller	2.84				

44-SC-1-F (2-2)

HOLIDAYS:
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate for employee who has worked in business less than 5 years to Vacation Pay Credit.

NEW DECISION

STATE: South Carolina COUNTIES: See below*
DECISION NUMBER: AH-4008 DATE: Date of Publication
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Aiken, Barnwell, & Edgefield

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Air conditioning & heating mechanic	$3.50				
Bricklayers	5.14				
Carpenters	3.35				
Carpet layers	5.00				
Cement masons	4.45				
Dry wall finisher	4.50				
Dry wall hanger	3.50				
Electricians	5.29				
Glaziers	5.15				
Ironworkers:					
Structural, ornamental & reinforcing	2.85				
Insulation installer	2.75				
Laborers:					
Laborers	2.00				
Mason tenders and mortar mixers	2.50				
Pipelayers	2.75				
Painters, brush	3.50				
Plumbers & pipefitters	4.94				
Roofers	2.81				
Sheet metal workers	3.50				
Soft floor layers	5.00				
Tile setters	5.25				
Truck Drivers:					
Single axle	2.00				
Double axle	2.33				
Welders - rate for craft.					
POWER EQUIPMENT OPERATORS:					
Air compressor, asphalt sweeper	2.00				
Asphalt distributor op.	2.50				
Asphalt finisher op.	2.50				
Asphalt rakers and oiler	2.25				
Backhoe & trenching machine	3.50				
Bulldozer	3.15				
Crane op.	3.41				
Farm tractor op.	2.00				
Front end loader	2.84				
Grader	3.16				
Mechanic	3.37				
Pan op.	2.90				
Rubber tire roller	2.00				
Steel wheel roller	2.50				

DECISION #AQ-4096 - Mod. #4 (39 FR 11819 - March 29, 1974) Mobile County, Alabama	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Elevator constructors	$7.56	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Glaziers	6.25	.30	.15		

DECISION #AQ-95 - Mod. #4 (39 FR 15613 - May 3, 1974) Pulaski County, Arkansas					
Change:					
Elevator constructors:					
Journeyman	$6.72	.395	.26	2½%+a+b	.02
Helpers	70%	.395	.26	2½%+a+b	.02

DECISION #AQ-2122 - Mod. #2 (39 FR 18412 - May 24, 1974) Statewide Delaware	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Change:					
Truck Drivers: Building Construction:					
Dumps (single axle), dumpsters, escort & pilot vehicles, flatbody material trucks (straight job), fork lifts, form trucks, greasers, material checkers & receivers, panel trucks, pick-ups, rubber-tired (towing & pushing vehicles), tiremen & truck mechanic helpers, truck helpers	$6.41	.505	.4875	d	
A-frame, agitator or mixers, asphalt distributor, dispatcher, low boys, semi-trailers, tandems & batch trucks, truck mechanics second class	6.56	.505	.4875	d	
Euclid type or similar off-highway equipment (where not self-loaded), off-highway tandem back-dump, specialized earth moving equipment, truck mechanic first class, twin engine equipment & doublehitched equipment (where not self-loaded	6.66	.505	.4875	d	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-2122 (CONT'D)					
Truck Drivers: Heavy & Highway Construction:					
Dump trucks (single axle), dumpsters, escort & pilot vehicles, flatbody material trucks (stright jobs), greasers, material checkers and receivers, panel trucks, pick-ups, (rubber-tired towing or pushing flatbody vehicles), tiremen & truck mechanic helpers, truck helpers	$5.56	.505	.4875	d	
A-frame, agitator or mixers, asphalt distributors, dispatcher, low-boys, semi-trailers, tandems & batch trucks, truck mechanics second class	5.71	.505	.4875	d	
Euclid type or similar off-highway equipment (where not self-loaded), specialized earth moving equipment, truck mechanics first class, twin engine equipment & double-hitched equipment (where not self-loaded)	5.86	.505	.4875	d	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4050 - Mod. #3 (39 FR 1689 - January 11, 1974) Leon County, Florida					
Change:					
Elevator constructors	$7.52	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
DECISION #AQ-4055 - Mod. #3 (39 FR 3388 - January 25, 1974) Escambia, Okaloosa, Santa Rosa, and Walton Counties, Florida					
Change:					
Elevator constructors	7.56	.395	.26	2½%+c+d	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+c+d	.02
DECISION #AQ-4070 - Mod. #3 (39 FR 5971 - February 15, 1974) Alachua County, Florida					
Change:					
Elevator constructors	7.52	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
DECISION #AQ-4071 - Mod. #2 (39 FR 5971 - February 15, 1974) Duval County, Florida					
Change:					
Elevator constructors	7.52	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Laborers	7.00	.29	.10		.025
DECISION #AQ-4091 - Mod. #3 (39 FR 10011 - March 22, 1974) Broward County, Florida					
Change:					
Elevator constructors	9.34	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4092 - Mod. #2 (39 FR 10993 - March 22, 1974) Martin and Palm Beach Counties, Florida					
Change:					
Elevator constructors	$9.34	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
DECISION #AQ-4099 - Mod. #3 (39 FR 13423 - April 12, 1974) Hillsborough County, Florida					
Change:					
Elevator constructors	7.79	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Add:					
Glaziers	7.15	.25	.20		.01
DECISION #AQ-4100 - Mod. #1 (39 FR 13425 - April 12, 1974) Pinellas County, Florida					
Change:					
Elevator constructors	7.79	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Plumbers and steamfitters	8.20	.30	.70		.05
DECISION #AQ-4107 - Mod. #1 (39 FR 15638 - May 3, 1974) Bay County, Florida					
Change:					
Elevator constructors	7.56	.395	.26	2½%+b+c	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+b+c	.02
DECISION #AQ-4115 - Mod. #1 (39 FR 17659 - May 17, 1974) Dade County, Florida					
Change:					
Elevator constructors	9.34	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4127 - Mod. #1 (39 FR 24190 - June 28, 1974) Orange County, Florida					
Change:					
Elevator constructors	$7.355	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Glaziers	6.40	.25	.20		.01
DECISION #AR-4001 - Mod. #1 (39 FR 24776 - July 5, 1974) Volusia County, Florida					
Change:					
Elevator constructors	7.52	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Omit:					
County: Volusia					
Add:					
County: Volusia County, except Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only and including Melabar Radar Site					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-32 - Mod. #1						
(38 FR 27169 - September 28, 1973)						
Shawnee County, Kansas						
Change:						
Building Construction						
Asbestos Workers	$9.07	.35	.60		.02	
Bricklayers; Stonemasons	8.00	.35	.25		.10	
Cement Masons:						
Cement masons	7.15	.35	.25		.10	
Machine operators	7.275	.35	.25		.10	
Composition color or chloride additives	7.35	.35	.25		.10	
Electricians:						
Electricians	8.70	.35	1%+.40		.05	
Cable splicers	9.57	.35	1%+.40		.05	
Elevator Constructors	8.84	.395	.26	2½%+a+b	.02	
Elevator Constructors Helpers	70%JR	.395	.26	2½%+a+b	.02	
Elevator Constructors Helpers(Prob.)	50%JR					
Ironworkers:						
Ornamental; Structural	8.90	.50	.55	.90	.05	
Reinforcing	8.90	.50	.55	.90	.05	
Plumbers; pipefitters	8.90	.30	.30		.02	
Roofers:						
Flat, Slate & Tile; Dampproofers and Waterproofers	7.36	.30	.50			
Sheet metal workers	7.70	.25	.85		.04	
Soft floor layers	6.65	.35	.35	7%	.04	
Sprinkler fitters	8.85	.40	.60		.07	
Tile setters	7.39					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-44 - Mod. #1						
(38 FR 31780 - November 16, 1973)						
Cass, Clay, Jackson, Platte and Ray Counties, Missouri; and Johnson and Wyandotte Counties, Kansas						
Change:						
Cass, Clay, Jackson, Platte and Ray Counties, Missouri						
Building Construction						
Asbestos Workers	$9.07	.35	.60		.02	
Boilermakers	8.35	.60	1.00		.02	
Carpenters (Cass County)	8.37	.33	.30	.25	.05	
Carpenters:						
Carpenters; Millwrights; piledrivermen	8.62	.33	.30	.25	.05	
Electricians:						
Western half of Clay & Jackson Cos. not including Blue Springs; Northern half of Platte Co.; Northwestern portion of Cass Co. not including Pleasant Hill:						
Electricians	8.67	.23	1%+.27	.80	.03	
Remainder of Clay, Jackson, Platte and Cass Counties:						
Electricians (contracts over $5,000)	8.67	.23	1%+.27	.80	.03	
Electricians (contracts under $5,000)	8.15	.23	1%+.27	.80	.03	
Ray County:						
Electricians (contracts over $5,000)	8.67	.23	1%+.27	.80	.03	
Electricians (contracts under $5,000)	7.57	.23	1%+.27	.80	.03	
Elevator Constructors	8.84	.395	.26	2½%+a+b	.02	
Elevator Constructors Helpers	70%JR	.395	.26	2½%+a+b	.02	
Elevator Constructors Helpers(Prob.)	50%JR					
Glaziers	8.675	.35	.27	.99	.01	
Ironworkers:						
Structural; ornamental; riggers; reinforcing	8.90	.50	.55	.90	.05	
Painters:						
Brush	8.74	.30	.35		.06	
Spray	9.74	.30	.35		.06	
Tapers	8.74	.30	.35		.06	
Plasterers	9.45	.20				

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DECISION NO. AQ-44

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Pipefitters	$9.37	.47	.90		.06
Plumbers	9.64	.50	.60		.06
Roofers	8.45	.30	.50		.04
Roofers Helpers:					
1st 6 mos.	5.07	.30	.50		.04
2nd 6 mos.	5.49	.30	.50		.04
3rd 6 mos.	5.92	.30	.50		.04
4th 6 mos.	6.34	.30	.50		.04
5th 6 mos.	6.76	.30	.50		.04
Sheet metal workers	9.275	.35	.35		.02
Soft floor layers	7.55	.35	.45	7%	.06
Sprinkler fitters	9.18	.40	.60		.06
Truck Drivers:					
Flat bed, pick-up, & dump under 10 yds.	7.675	.25	.50		
Dump 10 yds. & over	7.75	.25	.50		
Add:					
Cass, Clay, Jackson, Platte and Ray Counties, Missouri					
Building Construction					
Roofers Helpers					
6th 6 mos.	7.18	.30	.50		.04
7th 6 mos.	7.60	.30	.50		.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-25 - Mod. #4 (38 FR 24540 - September 7, 1973) Douglas & Sarpy Counties, Nebraska					
Change:					
Soft floor layers	$8.00			a	
DECISION #AQ-63 - Mod. #4 (38 FR 33395 - December 7, 1973) Douglas & Sarpy Counties, Nebraska					
Change:					
Soft floor layers	$8.00			a	
Elevator constructors	8.53	.395	.26	2½%+a	
Elevator constructors helper	70%	.395	.26	2½%+a	
DECISION #AQ-65 - Mod. #2 (38 FR 34597 - December 14, 1973) Lancaster County, Nebraska					
Change:					
Building Construction					
Carpenters	$7.25	.20	.20		
Piledrivermen	7.50	.20	.20		
Lathers	7.62				
Sheet metal workers	7.26	.35	.20		.01
Elevator constructors	8.53	.395	.26	2½%+a+b	.02
Elevator constructors helper	70%	.395	.26	2½%+a+b	.02
TRUCK DRIVERS:					
Single axle	5.825	.20	.25		
Tandem axle	5.95	.20	.25		
Trailer & lowboys	6.075	.20	.25		
Lumber carriers	6.25	.20	.25		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-96 - Mod. #4 (39 FR 17069 - May 10, 1974) Oklahoma, Cleveland, Lincoln, Canadian and Pottawatomie Counties, Oklahoma					
Change:					
Asbestos workers	$8.45	.30	.60		.02
Cement masons (Lincoln, Oklahoma, Cleveland, and Canadian Cos.)	7.73	.25			
Ironworkers	8.34	.30	.35		.08
Tile & Marble helpers:					
Experienced helpers	5.20				
Terrazzo workers helper	5.95				
Terrazzo floor machine man	6.15				
Terrazzo base machine man	6.45				
Omit:					
Carpenters:					
Pottawatomie County and part of Lincoln County south of Turner Turnpike; the city limits of Moore in Cleveland County; all of Oklahoma County and that portion of Canadian County lying east of a line of highway #4 (called Piedmont Road):					
Carpenters	7.40	.20			.02
Power saw operator	7.65	.20			.02
Millwrights	7.65	.20			.02
Piledrivermen	7.65	.20			.02
Canadian County West of highway #4 (called Piedmont Road):					
Carpenters	5.50	.20			.02
Power saw operator	5.625	.20			.02
Millwrights	5.825	.20			.02
Piledrivermen	5.825	.20			.02

DECISION NO. AQ-96

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ADD:					
Carpenters:					
Pottawatomie County and part of Lincoln County south of Turner Turnpike; the City limits of Moore in Cleveland County; all of Oklahoma and Canadian Counties:					
Carpenters	$8.00	.20			.04
Millwrights-Piledrivermen	8.25	.20			.04
Power saw operator	8.25	.20			.04
DECISION #AQ-120 - Mod. #1 (39 FR 21169 - June 28, 1974) Muskogee County, Oklahoma					
Change:					
Carpenters:					
Carpenters	$7.35				.01
Millwrights	7.85				.01
Piledrivermen	7.85				.01
Ironworkers:					
Structural; Ornamental; Reinforcing	8.34	.30	.35		.08
Asbestos workers	8.65	.35	.35		.015
Laborers:					
Laborers	4.80	.25	.20		
Air tool operator (jackhammer, vibrator); mason tenders; mortar mixers; pipelayers (concrete & clay); plasterers' tenders	5.10	.25	.20		
Powder man (makeup)	5.30	.25	.20		
Wagon drill operator	5.30	.25	.20		
Cement masons	7.05				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-123 - Mod. #1 (39 FR 24192 - June 28, 1974) Tulsa and Creek Counties, Oklahoma					
Change:					
Asbestos workers	$8.65	.35	.35		.015
Bricklayers-Stonemasons	8.03	.30	.40	.33	.04
Soft floor layers	6.82		.15	.45	.03
Ironworkers: Structural; Ornamental; Reinforcing	8.34	.30	.35		.08
DECISION #AR-2001 - Mod. #1 (39 FR 24803 - July 5, 1974) Franklin County, Pennsylvania					
Change:					
Ironworkers	$9.36	.64	1.06		.05
Glaziers	8.09	.25	.30		.01

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
DECISION #AQ-2059 Mod. #2 (39 FR 6004 February 15, 1974) Allegheny County, Pennsylvania						
Change:						
Plumbers (Allegheny County) On down spouts & bridges	$9.11	.60	.625		.125	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-2070 - Mod. #1 (39 FR 10070 - March 15, 1974) Sullivan County, Pennsylvania					
Change:					
Carpenters:					
Bentor Air Force Base	$8.60	.25	.35		.02
Laborers:					
Unskilled & Window washers	7.17	.25	.35		
Mason tenders incl. scaffold builders	7.57	.25	.35		
Semi-skilled: Pneumatic, electrical & mechanical tool ops., under the jurisdiction of the laborers - 2 pumps-non-metallic pipelaying & making of joints clay, terra cotta, ironstone, vitrified concrete, handling of burning torches, asphalt or other hot materials, cement finishers & blasters helpers, power buggies, walk along hoist	7.37	.25	.35		
Plaster tenders, blasters & wagon drill operators	7.49	.25	.35		
Painters:					
Eastern part of County:					
Brush	7.00	.30	.30		.05
Tapers	7.26	.30	.30		.05
Hazardous	8.26	.30	.30		.05
Plasterers	8.40				
Plumbers	7.95	.38	.30	.20	.02
Sheet metal workers	8.37	.25	.30		.04
Soft floor layers	7.79	.25	.35		.02
Piledrivermen	9.92	1.28	.90		
Sprinkler fitters	9.45	.50	.70		.08
Power Equipment Operators: (See below)					

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WAGE GROUP I						
Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	$10.19	4.6%	9.5%	a	1.2%	
WAGE GROUP II						
All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above	9.90	4.6%	9.5%	a	1.2%	
WAGE GROUP III						
Conveyors, building hoists (single drum), scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	9.02	4.6%	9.5%	a	1.2%	
WAGE GROUP IV						
Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, fireman (for power equipment), machines similar to the above	8.25	4.6%	9.5%	a	1.2%	
WAGE GROUP V						
Fireman, grease truck	7.77	4.6%	9.5%	a	1.2%	
WAGE GROUP VI						
Oilers and deck hands (personnel boats), core drill helper	6.85	4.6%	9.5%	a	1.2%	

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
WAGE GROUP VII						
All machines with booms (including jib, masts, leads, etc.):						
100 ft. and over	10.44	4.6%	9.5%	a	1.2%	
150 ft. and over	10.69	4.6%	9.5%	a	1.2%	
200 ft. and over	10.94	4.6%	9.5%	a	1.2%	

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-2080 - Mod. #2 (39 FR 12571 - April 5, 1974) Lebanon County, Pennsylvania					
Change:					
Plumbers and Steamfitters:					
West of Route 501	$9.30	.30	.40		.12
Soft floor layers	7.79	.25	.35		.02
Ironworkers	9.36	.64	1.06		.05
Truck Drivers:					
Pick-ups, dump, flat trucks to & including Z highway license plates	5.80	d	e		
Transit-mix, Winch, trucks, tractor trailers, all types Euclids, Ross lumber carriers & trucks over Z plates	6.05	d	e		

FOOTNOTES:

d. $45.03 per month for employees who have worked sixty hours or more during the month.

e. $29.33 per month for employees who have worked sixty hours or more during the month.

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-4118 - Mod. #2 (39 FR 19424 - May 31, 1974) Hamilton County, Tennessee					
Change:					
Elevator constructors	$7.21	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
DECISION #AQ-4119 - Mod. #3 (39 FR 19427 - May 31, 1974) Knox County, Tennessee					
Change:					
Elevator constructors	7.09	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Painters:					
Commercial	6.75		.30		.03
Industrial	7.10		.30		.03
Plumbers and Steamfitters	7.65	.35	.45	.30+c	.05
DECISION #AR-4007 - Mod. #1 (39 FR 24806 - July 5, 1974) Anderson and Roane Counties, Tennessee					
Change:					
Elevator constructors	7.09	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Painters:					
Commercial	6.75		.30		.03
Industrial	7.10		.30		.03
Plumbers; Steamfitters	7.65	.35	.45	.30+d	.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #AQ-2111 - Mod. #5 (39 FR 15641 - May 3, 1974) Montgomery and Prince Georges Counties, Maryland; Arlington and Fairfax Counties, The City of Alexandria and Dulles International Airport, Virginia					
Change:					
Electricians	$ 9.35	.35	1%+.75		.10
Line Construction:					
Lineman, cable splicer, equipment operators	10.21	.25	1%		1/4%
Truck and winch, truck pole or steel handling	7.23	.25	1%		1/4%
Groundman (0-1 yr)	5.81	.25	1%		1/4%
Groundman (1-2 yrs)	6.72	.25	1%		1/4%
Groundman (over 2 yrs)	6.97	.25	1%		1/4%
Laborers:					
Plasterers' tenders	7.03	.32	.35		.05
DECISION #AQ-2110 - Mod. #5 (39 FR 15689 - May 3, 1974) Washington, D. C.					
Change:					
Electricians	$ 9.35	.35	1%+.75		.10
Line Construction:					
Lineman, cable splicer, Equipment operators	10.21	.25	1%		1/4%
Truck with winch, truck pole or steel handling	7.23	.25	1%		1/4%
Groundman (0-1 yr)	5.81	.25	1%		1/4%
Groundman (1-2 yrs)	6.72	.25	1%		1/4%
Groundman (over 2 yrs)	6.97	.25	1%		1/4%
Laborers:					
Plasterers' tenders	7.03	.32	.35		.05

SUPERSEDEAS DECISION

STATE: Alabama COUNTY: Jefferson
DECISION NUMBER: AR-4012 DATE: Date of Publication
Supersedes Decision No. AQ-4095 dated March 29, 1974 in 39 FR 11817
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.71	.30	.30		.05
Boilermakers	7.50	.40	.90		.02
Bricklayers; Pointers; Caulkers; Stonemasons	7.80	.25	.25		.05
Carpenters:					
Carpenters; Soft floor layers	6.90	.35	.20		.06
Millwrights	8.25				.06
Piledrivermen	7.10	.35	.20		.06
Cement masons	6.83	.40			
Electricians:					
Electricians	8.50	.30	1%		½%
Cable splicers	8.75	.30	1%		½%
Elevator constructors	7.49	.395	.26	2½%+a+b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	6.95	.40	.40		.01
Ironworkers	7.775	.42	.25		.04
Lathers	6.90		.10		.01
Linemen:					
Linemen	7.15	.20	1%		½%
Groundmen under one year	3.44	.20	1%		½%
Groundmen one year and over	4.04	.20	1%		½%
Hole and ditch digging equipment, tractor with winch and derrick, truck with winch and derrick	6.08	.20	1%		½%
Tractor with towing machine, truck with winch only	5.01	.20	1%		½%
Truck without winch	4.29	.20	1%		½%
Marble setters	5.85				
Painters:					
Brush	7.05		.35		
Spray; Structural steel	7.55		.35		
Paperhangers	7.20		.35		
Plasterers	6.97	.40			
Plumbers; Pipefitters	8.50	.25	.25		.07
Roofers	5.75		.20		.05
Sheet metal workers	8.00	.40	.35		.02
Sprinkler fitters	8.60	.50	.70		.08
Terrazzo workers; Tile setters	7.00		.20		
Truck drivers:					
Up to but not including 1½ tons	5.05				
1½ to but not including 3 tons	5.25				
3 to but not including 5 tons	5.50				
5 tons and over including special equipment	5.65				

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Welders, riggers, riveters - receive rate prescribed for craft performing operation to which welders, riggers and riveters are incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 6 paid holidays: A through F.

b. Employer contributes 1% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

37-LAB-1-B

BUILDING CONSTRUCTION

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Group A						
Air or electric tool operators and asphalt rakers	$5.05	.15	.20		.03	
Group B						
Vibrator operators, chain saw ops., of mechanical equipment which replaces (wheelbarrows or buggies), power mowers, mortar mixers, pipe layers, conc. & clay and muckers	5.00	.15	.20		.03	
Group C						
Plasterers' tenders & hod carriers	4.95	.15	.20		.03	
Group D						
Mason tenders, building laborers and wagon drill operators' helpers	4.90	.15	.20		.03	
Group E						
Burners on demolition, wagon drill operators and tunnel laborers	5.30	.15	.20		.03	
Group F						
Powderman	5.75	.15	.20		.03	
Group G						
Caisson-driller	5.65	.15	.20		.03	
Group H						
Tunnel miner	5.70	.15	.20		.03	
Group I						
Pneumatic concrete gun operator and nozzleman	5.60	.15	.20		.03	
Group J						
Chuck tender	5.45	.15	.20		.03	

ALA-2-PEO-1-H

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP A	$7.31	.30	.20		.05
GROUP B	7.10	.30	.20		.05
GROUP C	6.41	.30	.20		.05
GROUP D	7.94	.30	.20		.05
GROUP E	7.57	.30	.20		.05
GROUP F	6.52	.30	.20		.05

GROUP A: Asphalt plant; boom tractor; bulldozer; cableways; core driller; compressors (2 or more); crane-derrick-dragline; dinky locomotive; dredges; fork lift; front end loader; gradall; heavy duty mechanic; hoist (1 drum or more); mixers; push tractor; scrapers; shovels; trenching machine (and all similar equipment); winch trucks; motor graders; concrete pump; piledriver; rotary drill

GROUP B: Air compressor (over 125); asphalt spreader; blade graders (pull type); boat operator; conveyor (2 or more up to 4); crawler tractor; distributors (bituminous surface); farm tractors; finishing machine; pumps over 4 inches; rollers; welding machine (4 or more)

GROUP C: Air compressor (125 & under); oilers-firemen; conveyor (1) tended by oiler); pumps (under 4 inches); welding machines (3 or under); mechanic helpers

GROUP D:
ON STEEL ERECTION: Crane; dragline; derrick; hoist; piledriver; winch truck; fork lift; tower cranes; climbing cranes; cherry picker; mechanics; locomotives; tug boat

GROUP E: Tractors; welding machine; gas or diesel driven welding machine (4 or more); air compressors over 125 (2 or less); power generating units (gas or diesel)

GROUP F: Gas or diesel driven welding machine (3 or less); mechanic helper, air compressor 125 and under (2 or less); oiler; fireman; small boat

SUPERSEDEAS DECISION

STATE: Colorado COUNTIES: Las Animas and Pueblo
DECISION NUMBER: AR-1003 DATE: Date of Publication
Supersedes Decision No. AQ-1117 dated June 21, 1974 in 39 FR 22385
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$ 8.47	.33	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS	8.67	.30	.50		.04
CARPENTERS	6.87	.45	.45	.30	.04
CEMENT MASONS	6.65	.44	1.10	.60	.07
ELECTRICIANS:					
Zone I (0-12 miles from Post Office)					
Electricians	8.50	.32	1% + .25		1/10%
Cable splicers	9.35	.32	1% + .25		1/10%
Zone II (12-20 miles from Post Office)					
Electricians	8.90	.32	1% + .25		1/10%
Cable splicers	9.75	.32	1% + .25		1/10%
Zone III (20-40 miles from Post Office)					
Electricians	9.25	.32	1% + .25		1/10%
Cable splicers	10.10	.32	1% + .25		1/10%
Zone IV (Over 40 miles from Post Office)					
Electricians	10.00	.32	1% + .25		1/10%
Cable splicers	10.85	.32	1% + .25		1/10%
Electrical contracts less than $5,000 in Zones III and IV	6.16	.32	1% + .25		1/10%
ELEVATOR CONSTRUCTORS	7.76	.345	.23	2% + a	
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.345	.23	2% + a	
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.04				
IRONWORKERS:					
Structural; Ornamental and Reinforcing	8.40	.55	.80		.06
MARBLE & TILE SETTERS, Terrazzo Workers	7.60	.53	.40	.25	
PAINTERS:					
Brush	5.53	.30			.02
Structural steel; Spray	6.03	.30			.02
Spray steel	6.53	.30			.02
PLASTERERS	8.69				.01
PLUMBERS:					
Zone I (0-15 miles from P. O.)	8.50	.50	.50		.05
Zone II (15-20 miles from P. O.)	9.07	.50	.50		.05
Zone III (20-40 miles from P. O.)	9.25	.50	.50		.05
Zone IV (Over 40 miles from P. O.)	9.875	.50	.50		.05
ROOFERS	7.58				
SHEET METAL WORKERS	8.47	.30	.65		.07
SOFT FLOOR LAYERS (Las Animas Co.)	7.10	.35	.45	.30	.05
SPRINKLER FITTERS	9.25	.50	.70		.08
SOFT FLOOR LAYERS (Pueblo Co.)	6.40		.30		

FOOTNOTE:
a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LINE CONSTRUCTION - COLORADO

Cable Splicer	8.98	.35	1%		3/4%
Lineman Cableman	8.43	.35	1%		3/4%
Journeyman Lineman	8.37	.35	1%		3/4%
Line Equipment operator	7.12	.35	1%		3/4%
Line Equipment Maintenance Man	7.12	.35	1%		3/4%
Groundmen	5.87	.35	1%		3/4%

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
General laborers	$ 4.75	.37	.40		.05
Underpinning and shoring 0' to 8' below working surface	4.75	.37	.40		.05
Underpinning and shoring 8' below working surface to any depth below working surface; Power tool operators or all mechanical, air, gas and electrical tools, incl. self-propelled buggies and cement finisher tenders; Pipelayers;					
Gunnite nozzlemen and sandblasters	5.03	.37	.40		.05
Laborers, preparing and placing of stone or any other aggregate in a sand bed to be used as exposed face of tiltup panels	5.05	.37	.40		.05
Jackhammer operator; Underpinning and shoring over 12' below working surface; Bellers and stemmers on caisson work	5.30	.37	.40		.05
Mason tenders, brick and plaster	5.35	.37	.40		.05
HEAVY CONSTRUCTION					
CARPENTERS	$ 6.57	.45	.45	.30	.04
UNDERGROUND CARPENTERS	6.72	.45	.45	.30	.04
Working on creosoted material; High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawman continuosly assigned to 1 1/2 HP saws at jobsite	6.82	.45	.45	.30	.04
CEMENT MASONS:					
(Construction (Denver Metropolitan Area)	6.22	.42	1.10	30	.07
	6.32	.42	1.10	.30	.07

LABORERS: (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	4.93	.42	.45		.07
Group 4	4.95	.42	.45		.07
Group 5	4.97	.42	.45		.07
Group 6	5.08	.42	.45		.07
Group 7	5.18	.42	.45		.07
Group 8	5.25	.42	.45		.07
Group 9	5.38	.42	.45		.07
Group 10	5.43	.42	.45		.07
(Pipelines)					
All mainline sewers; Water mains; Gas, oil or any product pipeline; Pend stocks; Siphones or drainage lines; Pipe plants and yards not in connection with highway construction.					
Group 1	4.80	.42	.45		.07
Group 2	4.85	.42	.45		.07
Group 3	5.02	.42	.45		.07
Group 4	5.04	.42	.45		.07
Group 5	5.13	.42	.45		.07
Group 5-A	5.18	.42	.45		.07
Group 6	5.25	.42	.45		.07
LABORERS (Tunnels)					
Group 1	4.80	.42	.45		.07
Group 2	5.40	.42	.45		.07
Group 3	5.50	.42	.45		.07
Group 4	5.58	.42	.45		.07
Group 5	5.65	.42	.45		.07
Group 6	5.80	.42	.45		.07
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	5.50	.42	.45		.07
Group 2	5.65	.42	.45		.07
Group 3	5.75	.42	.45		.07
Group 4	5.93	.42	.45		.07
Group 5	6.03	.42	.45		.07
Group 6	6.08	.42	.45		.07

GROUP 1: Minimum laborer, including caissons to 8', carrying reinforcing rods; Work on cross culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence erectors; Metal Mesh; Dowel bars; Tie bars and chairs in concrete paving; Nursery man incl. seeding; mulching and planting of trees, shrubs and flowers; Stake chaser; Gabion baskets and Teno mattresses

GROUP 2: Chuck tenders; Nippers, core and diamond drill helpers; Powderman helpers

GROUP 3: Hot asphalt laborer; Rakers; Box-tenders; Asphalt curb machines; Potmen (not mechanical)

GROUP 4: Multi-plate culvert pipe; Air, gas and electric tools operators; Barco hammers; Spaders; Electric hammers; Air tampers; Cutting torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated concrete buggies; Operators of concrete saws on pavement (other than gang saws); Timber and chain saws; Stresser or stretcherman on post tension or pre-stressed concrete on or off jobsite; Tool room man and checkers; Cement finisher helper; Sandblaster helper; Concrete processing material monitor; Spotters; Signalmen; Dumpmen; Transverse concrete conveyor operator, mechanical grouters; Boring machines (air hydraulic); Automatic concrete power curbing machine; Jackhammer; Vibrators; Paving breakers; Frostproofing

GROUP 5: Any laborers performing bridge work over 40' above the ground or above a floor and working from a bos'n chair, swinging stage, life belt or block and tackle

GROUP 6: Gunniting and shotcrete helpers; Caissons over 12'; Cofferdams; Timbermen; Underpinning and shoring; Form setters and/or stringman on roads, highways, streets and airport runways; Distributor; Placing and hooking of landing mats; Bull float (hand operated) and center expansion machines; Sandblasters; Grade checkers if required by employer

GROUP 7: Powdermen and blasters; Gunnite nozzlemen; Shotcrete operator

GROUP 8: Pipelayer on truck pipe lines in connection with highway work

GROUP 9: Wagon drills and air tracks; Jackhammer operators in caissons over 12'; Bellers and stemmen; Licensed powdermen; Diamond and core drills powered by air

GROUP 10: Any work, other than on bridges, performed by laborers working from a bos'n chair, swinging stage, life belt or block and tackle as a safety requirement

All mainline sewers; Water mains; Gas, oil or any product pipelines; Penstocks; Siphons or drainage lines; Pipe plants and yards not in connection with highway construction.

GROUP 1: Pipe plants and yards; Stringing of pipe or skids; Handling and signaling on line work

GROUP 2: Potman (not mechanical); Pipewrapper, Dopers, Jeep Holiday Detector Men, Bandage makers, Powdermen helpers

GROUP 3: Laborers working in trenches on all pipelines; Sewer, water, gas, oil, telephone conduit, pen stock, siphons, drainage lines, caulkers, yarners, fine graders, air, gas, electric and hydraulic tools, boring machines, hydraulic jacks, drills, tampers, etc.

GROUP 4: Sandblaster, powdermen and blasters, wiping of joint concrete pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

GROUP 5: (Relining Pipe)
Relining Pipe

GROUP 5-A: Mixer man

GROUP 6: Pipelayer

LABORERS (TUNNELS):

Group 1: Outside laborers

Group 2: Minimum tunnel labor, dry house man

Group 3: Cable or hose tenders, chuck tenders, concrete laborers, dumpman, whirley pumps operators

Group 4: Helpers on shotcrete, gunniting and sandblasting; Helpers, core and diamond drills; Pot tender

Group 5: Cement finisher helper, applying of concrete processing materials

Group 6: Callapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required) and all cutting and welding that is incidental to the miner's work; Tunnel liner plate setters; Vibrator men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and core drills; Cement finisher (underground); Shotcrete operator; Gunnite nozzlemen; Sandblaster; Pump concrete placement men

(SHAFTS, RAISES, MISSILE SILOS AND ALL UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen, and Cagers

Group 2: Chucktenders, Concrete laborers, Whirley pumps operators

Group 3: Helpers on shotcrete, gunniting and sandblasting; Helpers on core and diamond drills; Pot tenders; Cement finisher helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, miners, machinemen and bit grinders, nippers, powdermen and blasters, reinforcing steel setters, timbermen (steel or wood tunnel support, incl. the placement of sheeting when required); All cutting and welding that is incidental to the miner's work; Liner plate setters; Vibrator men, internal and external

Group 5: Diamond and core drill; Cement finisher (underground); Gunnite nozzlemen; Shotcrete operators; Sandblasters and pump concrete placement men

Group 6: Any employee performing work under ground from a bos'n chair, swinging stage, life belt or block and tackle

POWER EQUIPMENT OPERATORS

(Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$6.05	.37	.55	.30	.03
Group 2	6.40	.37	.55	.30	.03
Group 3	6.75	.37	.55	.30	.03
Group 4	6.90	.37	.55	.30	.03
Group 5	7.05	.37	.55	.30	.03
Group 6	7.20	.37	.55	.30	.03
(For work in Tunnels, Shafts, and Raises)					
Brakeman	6.20	.37	.55	.30	.03
Motorman	6.55	.37	.55	.30	.03
Compressor (900 CFM and over), serving tunnels, shafts and raises	6.65	.37	.55	.30	.03
Air tractors; Grout machine; Gunnite machine; Jumbo form; Mechanic; Welder	6.90	.37	.55	.30	.03
Concrete placement pumps 8" and over discharge; Mechanic-welder (heavy duty); Mucking machine and front end loaders underground; Slusher	7.05	.37	.55	.30	.03
Mole	7.45	.37	.55	.30	.03

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Asphalt screed; Brakeman; Drill operator, smaller than William MF and similar; Helper to heavy duty mechanic and/or Welder; Tractor operator (under 70 HP), with or without attachments; Oiler

Group 2: Air compressor; Ditch witch trenching machine and similar; Equipment lubricating and service engineer; Fork lift; Haulage motorman; Operators of five or more light plants, welding machines, compressors 360 C.F.M. or less, pumps, generators; Pugmill operator; Pugmill; Pumps; Portable screening plant with or without a spray bar; Screening plants - with classifier; Self-propelled rollers - 5 tons & under; Vacuum well point system

Group 3: Asphalt plant; Backfiller; Bituminous spreader or laydown machine; Cableway signalman; Caissons drill; (William MF, similar and larger; C.M.I. and similar; Concrete finish machine; Concrete gang saws on concrete paving; Concrete mixer (less than 1 yd.); Concrete placement pumps (under 8 in.); Conveyor (handling building materials); Distributors, bituminous surfaces; Drill, (diamond or core); Drills rigs (rotary, churn or cable tool); Elevating graders; Engineer fireman; Fireman of tank heater, Road; Grout machine; Gunnite machine; Hoists (1 drum); Loader (Barber Greene, etc.); Loader (up to and including 6 cu. yds.); Machine doctor mechanic; Motor grader (blade); Road stabilization machine; Roller-self-propelled-all types over 5 tons; Sandblasting machine; Single unit portable crusher-with or without washer; Tile tamper, Wheel mounted; Tractor (70 h.p. & over) (with or without attachments); Trenching machine; Welder; Winch op., on truck; Concrete batching plants

Group 4: Concrete mixer (over 1 cu. yd.); Concrete paver 34 E or similar; Concrete placement pumps (8 in. and over); Crane (50 tons and under); Hoists (2 drums); Loader - over 6 cu. yds.; Mechanic-Welder (heavy duty); Mixer-mobile; Multiple unit portable crusher - with or without washer; Pile driver; Fireman; Cable-operated crane, truck mounted, 25 tons and over; Cable operated power shovels, dragline; Clamshell, and backhoes (5 cu. yds. and under); Hydraulic backhoes, 1 1/2 cu. yds. and over); Special utility operator; Self-propelled hydrocrane, Tractor with side boom; Truck mounted hydrocrane; Scraper-single bowl under 40 cu. yds.

Group 5: Crane operator - over 50 tons; Derrick; Electric rail type tower crane; Hoist (3 drum or more); Cable-operated power shovels, draglines, clamshells and backhoes (over 5 cu. yds.); Quad nine and similar push unit; Scraper-all tandem bowls; Scraper-single bowl including pups 40 cu. yd. and over

Group 6: Cableway; Crawler or truck mounted tower crane; Wheel excavator; Climbing tower crane

TRUCK DRIVERS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$5.50	.35	.25	.10	
DUMP TRUCKS, to and including 6 cu. yds.; Sweeper; Flatrack, single axle; Liquid and bulk tankers, single axle; Warehousemen; Washers; Greasermen; Servicemen; Ambulance drivers, if used	5.60	.35	.25	.10	
DUMP TRUCKS, over 6 cu. yds. to and including 12 cu. yds.; Flatrack tandem axle; Battery men; Mechanic helpers; Material checkers; Cardex men; Expeditors; Man haul shuttle truck or bus	5.70	.35	.25	.10	
STRADDLE TRUCK; Lumber carrier; Liquid and bulk tankers, tandem axle	5.75	.35	.25	.10	
FORK LIFT, Fuel truck; Grease truck; Combination fuel and grease; Tiremen	5.80	.35	.25	.10	
DUMP TRUCKS, over 12 cu. yds., to including 19 cu. yds.; Distributor; Cement mixer; Agitator truck to and including 10 cu. yds.; Liquid and bulk tankers, semi or combination	5.85	.35	.25	.10	
MULTI-PURPOSE TRUCK - Specialty and hoisting	5.90	.35	.25	.10	
HIGH BOY; Lowboy; Floats; Semi; Cab operated distributor-Semi; Liquid and bulk tankers, euclid, electric or similar; Dumptor, Youngbuggy, Jumbo and similar type equipment	5.95	.35	.25	.10	
MECHANICS	6.00	.35	.25	.10	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DUMP TRUCKS, over 19 cu. yds. to and including 29 cu. yds.; Truck driver snow plow	$6.05	.35	.25	.10	
CEMENT MIXER, Agitator over 10 cu. yds. to and including 15 cu. yds.	6.10	.35	.25	.10	
DUMP TRUCKS, over 29 cu. yds. to and including 39 cu. yds.; Heavy duty diesel mechanics; Body men; Welders or combination men	6.20	.35	.25	.10	
CEMENT MIXER, Agitator over 15 cu. yds.	6.35	.35	.25	.10	
DUMP TRUCKS, over 39 cu. yds. to and including 54 cu. yds.	6.50	.35	.25	.10	
DUMP TRUCKS, over 54 cu. yds. to and including 79 cu. yds.	6.60	.35	.25	.10	
DUMP TRUCKS, over 79 cu. yds. to and including 104 cu. yds.	6.80	.35	.25	.10	
DUMP TRUCKS, over 104 cu. yds.	7.00	.35	.25	.10	

SUPERSEDEDEAS DECISION

AR-3025 P. 2

STATE: Connecticut
DECISION NUMBER: AR-3025
Supersedes Decisions No: AQ-3149 dated March 22, 1974

COUNTY: Fairfield
DATE: Date of Publication in 39 FR 11021.

DESCRIPTION OF WORK: Building (including residential), Heavy and Highway Construction.

1-CONN-1-2-3- U 1 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.12	.55	.53			
Boilermakers	9.08	.60	10%		.01	
Bricklayers, cement masons-finishers, marble setters, plasterers, terrazzo workers, tile setters (Building Only):						
Darien-Stamford	9.05	.48	.25			
Norwalk-New Canaan-Westport Weston-Wilton & Ridgefield	9.25	.50	.50			
Bridgeport-Easton-Fairfield-Monroe-Stratford-Trumbull-Southport	9.40	.35+.15	.50			
Greenwich	9.60	.40	.45			
Remainder of County	9.15	.35+.15	.50			
Marble setters' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	6.93	.63	.66+.75			
Remainder of County	7.65	.35	.15+.25			
Terrazzo workers' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	7.43	.475+.45	.475			
Remainder of County	7.65	.35	.15+.25			
Tile setters' helpers:						
Greenwich-Stamford-Darien-Norwalk-Westport	6.96	.40	.27+1.00			
Remainder of County	7.65	.35	.15+.25			
Bricklayers, cement masons-finishers stonemasons (Heavy & Highway Only):						
Stamford-Darien	8.68	.43	.25	g		
Greenwich	8.60	.40	.45	g		
Remainder of County	7.75	.35	.15	g		
Carpenters, soft floor layers (Building Only):						
Darien-Stamford-New Canaan-Wilton-Ridgefield Norwalk	8.90	.50	.30		.05	
Bridgeport, Easton, Fairfield, Monroe, Stratford, Trumbull, Westport, Weston	9.35	.50	.30	f	.02	
Greenwich	8.88	.45	.35	.50	.02	
Shelton	8.80	.50	.50	i		
Remainder of County	8.85	.45	.30	h		
Carpenters - Piledrivermen (Heavy and Highway Only)	9.10	.45	.30	g		
Electricians:						
Darien-Greenwich-New Canaan-Stamford	9.33	.35	1%+.82	.93	½ of 1%	
Norwalk-Westport-Wilton-Weston	8.20	.33	1%+.20	6%	3/4of1%	
Remainder of County	9.80	.43	1%+.20		½ of 1%	
Remainder of County, Residential	5.30	.43	1%		½ of 1%	

1-CONN-1-2-3- U 2 of 4

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Elevator Constructors	$8.21	.345	.23	2%+a+b	.015	
Elevator Constructors' Helpers	5.75	.345	.23	2%+a+b	.015	
Elevator Constructors' Helpers (Prob.)	4.105					
Glaziers	8.785	.95	.465			
Ironworkers:						
Structural, ornamental, reinforcing	9.30	.55	.74		.04	
Lathers:						
Bethel-Brookfield-Danbury-New Fairfield-Newton-Sherman	8.75	.25	.15		.01	
Norwalk	4.50					
Greenwich-Stamford-New Canaan	8.51	.35	.20	.75	.01	
Remainder of County	8.95	.25	.40		.01	
Lead burners	8.75	.30		c	.01	
Line Construction:						
Darien-Greenwich- New Canaan-Stamford- that portion of Norwalk West of Five Mile River:						
Linemen	8.88	3-3/4%	6.5%+m	10%	½ of 1%	
Cable splicer	8.88	3-3/4%	6.5%+m	10%	½ of 1%	
Driver groundman	8.88	3-3/4%	6.5%+m	10%	½ of 1%	
Remainder of County:						
Linemen	9.41	.35	1%	d	3/8 of 1%	
Equipment operator	8.78	.35	1%	d	3/8 of 1%	
Groundman, truck driver	6.78	.35	1%	d	3/8 of 1%	
Painters:						
Greenwich:						
Brush	7.15	3%	9%	4%		
Structural Steel	7.15	3%	9%	4%		
Bethel-Brookfield-Danbury-Ridgefield-Redding-Sandy Hook-New Fairfield-Newton-Sherman:						
Brush	6.20	.25				
Structural steel	7.20	.25				
Norwalk-Westport-Weston-Wilton:						
Brush	4.50	.10				
Roller	4.80	.10				
Steel	4.75	.10				
New Canaan:						
Brush	4.35	.15				
Roller	4.85	.15				
Shelton-Monroe:						
Brush	4.75	.12		e		
Structural steel	5.75	.12		e		
Spray	5.75	.12		e		
Byram:						
Brush	7.30	.34	.81-6/7			
Structural steel	7.82-6/7	.34	.81-6/7			
Darien-Stamford:						
Brush	7.38	.35	.30			
Structural steel	7.38	.35	.30			
Spray	6.00	.25	.20			

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Painters, Bridge (Entire County):						
Brush	$9.525	.35	.525		.01	
Spray	13.025	.35	.525		.01	
Remainder of County						
Brush	7.40	.35	.55	e		
Structural steel	8.40	.35	.55	e		
Millwrights:						
Norwalk	8.65	.50	.30			
Piledrivermen (Building Only):						
Greenwich	7.55	.35	.20	.50		
Darien-Stamford-New Canaan	8.25	.40	.20		.05	
Bridgeport-Easton-Fairfield-Monroe Stratford-Trumbull	8.45	.50	.30	f		
Norwalk	8.40	.50	.30			
Shelton	8.25	.50	.30	h		
Westport-Weston	8.15	.20	.20	f		
Wilton-Ridgefield	8.25	.40	.20		.05	
Remainder of County	8.15	.20	.20			
Plumbers, Steamfitters:						
Greenwich	9.75	.30	.50		.01	
Bethel-Brookfield-Danbury-New Fairfield-Newton-Redding-Ridgefield-Sherman	8.95	.40	.30	.45		
Stamford-Darien , New Canaan	9.20	.55	.50	.37		
Bridgeport-Easton-Fairfield-Monroe-Shelton-Stratford-Trumbull	9.39	.55	.50	.38	.01	
Remainder of County	8.50	.55	.30	.30		
Roofers:						
Composition, kettlemen	8.75	.60	.30			
Slate	9.00	.60	.30			
Helper (slater)	8.00	.60	.30			
Sheet metal workers	9.71	.44	.29		.02	
Sprinkler fitters	9.46	.50	.70		.08	
Waterproofers	8.75	.60	.30			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E- Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

c. Holidays: A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

d. Holidays: 9 Paid Holidays, A through F; Washington's Birthday and Good Friday, plus one (1) floating holiday per year provided the employee has been employed for a period of ten (10) working days prior to the holiday and works the scheduled work days immediately preceding and following the holiday.

e. Two (2) paid holidays: C and D providing the employee works the day before and the day after the holiday.

f. Holidays: B,C,D, plus Good Friday provided the employee has been employed 14 consecutive days immediately prior to the holiday.

g. Paid Holidays: A through F plus Good Friday.

h. Paid Holidays: C through E.

i. Paid Holidays: C, D and E.

LABORERS: BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers: (Building):					
Laborers, carpenters tenders, wrecking laborers	6.90	.50	.40		.05
Jackhammer op., masons tenders, mortar mixer, pipe layers, plasterer tenders & power buggy	7.15	.50	.40		.05
Air track operators, wagon drill ops. and sandblasters	7.40	.50	.40		.05
Open Air Caisson, Cylindrical Work, and Boring Crew:					
Bottom man	7.40	.50	.40		.05
Top man	6.90	.50	.40		.05
Laborers (Heavy and Highway):					
Laborers	6.90	.50	.40		.05
Asphalt rakers, adzemen, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, riprap and drywall builders, stone spreaders, masons tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected there with	7.15	.50	.40		.05
Air track operators, block pavers, rammers, curb setters	7.40	.50	.40		.05
Powdermen and blasters	7.65	.50	.40		.05

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Hoisting Structural Steel, Setting Stone, Derrick, Pile Driver, Hoisting Engineer 2 drums and over	$8.97	.30	.50+a	b		
Tower Crane, Dragline, Gradall, Kohering Scooper Loader and/or Hoe, Hoisting Engineer (all types of equipment where a drum and cable are used to hoist, pull, or drag material regardless of motive power or operation), Front End Loader - 7 cy. or over, Master Mechanic, Shovel, Fork Lift - over 4 ft. lift	8.86	.30	.50+a	b		
Maintenance Engineer	8.76	.30	.50+a	b		
Vibratory Hammer, Front End Loader - 3 cy. up to 7 cy., Coleman Loader and Screening Plant or similar equipment, Welder, Joy Drill - limited to Joy Heavy Weight Champion or equivilent, Mucking Machine, Pumpcrete Machine, Rock Boring Machine, Post Hole Digger, Well Digger, Conveyors - regardless of motive power, High Pressure Portable Boiler, Central Mix Op., Combination Hoe and Loader over 1/4 yd.	8.60	.30	.50+a	b		
Compressor Battery Operator	8.49	.30	.50+a	b		
Asphalt Spreader	8.44	.30	.50+a	b		
Bulldozer, Grader Operator, Scraper Pan Operator, Carry-All Operators	8.39	.30	.50+a	b		
Combination Hoe and Loader Machine, Concrete Mixer Op. - 5 bags or over, Front End Loader under 3 cy., Powerstone Spreader Op.	8.33	.30	.50+a	b		
Air and Steam Valve Operator	8.31	.30	.50+a	b		
Generator Op., Compressor Op., Pump and Well Point Op.	8.21	.30	.50+a	b		
Steam Jenny Op., Fork Lift Op. not over 4 ft.	8.23	.30	.50+a	b		
Mechanical Heater Operator	8.12	.30	.50+a	b		
Roller Operator	8.18	.30	.50+a	b		

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Dinky Machine Operator, Power Pavement Breaker Operator	$8.02	.30	.50+a	b		
Fireman (High Pressure)	7.91	.30	.50+a	b		
Oiler	7.54	.30	.50+a	b		
Crane with boom, excluding Jib, over 150 feet - .25 extra						
Crane with boom, excluding Jib, over 200 feet - .50 extra						

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.

b. Seven (7) paid holidays: A through E and Good Friday.

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Erecting and handling structural steel, front end loader (7 yds. or over)	$ 8.97	.30	.50 + a	b	.05
Piledriver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, kohering loader (skooper)	8.86	.30	.50 +a	b	.05
Drill(Joy heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ¼ yd.)	8.60	.30	.50 +a	b	.05
Asphalt spreader	8.44	.30	.50 +a	b	.05
Front end loader (3yds. or over), grader power stone spreader, combination hoe and loader	8.33	.30	.50 +a	b	.05
Asphalt roller, bulldozer, carryall, maintenance engineer, concrete mixer 5 bags and over	8.18	.30	.50 +a	b	.05
Front end loader (under 3 yds.), roller power chipper fork lift, finishing machine, asphalt plant, power pavement breaker, dinky machine	8.02	.30	.50 +a	b	.05
Compressor, pump opr.	7.83	.30	.50 +a	b	.05
Fireman, high pressure	7.91	.30	.50 +a	b	.05
Well point system	8.21	.30	.50 +a	b	.05
Compressor battery operator	8.49	.30	.50 +a	b	.05
Oiler	7.54	.30	.50 +a	b	.05
Batch plant, bulk cement plant,	7.65	.30	.50 +a	b	.05

SW-CONN-2-3-W (2 of 2)

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Crane with 150 ft. boom - additional $.25 per hour					
Crane with 200 ft. boom - additional $.50 per hour					
PAID HOLIDAYS(Where applicable): A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day					
FOOTNOTE:					
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.					
b. Seven (7) paid holidays: A thru F and Good Friday.					

1-TD-SW-CONN-1-2-3-G

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Two axle trucks	$6.21	a	b	c		
Three axle trucks	6.31	a	b	c		
Four axle trucks	6.41	a	b	c		
Two axle ready-mix	6.31	a	b	c		
Three axle ready-mix	6.36	a	b	c		
Four axle ready-mix	6.46	a	b	c		
Heavy duty trailer-up to 40 tons	6.36	a	b	c		
Heavy duty trailer - 40 tons and over	6.51	a	b	c		
Helpers	6.21	a	b	c		
Specialized earth moving equipment other than conventional type on-the-road trucks and Semi-trailers, including Euclids	6.46	a	b	c		
Paid Holidays (Where applicable);						
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						
Footnotes;						
a. $14.00 per week for employees employed over 16 hours and $.35 per hour for employees employed less than 16 hours during the week.						
b. $20.00 per week for employees employed over 24 hours and $.50 per hour for employees employed less than 24 hours during the week.						
c. Seven (7) holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.						

STATE: Connecticut
DECISION NO.: AR-3026
Supersedes Decision No.: AQ-3166 dated May 3, 1974
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4-stories), heavy and highway construction.

COUNTY: Hartford
DATE: Date of Publication in 39 FR 15616.

2-CONN-1-2-3- U 1 of 3

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers:					
East Granby-Enfield-Granby Hartland Suffield-Windsor Locks	8.45	.44	.45		.01
Remainder of County	9.12	.55	.53		
Boilermakers	9.08	.60	10%		.01
Bricklayers, Cement masons, Finishers, Marble setters, Plasterers, Stone-Masons, Terrazzo workers, tile setters (Building Only):					
Bristol-Plainville	8.70	.35+.15	.25+.17		
Marion	9.41	.50	.55	i	
Berlin-Kensington-New Britain-Newington-Plantsville-Southington	9.15	.50	.50		
Remainder of County	9.60	.50	.25		
Bricklayers, Cement masons, Finishers and Stonemasons (Heavy and Highway)	8.70	.50	.25	g	
Carpenters and Piledrivermen (Heavy and Highway)	9.05	.50	.30	g	
Carpenters, Soft Floor Layers, Pile drivermen (Building Only):				g	
Burlington	8.90	.50	.30		.05
Bristol-Plainville-Canton-Berlin-E. Berlin-Kingston-Newington-New Britain Milldale-Marion-Plantsville-Bloomfield, Marlborough	9.30	.50	.30		.05
Southington	9.35	.50	.30	f	.03
Remainder of County	9.31	.50	.30		.05
Electricians:					
Berlin-Bristol-New Britain-Plainville-Southington-Newington	8.87	.55	1%+.50		½ of 1%
Hartland	8.80	.57	1%+.60		1/8 of 1%
Suffield Township-Thompsonville Village	8.47	.30	1%+.15	.43	
Remainder of County	9.30	.75	1%+.40		½%
Elevator constructors	8.21	.345	.23	2%+b+c	.015
Elevator constructors' helpers	5.75	.345	.23	2%+b+c	.015
Elevator constructors' helpers (Prob.)	4.105				
Glaziers; Outside	8.71	.52	.47		
Ironworkers:					
Structural, ornamental, reinforcing	9.30	.55	.74		.04
Lathers:					
Bristol-Southington	8.75	.25	.15		.01
Enfield-Suffield-Thompsonville-Windsor-Warehouse Pt. Broadbrook-Melrose-Hazardville	7.60	.45	.25		
Remainder of County	9.15	.25	.30		.01
Lead burners	8.75	.30		d	.01
Line Construction:					
Lineman	9.41	.35	1%	e	3/8 of 1%
Groundman-truck driver	6.78	.35	1%	e	3/8 of 1%
Equipment operator	8.78	.35	1%	e	3/8 of 1%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Marble & tile setters' terrazzo workers' helpers	$7.65	.35	.15+.25		
Millwrights:					
Bristol-Plainville-Canton	8.12	.35	.20		
Painters:					
Berlin-Bristol-Burlington-Hartland-New Britain-Newington-Plainville-Southington-Kensington-Forestville-E-Berlin-Milldale-Plantsville-Unionville:					
Brush	7.90	.55	.30		
Spray	11.21	.55	.30		
Painters Bridge: (Entire County)					
Brush	9.525	.35	.525		.01
Spray	13.025	.35	.525		.01
Remainder of County:					
Brush	8.10	.50	.30		
Spray	11.10	.50	.30		
Piledrivermen (Building Only):					
Marlboro	8.12	.35	.20		
Plumbers:					
Southington	9.45	.55	.30	h	
Berlin-Bristol-New Britain-Plainville-E. Berlin-Kensington-Newington-Farmington	9.45	.55	.50		
Remainder of County	8.87	.5322	.5322	h	.20
Roofers:					
Composition	8.50	.425	.55	.40	
Slate, Tile, Precast Concrete	9.00	.425	.55	.40	
Sheet Metal Workers	9.20	.50	.51		.05
Sprinkler fitters	9.46	.50	.70		.05
Steamfitters:					
Southington	6.00	.15	.20		
Berlin-Bristol-New Britain-Plainville	9.05	.30	.30		
Remainder of County	9.30	.57	.57		.13
Waterproofers	8.50	.425	.55	.40	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

2-CONN-1-2-3-U 3 of 3

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. $.30 per man per week.

b. Employer contibutes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F.

d. Holidays: A through F, Washington's Birthday and Good Friday, and Christmas Eve, provided the employee has worked at least 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days preceding & following the holiday.

e. Nine (9) Paid Holidays: A through F, Washington's Birthday and Good Friday plus one (1) floating holiday per year provided the employee has been employed for a period of ten (10) working days prior to the holiday and works the scheduled work days immediately preceding and following the holiday.

f. Paid Holidays: B through F.

g. Paid Holidays: A through F and Good Friday.

h. Paid Holiday: D

i. Paid Holidays: C and D.

CONN-SW-LAB-C

LABORERS: BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: (Building):						
Laborers, carpenters tenders, wrecking laborers	6.90	.50	.40		.05	
Jackhammer op., masons tenders, mortar mixer, pipe layers, plasterer tenders & power buggy	7.15	.50	.40		.05	
Air track operators, wagon drill ops. and sandblasters	7.40	.50	.40		.05	
Open Air Caisson, Cylindrical Work and Boring Crew:						
Bottom man	7.40	.50	.40		.05	
Top man	6.90	.50	.40		.05	
Laborers (Heavy and Highway):						
Laborers	6.90	.50	.40		.05	
Asphalt rakers, adzemen, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, riprap and drywall builders, stone spreaders, masons tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected there with	7.15	.50	.40		.05	
Air track operators, block pavers, rammers, curb setters	7.40	.50	.40		.05	
Powdermen and blasters	7.65	.50	.40		.05	

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Hoisting Structural Steel, Setting Stone, Derrick, Pile Driver, Hoisting Engineer 2 drums and over	$8.97	.30	.50+a	b		
Tower Crane, Dragline, Gradall, Kohering Scooper Loader and/or Hoe, Hoisting Engineer (all types of equipment where a drum and cable are used to hoist, pull, or drag material regardless of motive power or operation), Front End Loader - 7 cy. or over, Master Mechanic, Shovel, Fork Lift - over 4 ft. lift	8.86	.30	.50+a	b		
Maintenance Engineer	8.76	.30	.50+a	b		
Vibratory Hammer, Front End Loader - 3 cy. up to 7 cy., Coleman Loader and Screening Plant or similar equipment, Welder, Joy Drill - limited to Joy Heavy Weight Champion or equivilent, Mucking Machine, Pumpcrete Machine, Rock Boring Machine, Post Hole Digger, Well Digger, Conveyors - regardless of motive power, High Pressure Portable Boiler, Central Mix Op., Combination Hoe and Loader over 1/4 yd.	8.60	.30	.50+a	b		
Compressor Battery Operator	8.49	.30	.50+a	b		
Asphalt Spreader	8.44	.30	.50+a	b		
Bulldozer, Grader Operator, Scraper Pan Operator, Carry-All Operators	8.39	.30	.50+a	b		
Combination Hoe and Loader Machine, Concrete Mixer Op. - 5 bags or over, Front End Loader under 3 cy., Powerstone Spreader Op.	8.33	.30	.50+a	b		
Air and Steam Valve Operator	8.31	.30	.50+a	b		
Generator Op., Compressor Op., Pump and Well Point Op.	8.21	.30	.50+a	b		
Steam Jenny Op., Fork Lift Op. not over 4 ft.	8.23	.30	.50+a	b		
Mechanical Heater Operator	8.12	.30	.50+a	b		
Roller Operator	8.18	.30	.50+a	b		

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Dinky Machine Operator, Power Pavement Breaker Operator	$8.02	.30	.50+a	b		
Fireman (High Pressure)	7.91	.30	.50+a	b		
Oiler	7.54	.30	.50+a	b		
Crane with boom, excluding Jib, over 150 feet - .25 extra						
Crane with boom, excluding Jib, over 200 feet - .50 extra						

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.
b. Seven (7) paid holidays: A through E and Good Friday.

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Erecting and handling structural steel, front end loader (7 yds. or over)	$ 8.97	.30	.50 + a	b	.05	
Piledriver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, kohering loader (skopper)	8.86	.30	.50 +a	b	.05	
Drill(Joy heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ¾ yd.)	8.60	.30	.50 +a	b	.05	
Asphalt spreader	8.44	.30	.50 +a	b	.05	
Front end loader (3yds. or over), grader power stone spreader, combination hoe and loader	8.33	.30	.50 +a	b	.05	
Asphalt roller, bulldozer, carryall, maintenance engineer, concrete mixer 5 bags and over	8.18	.30	.50 +a	b	.05	
Front end loader (under 3 yds.), roller power chipper fork lift, finishing machine, asphalt plant, power pavement breaker, dinky machine	8.02	.30	.50 +a	b	.05	
Compressor, pump opr.	7.83	.30	.50 +a	b	.05	
Fireman, high pressure	7.91	.30	.50 +a	b	.05	
Well point system	8.21	.30	.50 +a	b	.05	
Compressor battery operator	8.49	.30	.50 +a	b	.05	
Oiler	7.54	.30	.50 +a	b	.05	
Batch plant, bulk cement plant,	7.65	.30	.50 +a	b	.05	

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Crane with 150 ft. boom - additional $.25 per hour						
Crane with 200 ft. boom - additional $.50 per hour						
PAID HOLIDAYS(Where applicable): A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day						
FOOTNOTE:						
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.						
b. Seven (7) paid holidays: A thru F and Good Friday.						

1-TD-SW-CONN-1-2-3-G

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Two axle trucks	$6.21	a	b	c		
Three axle trucks	6.31	a	b	c		
Four axle trucks	6.41	a	b	c		
Two axle ready-mix	6.31	a	b	c		
Three axle ready-mix	6.36	a	b	c		
Four axle ready-mix	6.46	a	b	c		
Heavy duty trailer-up to 40 tons	6.36	a	b	c		
Heavy duty trailer - 40 tons and over	6.51	a	b	c		
Helpers	6.21	a	b	c		
Specialized earth moving equipment other than conventional type on-the-road trucks and Semi-trailers, including Euclids	6.46	a	b	c		
Paid Holidays (Where applicable);						
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						
Footnotes;						
a. $14.00 per week for employees employed over 16 hours and $.35 per hour for employees employed less than 16 hours during the week.						
b. $20.00 per week for employees employed over 24 hours and $.50 per hour for employees employed less than 24 hours during the week.						
c. Seven (7) holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.						

SUPERSEDEAS DECISION

STATE: Connecticut
COUNTY: Middlesex
DECISION NO.: AR-3028
DATE: Date of Publication
Supersedes Decision No. AQ-3097, dated February 15, 1974, in 39 FR 5962
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

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BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacction	App. Tr.
Asbestos workers	$9.12	.55	.53		
Boilermakers	9.08	.60	10%		.01
Bricklayers, Cement Masons-Finishers, Marble Setters, Plasterers, Stonemasons, Terrazzo workers, Tile Setters (Building Only)	8.85	.35+.15	.25		
Marble Setters' Helpers, Terrazzo Workers' Helpers, Tile Setters Helpers	7.65	.35	.15+.25		
Bricklayers, Cement Masons-Finishers, Stonemasons (Heavy & Highway Only)	8.45	.50	.50	e	
Carpenters & Piledrivermen (Hvy & Hwy)	9.05	.50	.30	e	
Carpenters, Soft Floor Layers Bldg. Only)	9.30	.50	.30		.05
Electricians:					
Cromwell, Middlefield, Middletown, Portland	9.30	.75	1%+.40		1%
Remainder of County	9.26	.70	1%+.40		1%
Elevator Constructors	8.21	.345	.23	2%+a+b	.015
Elevator Constructors' helpers	5.75	.345	.23	2%+a+b	.015
Elevator Constructors' helpers (Prob.)	4.105				
Glaziers (Outside)	8.71	.52	.47		
Ironworkers: Structural, Ornamental and Reinforcing	9.30	.55	.74		.04
Lathers:					
Cromwell, East Haddam, East Hampton, Middlefield, Middletown, Portland	9.15	.25	.30		.01
Remainder of County	8.92	.25	.30		.01
Lead Burners	8.75	.30		c	.01
Line Construction:					
Lineman	9.41	.35	1%	d	3/8 of 1%
Equipment Operator	8.78	.35	1%	d	3/8 of 1%
Groundman, Truck Driver	6.78	.35	1%	d	3/8 of 1%
Painters:					
Brush	7.60	.50	.30		
Spray	10.87	.50	.20		
Painters: Bridge					
Brush	9.525	.35	.525		.01
Srpay	13.025	.35	.525		.01
Piledrivermen (Building Only)	8.12	.35	.20		
Plumbers and Steam fitters:					
Clinton, Westbrook, Killingworth	8.90	.55	.30	f	
Essex, Old Saybrook, Ivoryton, Saybrook	8.75	.20	.20		
Remainder of County, Plumbers	8.87	.5322	.5322		.20
Remainder of County, Steamfitters	9.30	.57	.57		.13

4-CONN-1-2-3-Q 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Roofers:					
Composition	8.50	.425	.55	.40	
Slate, Tile Precast Concrete	9.00	.425	.55	.40	
Waterproofers	8.50	.425	.55	.40	
Sheet Metal Workers	9.20	.50	.51		.05
Sprinkler fitters	9.46	.50	.70		.08

Welders receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Paid Holidays: A through F.

c. Nine (9) paid holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked at least 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Nine (9) paid holidays: A through F, Washington's Birthday and Good Friday plus one (1) floating holiday per year, provided the employee has been employed for at least 10 working days prior to the holiday and works the scheduled work days immediately preceding and following the holiday.

e. Paid Holidays: A through F plus Good Friday.

f. 2 Paid Holidays: C & D and ½ day Paid Holiday the Friday after Thanksgiving

LABORERS: BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: (Building):						
Laborers, carpenters tenders, wrecking laborers	6.90	.50	.40		.05	
Jackhammer op., masons tenders, mortar mixer, pipe layers, plasterer tenders & power buggy	7.15	.50	.40		.05	
Air track operators, wagon drill ops. and sandblasters	7.40	.50	.40		.05	
Open Air Caisson, Cylindrical Work and Boring Crew:						
Bottom man	7.40	.50	.40		.05	
Top man	6.90	.50	.40		.05	
Laborers (Heavy and Highway):						
Laborers	6.90	.50	.40		.05	
Asphalt rakers, adzemen, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, riprap and drywall builders, stone spreaders, masons tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected there with	7.15	.50	.40		.05	
Air track operators, block pavers, rammers, curb setters	7.40	.50	.40		.05	
Powdermen and blasters	7.65	.50	.40		.05	

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Hoisting Structural Steel, Setting Stone, Derrick, Pile Driver, Hoisting Engineer 2 drums and over	$8.97	.30	.50+a	b		
Tower Crane, Dragline, Gradall, Kohering Scooper Loader and/or Hoe, Hoisting Engineer (all types of equipment where a drum and cable are used to hoist, pull, or drag material regardless of motive power or operation), Front End Loader - 7 cy. or over, Master Mechanic, Shovel, Fork Lift - over 4 ft. lift	8.86	.30	.50+a	b		
Maintenance Engineer	8.76	.30	.50+a	b		
Vibratory Hammer, Front End Loader - 3 cy. up to 7 cy., Coleman Loader and Screening Plant or similar equipment, Welder, Joy Drill - limited to Joy Heavy Weight Champion or equivilent, Mucking Machine, Pumpcrete Machine, Rock Boring Machine, Post Hole Digger, Well Digger, Conveyors - regardless of motive power, High Pressure Portable Boiler, Central Mix Op., Combination Hoe and Loader over 1/4 yd.	8.60	.30	.50+a	b		
Compressor Battery Operator	8.49	.30	.50+a	b		
Asphalt Spreader	8.44	.30	.50+a	b		
Bulldozer, Grader Operator, Scraper Pan Operator, Carry-All Operators	8.39	.30	.50+a	b		
Combination Hoe and Loader Machine, Concrete Mixer Op. - 5 bags or over, Front End Loader under 3 cy., Powerstone Spreader Op.	8.33	.30	.50+a	b		
Air and Steam Valve Operator	8.31	.30	.50+a	b		
Generator Op., Compressor Op., Pump and Well Point Op.	8.21	.30	.50+a	b		
Steam Jenny Op., Fork Lift Op. not over 4 ft.	8.23	.30	.50+a	b		
Mechanical Heater Operator	8.12	.30	.50+a	b		
Roller Operator	8.18	.30	.50+a	b		

SW-CONN-1-R

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Dinky Machine Operator, Power Pavement Breaker Operator	$8.02	.30	.50+a	b		
Fireman (High Pressure)	7.91	.30	.50+a	b		
Oiler	7.54	.30	.50+a	b		
Crane with boom, excluding Jib, over 150 feet - .25 extra						
Crane with boom, excluding Jib, over 200 feet - .50 extra						

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.

b. Seven (7) paid holidays: A through F and Good Friday.

SW-CONN-2-3-W (1 of 2)

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Erecting and handling structural steel, front end loader (7 yds. or over)	$ 8.97	.30	.50 + a	b	.05	
Piledriver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, kohering loader (skooper)	8.86	.30	.50 +a	b	.05	
Drill(Joy heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ¾ yd.)	8.60	.30	.50 +a	b	.05	
Asphalt spreader	8.44	.30	.50 +a	b	.05	
Front end loader (3yds. or over), grader power stone spreader, combination hoe and loader	8.33	.30	.50 +a	b	.05	
Asphalt roller, bulldozer, carryall, maintenance engineer, concrete mixer 5 bags and over	8.18	.30	.50 +a	b	.05	
Front end loader (under 3 yds.), roller power chipper fork lift, finishing machine, asphalt plant, power pavement breaker, dinky machine	8.02	.30	.50 +a	b	.05	
Compressor, pump opr.	7.83	.30	.50 +a	b	.05	
Fireman, high pressure	7.91	.30	.50 +a	b	.05	
Well point system	8.21	.30	.50 +a	b	.05	
Compressor battery operator	8.49	.30	.50 +a	b	.05	
Oiler	7.54	.30	.50 +a	b	.05	
Batch plant, bulk cement plant,	7.65	.30	.50 +a	b	.05	

SW-CONN-2-3-W (2 of 2)

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Crane with 150 ft. boom - additional $.25 per hour						
Crane with 200 ft. boom - additional $.50 per hour						
PAID HOLIDAYS(Where applicable): A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day						
FOOTNOTE:						
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.						
b. Seven (7) paid holidays: A thru F and Good Friday.						

1-TD-SW-CONN-1-2-3-G

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Two axle trucks	$6.21	a	b	c		
Three axle trucks	6.31	a	b	c		
Four axle trucks	6.41	a	b	c		
Two axle ready-mix	6.31	a	b	c		
Three axle ready-mix	6.36	a	b	c		
Four axle ready-mix	6.46	a	b	c		
Heavy duty trailer-up to 40 tons	6.36	a	b	c		
Heavy duty trailer - 40 tons and over	6.51	a	b	c		
Helpers	6.21	a	b	c		
Specialized earth moving equipment other than conventional type on-the-road trucks and Semi-trailers, including Euclids	6.46	a	b	c		
Paid Holidays (Where applicable);						
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						
Footnotes;						
a. $14.00 per week for employees employed over 16 hours and $.35 per hour for employees employed less than 16 hours during the week.						
b. $20.00 per week for employees employed over 24 hours and $.50 per hour for employees employed less than 24 hours during the week.						
c. Seven (7) holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.						

STATE: Connecticut COUNTY: New Haven
DECISION NO.: AR-3029 DATE: Date of Publication
Supersedes Decision No. AQ-3098 dated February 15, 1974, in 39 FR 5966.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4-stories), heavy and highway construction.

5-CONN-1-2-3- U (1-4)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$9.12	.55	.53			
Boilermakers	9.08	.60	10%		.01	
Bricklayers, cement masons-finishers Marble setters, plasterers, stonemasons terrazzo workers, tile setters (Building Only):						
Devon to the Orange Town Line and the Indian River in Milford	9.40	.35+.15	.50			
Ansonia-Derby	8.62	.50	.50	n		
Meriden	9.15	.50	.50			
Beacon Falls-Middlebury-Mixville-Naugatuck-Prospect-Waterbury-Marion-Wolcott-Thomaston-Woodbury	9.41	.35+.15	.55	m		
Remainder of County	9.25	.35+.15	.50			
Bricklayers, cement masons-finishers, stonemasons (Heavy & Highway Only):						
Milford	8.50	.50	.50	h		
Remainder of County	8.45	.50	.50	h		
Carpenters, soft floor layers, millwrights, piledrivermen (building only):						
Ansonia, Seymour, Derby, Orange	8.80	.50	.50	j		
Milford and that part of Orange from Orange Center Road west to Milford and the Oyster River	9.35	.50	.30	f		
Wallingford-Meriden	9.30	.50	.30		.05	
Cheshire-Middlebury-Prospect-Southbury-Waterbury-Wolcott-Beacon Falls-Naugatuck-Bethany	9.35	.50	.30	g	.03	
Remainder of County	9.30	.50	.30			
Carpenters, Piledrivermen (Heavy & Highway Only)	9.05	.50	.30	h		
Electricians:						
Beacon Falls-Middlebury-Naugatuck-Oxford-Prospect-Seymour-Southbury-Waterbury-Wolcott	8.80	.57	1%+.60		1/8 of 1%	
Milford	9.80	.43	1%+.20		½ of 1%	
Remainder of County	9.26	.70	1%+.40		½ of 1%	
Elevator Constructors	8.21	.345	.23	2%+a+b	.015	
Elevator Constructors' helpers	5.75	.345	.23	2%+a+b	.015	
Elevator Constructors' helpers (Prob.)	4.105					
Glaziers	8.785	.95	.465			
Glaziers (Wallingford)	8.71	.52	.47			
Ironworkers:						
Structural, Ornamental & Reinforcing	9.30	.55	.74		.04	

5-CONN-1-2-3- U (2-4)

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Lathers:						
Beacon Falls-Bethany-Cheshire-Meriden-Middlebury-Naugatuck-Oxford-Prospect-Southbury-Waterbury-Wolcott	8.75	.25	.15		.01	
Remainder of County	8.92	.25	.30		.01	
Lead Burners	8.75	.30		c	.01	
Line Construction:						
Linemen	9.41	.35	1%	d	3/8 of 1%	
Equipment operator	8.78	.35	1%	d	3/8 of 1%	
Groundman, truck driver	6.78	.35	1%	d	3/8 of 1%	
Marble setters' helpers, terrazzo workers' helpers, tile setters' helpers	7.65	.35	.15+.25			
Painters:						
Brush:						
Ansonia-Beacon Falls-Derby-Oxford-Seymour	4.75	.12		e		
Milford (Remainder of Township)	7.00	.35	.55	e		
Cheshire-Guilford-Madison-Meridan-Wallingford	7.60	.50	.30			
Milford (Up to Gulf Street)	7.70	.35	.40		.02	
Remainder of County	8.20	.35	.40		.02	
Structural Steel:						
Ansonia-Beacon Falls-Derby-Oxford-Seymour	5.75	.12		e		
Milford	8.00	.35	.55	e		
Spray:						
Ansonia-Beacon Falls-Derby-Oxford-Seymour	5.75	.12		e		
Cheshire-Guilford-Madison-Meriden Wallingford	10.875	.50	.20			
Milford (Up to Gulf Street)	10.30	.35	.40		.02	
Remainder of County	10.80	.35	.40		.02	
Commerical & Industrial:						
Middlebury-Naugatuck-Prospect-Roxbury-Southbury-Waterbury-Wolcott	7.10	.35	.30			
Bridge: (Entire County)						
Brush	9.525	.35	.525		.01	
Spray	13.025	.35	.525		.01	
Plumbers & Steamfitters:						
Milford	9.39	.55	.50	.38	.01	
Ansonia-Beacon Falls-Bethany-Naugatuck-Oxford-Prospect-Seymour	9.05	.55	.50	2%+p	.07	
Middlebury-Southbury-Waterbury-Wolcott-South Britain	8.32	.55+.08	.50	.48+0	.08	
Cheshire-Meriden-Wallingford	9.45	.55	.30	k	.02	
Remainder of County	8.90	.55	.30	l		
Roofers:						
Cheshire-Meriden-Prospect-Wallingford-Wolcott:						
Composition	8.50	.425	.55	.40		
Slate and tile	9.00	.425	.55	.40		

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Roofers (Cont'd)						
Remainder of County:						
Composition, Kettlemen	8.75	.60	.30			
Slate and Tile	9.00	.60	.30			
Slate helpers	8.00	.60	.30			
Sheet Metal workers	9.20	.50	.51		.05	
Sprinkler fitters	9.46	.50	.70		.08	
Waterproofers:						
Cheshire-Meriden-Prospect-Wallingford-Wolcott	8.50	.425	.55	.40		
Remainder of County	8.75	.60	.30			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Paid Holidays: A through F.

c. Paid Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 full days during the 120 calendar days prior to the Holiday, and the regular scheduled work days immediately preceding and following the Holiday.

d. Nine (9) Paid Holidays: A through F, Washington's Birthday and Good Friday, plus one (1) floating holiday per year, provided the employee has been employed for a period of 10 working days prior to the holiday and works the scheduled work days immediately preceding and following the holiday.

e. Paid Holidays: C and D; providing the employee works the day before and the day after the holiday.

FOOTNOTES (Cont'd):

f. Paid Holidays: B through D, plus Good Friday, provided the employee has been employed 14 consecutive days immediately prior to the holiday.

g. Paid Holidays: B through E.

h. Paid Holidays: A through F, plus Good Friday.

j. Paid Holidays: C, D and E.

k. Paid Holidays: Labor Day.

l. 2 Paid Holidays C and D and ½ day paid holiday the Friday after Thanksgiving

m. Paid Holidays C and D.

n. Paid Holidays: D and Good Friday.

o. Paid Holidays B and D and ½ day paid holiday the Friday after Thanksgiving and the last working day before Christmas.

p. Paid Holidays: Last working day before Christmas Day; last working day before New Year's Day and Labor Day.

CONN-SW-LAB-C

LABORERS: BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers: (Building):						
Laborers, carpenters tenders, wrecking laborers	6.90	.50	.40		.05	
Jackhammer op., masons tenders, mortar mixer, pipe layers, plasterer tenders & power buggy	7.15	.50	.40		.05	
Air track operators, wagon drill ops. and sandblasters	7.40	.50	.40		.05	
Open Air Caisson, Cylindrical Work and Boring Crew:						
Bottom man	7.40	.50	.40		.05	
Top man	6.90	.50	.40		.05	
Laborers (Heavy and Highway):						
Laborers	6.90	.50	.40		.05	
Asphalt rakers, adzemen, bracers, burners, concrete and power buggy operators, concrete saw op., chain saw op., fence and guard rail erectors, form setters, mortar mixers, pipelayers, riprap and drywall builders, stone spreaders, masons, tenders, pneumatic drill operators, tool operators, wagon drill op., tree trimmers, tree toppers, mulchers, chippers, stumpers & all operations connected there with	7.15	.50	.40		.05	
Air track operators, block pavers, rammers, curb setters	7.40	.50	.40		.05	
Powdermen and blasters	7.65	.50	.40		.05	

SW-CONN-1-R

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Hoisting Structural Steel, Setting Stone, Derrick, Pile Driver, Hoisting Engineer 2 drums and over	$8.97	.30	.50+a	b		
Tower Crane, Dragline, Gradall, Kohering Scooper Loader and/or Hoe, Hoisting Engineer (all types of equipment where a drum and cable are used to hoist, pull, or drag material regardless of motive power or operation), Front End Loader - 7 cy. or over, Master Mechanic, Shovel, Fork Lift - over 4 ft. lift	8.86	.30	.50+a	b		
Maintenance Engineer	8.76	.30	.50+a	b		
Vibratory Hammer, Front End Loader - 3 cy. up to 7 cy., Coleman Loader and Screening Plant or similar equipment, Welder, Joy Drill - limited to Joy Heavy Weight Champion or equivilent, Mucking Machine, Pumpcrete Machine, Rock Boring Machine, Post Hole Digger, Well Digger, Conveyors - regardless of motive power, High Pressure Portable Boiler, Central Mix Op., Combination Hoe and Loader over 1/4 yd.	8.60	.30	.50+a	b		
Compressor Battery Operator	8.49	.30	.50+a	b		
Asphalt Spreader	8.44	.30	.50+a	b		
Bulldozer, Grader Operator, Scraper Pan Operator, Carry-All Operators	8.39	.30	.50+a	b		
Combination Hoe and Loader Machine, Concrete Mixer Op. - 5 bags or over, Front End Loader under 3 cy., Powerstone Spreader Op.	8.33	.30	.50+a	b		
Air and Steam Valve Operator	8.31	.30	.50+a	b		
Generator Op., Compressor Op., Pump and Well Point Op.	8.21	.30	.50+a	b		
Steam Jenny Op., Fork Lift Op. not over 4 ft.	8.23	.30	.50+a	b		
Mechanical Heater Operator	8.12	.30	.50+a	b		
Roller Operator	8.18	.30	.50+a	b		

SW-CONN-1-R

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Dinky Machine Operator, Power Pavement Breaker Operator	$8.02	.30	.50+a	b		
Fireman (High Pressure)	7.91	.30	.50+a	b		
Oiler	7.54	.30	.50+a	b		
Crane with boom, excluding Jib, over 150 feet - .25 extra						
Crane with boom, excluding Jib, over 200 feet - .50 extra						

PAID HOLIDAYS (Where applicable):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.

b. Seven (7) paid holidays: A through E and Good Friday.

SW-CONN-2-3-W (1 of 2)

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Erecting and handling structural steel, front end loader (7 yds. or over)	$ 8.97	.30	.50 + a	b	.05
Piledriver, crane shovel, dragline, gradall, trenching machine, lighter derrick, paver (concrete), derrick (stiff leg and guy), steel pile sheeting, kohering loader (skooper)	8.86	.30	.50 +a	b	.05
Drill(Joy heavy weight champion or equivalent) side boom, loader (Euclid) mucking machine, pumpcrete, rock and earth boring machine post and well digger compressor (battery operated), hammer (vibratory), central mix operator, combination hoe & loader (over ½ yd.)	8.60	.30	.50 +a	b	.05
Asphalt spreader	8.44	.30	.50 +a	b	.05
Front end loader (3yds. or over), grader power stone spreader, combination hoe and loader	8.33	.30	.50 +a	b	.05
Asphalt roller, bulldozer, carryall, maintenance engineer, concrete mixer 5 bags and over	8.18	.30	.50 +a	b	.05
Front end loader (under 3 yds.), roller power chipper fork lift, finishing machine, asphalt plant, power pavement breaker, dinky machine	8.02	.30	.50 +a	b	.05
Compressor, pump opr.	7.83	.30	.50 +a	b	.05
Fireman, high pressure	7.91	.30	.50 +a	b	.05
Well point system	8.21	.30	.50 +a	b	.05
Compressor battery operator	8.49	.30	.50 +a	b	.05
Oiler	7.54	.30	.50 +a	b	.05
Batch plant, bulk cement plant,	7.65	.30	.50 +a	b	.05

SW-CONN-2-3-G (2 of 2)

POWER EQUIPMENT OPERATORS HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Crane with 150 ft. boom - additional $.25 per hour					
Crane with 200 ft. boom - additional $.50 per hour					
PAID HOLIDAYS(Where applicable): A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day					
FOOTNOTE:					
a. Employer contributes $.15 per hour to Supplemental Unemployment Fund.					
b. Seven (7) paid holidays: A thru F and Good Friday.					

1-TD-SW-CONN-1-2-3-G

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Two axle trucks	$6.21	a	b	c		
Three axle trucks	6.31	a	b	c		
Four axle trucks	6.41	a	b	c		
Two axle ready-mix	6.31	a	b	c		
Three axle ready-mix	6.36	a	b	c		
Four axle ready-mix	6.46	a	b	c		
Heavy duty trailer-up to 40 tons	6.36	a	b	c		
Heavy duty trailer - 40 tons and over	6.51	a	b	c		
Helpers	6.21	a	b	c		
Specialized earth moving equipment other than conventional type on-the-road trucks and Semi-trailers, including Euclids	6.46	a	b	c		
Paid Holidays (Where applicable);						
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.						
Footnotes;						
a. $14.00 per week for employees employed over 16 hours and $.35 per hour for employees employed less than 16 hours during the week.						
b. $20.00 per week for employees employed over 24 hours and $.50 per hour for employees employed less than 24 hours during the week.						
c. Seven (7) holidays: A through F, and Good Friday provided the employee has 31 calendar days service and is available for work the day preceding and following the holiday.						

STATE: Michigan
DECISION NO. AR-3001
COUNTY: Allegan
DATE: Date of Publication
Supersedes Decision No. AQ-3049 dated December 21, 1973 in 38 FR 35145
DESCRIPTION OF WORK: Building Construction (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Construction.

PAID HOLIDAYS (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Per week per each employee.

b. Nine paid holidays, A through F plus Washington's Birthday, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$7.95	.44	.95		.01
Boilermakers	8.83	.60	1.00	1.00	.01
Bricklayers & Stonemasons:					
Northwest 2/3 upper ½ of County	7.57	.25	.50		
Northeast 1/3 of County	7.70	.25	.25		.04
Southeast 1/3 lower ½ of County	8.50	.35	.35		.09
Carpenters	7.20	.45	.40		.01
Piledrivermen	8.15	.45	.40		.01
Cement masons	7.10	.32	.18		.02
Electricians:					
Laketon, Filmore. Overisel, Salem, Door & Leighton Townships	8.17	.30	.15+.08		.01
Remainder of County	8.65	.30	7.5%		.01
Glaziers (north ½ of county)	6.75	.28	.20		
Glaziers (South ½ of county)	5.91	.07			.07
Ironworkers, structural & ornamental & reinforcing	8.35	.50	.50		.03
Lathers	7.65	.44	.10	.50	.01
Leadburners	8.75	.30		b	.01
Painters:					
Brush & pan roller	6.90		.20		
Swing stage, structural steel	7.55		.20		
Spray & mechanical pressure roller	7.60		.20		
Piledrivermen (Marine Construction)	6.80	.35	.40		.01
Plasterers	8.54	.32	.18		.03
Plumbers & Steamfitters:					
Northern part of County	7.85	.33	.35		.04
Southern part of County	9.00	.40	.48		
Roofers	5.90	.25	.20	.25	
Soft floor layers	7.00	.45	.40		.01
Sprinkler fitters	8.20	.25	.40		.05
Sheet metal workers	8.17	.37	.43	.51	.02
Truck Drivers:					
Straight or dump	3.85	a5.30	a6.00		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Class A						
Laborers	$5.76	.35	.30		.04	
Class B						
Plasterer tenders, material mixers, operators on portable mixers, air electric, or gasoline tools, motor driven buggies and swing scaffolds	$5.91	.35	.30		.04	
Class C						
Jackhammers Operators	$6.01	.35	.30		.04	
Class D						
Signal men and top men or sewer and caisson construction (open cut)	$5.88	.35	.30		.04	
Class E						
Windlass Operators (on caisson work)	$5.98	.35	.30		.04	
Class F						
Crock layers or pipelayers, caisson workers	$6.08	.35	.30		.04	
Class G						
Top men on chimneys or towers over 30 feet in height	$6.26	.35	.30		.04	

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Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

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Michigan 8 PEO J 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
CLASS IV						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.55	.65		.05	

Michigan Line Construction 1 K

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
LINE CONSTRUCTION:						
Linemen	$7.28	.25	1%	a	½ of 1%	
Combination digger operator-ground man or tractor operator	5.70	.25	1%	a	½ of 1%	
Combination winch truck driver-groundman:						
1st 6 months	4.19	.25	1%	a	½ of 1%	
Over 6 months	4.79	.25	1%	a	½ of 1%	
Combination truck driver-groundman	4.06	.25	1%	a	½ of 1%	
Cable splicer	7.58	.25	1%	a	½ of 1%	
Groundman	4.06	.25	1%	a	½ of 1%	
Light equipment operator-groundman	5.01	.25	1%	a	½ of 1%	
Distribution line truck driver operator-groundman	5.01	.25	1%	a	½ of 1%	

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 7 Paid Holidays. A through F plus the Day after Thanksgiving Day.

Michigan-3-PEO L

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane with boom & job or leads 220' or longer	$9.20	.50	.55		.05	
CLASS B						
Crane with boom and jib or leads 140' or longer, up to 220', tower cranes, gantry cranes, whivley derrick	8.95	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, stiff leg derrick, scraper, dozer, grader, front end loader, hust, job mechanic and head greese man	8.70	.50	.55		.05	
CLASS D						
Pumps 6" or over, well points & freeze systems, air tugger (single drum), material hust (buck type)	8.60	.50	.55		.05	
CLASS E						
Engineers when operating air compressor, welding machine, generators, conveyors, pumps under 6" and greese man	7.60	.50	.55		.05	
CLASS F						
Fireman, oiler or heater operator	6.90	.50	.55			

Michigan-6-PEO T

POWER EQUIPMENT OPERATORS STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane operator with main boom & jib 220' or longer	$9.55	.50	.55		.05	
CLASS B						
Crane operator with main boom & jib 140' or longer, up to 220', tower cranes, gantry crane, whirley derrick	9.30	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, dozer, loader, hoist, straddle wagon, job mechanic	9.05	.50	.55		.05	
CLASS D						
Air tugger (single drum), material hoist, pump 6" or over	8.95	.50	.55		.05	
CLASS E						
Air compressor, welder, generators, conveyors	7.95	.50	.55		.05	
CLASS F						
Oiler or fireman	6.90	.50	.55			

SUPERSEDEAS DECISION

STATE: Michigan
DECISION NUMBER: AR-3007
COUNTIES: Chippewa & Mackinac
DATE: Date of Publication
Supersedes Decision No. AQ-3055 dated January 11, 1974 in 39 FR 1695.
DESCRIPTION OF WORK: Building Construction, (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Const.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers	8.00	.40				
Carpenters:						
Building	6.99	.40	.40		.01	
Water front work	7.09	.40	.40		.02	
Cement masons	7.43	.40				
Electricians	8.30	.40	1%			
Cable Splicers	9.545	.40	1%			
Elevator constructors	7.355	.195	.20	2⅓% +a&b	.005	
Elevator constructors' helpers	5.15	.195	.20	2⅓% +a&b	.005	
Elevator consturctors' helpers (prob.)	3.68					
Ironworkers, struc., orn., & reinforcing	7.15	.25		1.30	.01	
Glaziers	5.40					
Lathers	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		d	.01	
Millwrights	7.34	.40	.40		.01	
Painters:						
Brush	6.00					
Hand taping	7.05					
Machine taping	7.35					
Paper Hanging	6.30					
Spray work	6.50					
Steel	8.50					
Steel to 30 ft. from ground or water level	9.00					
Sandblasting	6.50					
Piledrivermen	7.09	.40	.40		.01	
Plasterers	7.85	.40				
Plumbers	8.38	.35	.30		.02	
Roofers	8.75	.60	.50			
Sheet metal workers	8.25	.32	.40		.02	
Soft floor layers	6.99	.40	.40		.01	
Sprinkler fitters	8.20	.25	.40		.05	
Steamfitters	8.38	.35	.30		.02	
Stone masons	8.00	.40				
Terrazzo workers	7.80	.40				
Terrazzo workers' helpers	6.80	.40				
Tile setters	7.80	.40				
Tile setters' helpers	6.80	.40				

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Truck Drivers:						
Regular	6.02	c17.00	c10.00	a		
Heavy duty, double axle, semi-drivers	6.15	c17.00	c10.00	a		
Euclids	6.38	c17.00	c10.00	a		
Truck repair and maintenance	6.23	c17.00	c10.00	a		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day;

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Per week for each employee.

d. Nine paid holidays, A through F plus Washington's Birthday, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

Mich. - 1 - LAB P 1 of 1

Building and Heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
CLASS A						
Construction Laborers	$5.55	.35	.30			
CLASS B						
Material mixers, mortar mixers (hand or machine), vibrator op., concrete mixer, motor driven buggy op., chipping hammers, tamping machines, green cutting (whether run by air, electric or gas), and sand blasters	5.65	.35	.30			
CLASS C						
Cement gun nozzlemen, blasters, miners drillers, buster operator, layers of all non-metallic pipe	5.95	.35	.30			
CLASS D						
Underground Work, Tunnels and Shafts: Muckers, caisson workers, miners, drillers, blasters	6.10	.35	.30			

Mich Line Construction Area III U. P.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Oth
LINE CONSTRUCTION:						
Linemen	$6.89	.25	1%	a	.25%	
Cable Splicer	7.17	.25	1%	a	.25%	
Comb. digger Op. - Groundman	5.39	.25	1%	a	.25%	
Comb. Tractor Op. - Groundman	5.39	.25	1%	a	.25%	
Light equipment Op. - Groundman	4.74	.25	1%	a	.25%	
Distribution line truck driver operator - Groundman	4.74	.25	1%	a	.25%	
Combination Winch truck driver - Groundman						
1st year	3.96	.25	1%	a	.25%	
Over 1 Year	4.53	.25	1%	a	.25%	
Comb. Truck driver - Groundman	3.84	.25	1%	a	.25%	

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Years Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. Seven paid holidays: A through F plus Veterans Day providing the employee worked the scheduled workday preceding and the scheduled workday next following the day observed as the holiday.

Michigan-7-PEO K

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS: BUILDING, HEAVY & UNDERGROUND						
CLASS A						
Regular equipment operator, crane, dozer, front end loader, job mechanic	$7.07	.50	.55	.22	.01	
CLASS B						
Air track drill, boom truck, concrete mixers, fork truck, material hoist & tugger, pumps 6" or over, pumpcrete, belt crete, squeeze crete, sweeping machine, trencher, winches, well points and freeze systems	6.68	.50	.55	.21	.01	
CLASS C						
Air compressor, conveyor, concrete saw, farm tractor (without attachments) generator, gurar post driver, mulching, pumps under 6", welders	6.31	.50	.55	.20	.01	
CLASS D						
Oiler, firemen, heater operator	5.91	.50	.55			
STEEL CONSTRUCTION:						
CLASS 1						
Operator	7.31	.50	.55	.23	.01	
CLASS 2						
Compressor & welder	6.83	.50	.55	.21	.01	
CLASS 3						
Oiler & fireman	6.02	.50	.55	.19		

SUPERSEDEAS DECISION

STATE: Michigan COUNTIES: Genesee, Lapeer & Shiawasee
DECISION NUMBER: AR-3009 DATE: Date of Publication
Supersedes Decision Number AQ-3057, dated February 1, 1974 in 39 FR 4388
DESCRIPTION OF WORK: Building Construction (including residential), and Heavy Construction.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers	9.05	.40	.60			
Carpenters	8.59	.45	.40		.01	
Carpenters-Heavy	7.73	.40	.40		.01	
Cement masons	8.15	.30	.18		.02	
Electricians	9.50	.30	1%+.30			
Elevator constructors	8.68	.195	.20	2%+a+b	.005	
Elevator constructors' helpers	6.08	.195	.20	2%+a+b	.005	
Elevator constructors' helpers (prob.)	4.34					
Ironworkers, structural, ornamental	8.17	8%	13%	16%	.04	
Ironworkers, reinforcing	7.7934	.85	15%	15%	.01	
Laborers:						
Construction laborers	6.89	.35	.30		.04	
Mortar mixer (including concrete mixer ½ cu. yd. or smaller)	6.99	.35	.30		.04	
Signal men & top men (on sewer and caisson work), air, gasoline or electric tool operators	6.99	.35	.30		.04	
Jackhammer & air spade tunnel men (concrete shovelers, car pushers, etc.) & bottom men (on sewer work), windlass operators (on caisson work)	7.09	.35	.30		.04	
Burner	7.09	.35	.30		.04	
Crock layers (or pipe layers) conduit & any vitrified tile except 4" drain tile around building, caisson workers, tunnel muckers	7.19	.35	.30		.04	
Tunnel miners	7.34	.35	.30		.04	
Lathers:						
S. E. Corner of Lapeer County	7.79	.27	.10	.25	.01	
Remainder of Area	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		c	.01	
Marble, tile & terrazzo workers:						
Lapeer County	9.65	.35	.50			
Remainder of Area	8.30	.40	.60			
Marble tile & terrazzo workers helpers:						
Lapeer County	8.18	.30	.30			
Remainder of Area	6.00	.30	.30			
Painters:						
Lapeer County - East of Hwy. 53						
Brush, preparatory work	8.35	.42	.30			
Ladder work over 40', swing stage	8.85	.42	.30			
Spray work under 40'	8.85	.42	.30			
Spray work 40' and over	9.30	.42	.30			
Steeple jack 40' and over	9.90	.42	.30			

25 - Michigan N 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
PAINTERS (Continued):						
Genesee County, Lapeer County west of Hwy. 53 and East ½ of Shiawasee County:						
Brush and roller	$7.45	.50	.40			
Spray	7.95	.50	.40			
Piledrivermen	8.59	.45	.40		.01	
Piledrivermen - Heavy	7.73	.40	.40		.01	
Plasterers	8.54	.32	.18		.03	
Plumbers	8.96	.52	.71			
Riggers & machinery movers	8.10	.726	1.10	1.134		
Roofers:						
Composition	8.45	.60	.40			
Composition helpers	5.73	.60	.40			
Slate & tile, wood fiber	8.80	.60	.40			
Slate & tile helpers & wood fiber helpers	6.08	.60	.40			
Sheet metal workers	7.79	.59	.90	1.00		
Soft floor layers-resilient floor layers	7.98	.50	.40	.56	.01	
Sprinkler fitters	8.20	.20	.30		.05	
Steamfitters	8.71	.47	.66			
Stonemasons	9.05	.40	.60			
Truck drivers	6.83	d15.00	d13.00			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve provided employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Per week per each employee.

Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blades), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
CLASS IV						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.55	.65		.05	

Michigan Painters Area I - 1 K 1 of 1

Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
Painters:						
Brush, roller & preparatory sanding	$8.36	.42	.40		.01	
Swing, chair window jacks and scaffolding	8.81	.42	.40		.01	
Structural steel to 20' in height , towers, stacks	8.76	.42	.40		.01	
Spray	9.11	.42	.40		.01	
Paperhangers	8.71	.42	.40		.01	

Michigan Line Construction Area II

Mich. 1 - M

LAPEER COUNTY	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Line Construction:						
Linemen & Technician	$9.30	.75	.22+.09	.93	½ of 1%	
Cable splicer, Technicians & Helio Arc Welders	9.71	.75	.22+.09	.93	½ of 1%	
Combination equipment operator and groundmen	7.52	.75	.22+.09	.93	½ of 1%	
Combination driver and groundmen	7.10	.75	.22+.09	.93	½ of 1%	
Groundman	6.35	.75	.22+.09	.93	½ of 1%	

Michigan Line Construction 1 K

GENESEE AND SHIAWASSEE COUNTIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$7.28	.25	1%	a	¼ of 1%	
Combination digger operator-ground man or tractor operator	5.70	.25	1%	a	¼ of 1%	
Combination winch truck driver-groundman:						
1st 6 months	4.19	.25	1%	a	¼ of 1%	
Over 6 months	4.79	.25	1%	a	¼ of 1%	
Combination truck driver-groundman	4.06	.25	1%	a	¼ of 1%	
Cable splicer	7.58	.25	1%	a	¼ of 1%	
Groundman	4.06	.25	1%	a	¼ of 1%	
Light equipment operator-groundman	5.01	.25	1%	a	¼ of 1%	
Distribution line truck driver operator-groundman	5.01	.25	1%	a	¼ of 1%	

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 7 Paid Holidays. A through F plus the Day after Thanksgiving Day.

Michigan-5-PEO T

POWER EQUIPMENT OPERATORS STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane operator with main boom & jib 220' or longer	$9.55	.50	.55		.05	
CLASS B						
Crane operator with main boom & jib 140' or longer, up to 220', tower cranes, gantry crane, whirley derrick	9.30	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, dozer, loader, hoist, straddle wagon, job mechanic	9.05	.50	.55		.05	
CLASS D						
Air tugger (single drum), material hoist, pump 6" or over	8.95	.50	.55		.05	
CLASS E						
Air compressor, welder, generators, conveyors	7.95	.50	.55		.05	
CLASS F						
Oiler or fireman	6.90	.50	.55			

Michigan-2-FEO L

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS: BUILDING & HEAVY						
CLASS A						
Crane with boom & job or leads 220' or longer	$9.20	.50	.55		.05	
CLASS B						
Crane with boom and jib or leads 140' or longer, up to 220', tower cranes, gantry cranes, whivley derrick	8.95	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, stiff leg derrick, scraper, dozer, grader, front end loader, hust, job mechanic and head greese man	8.70	.50	.55		.05	
CLASS D						
Pumps 6" or over, well points & freeze systems, air tugger (single drum), material hust (buck type)	8.60	.50	.55		.05	
CLASS E						
Engineers when operating air compressor, welding machine, generators, conveyors, pumps under 6" and greese man	7.60	.50	.55		.05	
CLASS F						
Fireman, oiler or heater operator	6.90	.50	.55			

SUPERSEDEAS DECISION

STATE: Michigan
DECISION NUMBER: AR-3010
COUNTY: Gogebic
DATE: Date of Publication
Supersedes Decision No. AQ-3058 dated December 21, 1973 in 38 FR 35159
DESCRIPTION OF WORK: Building Construction, (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Const.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$7.80	.15		.40		
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers & Stonemasons	7.50	.30	.35			
Carpenters	6.99	.40	.40		.01	
Cement masons	6.85	.30	.35			
Electricians:						
Electrical contracts over $3,000 including industrial	6.40		1%	2%	1%	
Electrical contracts up to $3,000 except industrial	5.70		1%	2%	1%	
Elevator constructors	7.355	.195	.20	2%+b&c	.005	
Elevator constructors' helpers	5.15	.195	.20	2%+b&c	.005	
Elevator constructors' helpers (prob.)	3.68					
Ironworkers, structural & ornamental	7.15	.25		1.30	.01	
Ironworkers, reinforcing	7.15	.25		1.30	.01	
Lathers	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		d	.01	
Painters:						
Commercial & Industrial:						
Brush, rollers & steel	6.00					
Spray	6.50					
Swing stage, bos'n chair window jack or triple extension up to 40'	6.00					
Swing stage or chair 40' over	6.50					
Piledrivermen	7.09	.40	.40		.01	
Millwrights	6.94	.40	.40		.01	
Plasterers	7.35	.30	.35			
Plumbers	7.93	.35	.30		.02	
Roofers	7.40		.35			
Sheet metal workers	7.55	.28	.30		.02	
Soft floor layers	6.99	.40	.40		.01	
Sprinkler fitters	8.20	.20	.30		.05	
Steamfitters	7.93	.35	.30		.02	
Terrazzo workers	7.35	.30	.35			
Tile setters	7.35	.30	.35			
Truck Drivers:						
Regular	6.02	a17.00	a10.00	b		
Heavy Duty, double axle & semi	6.15	a17.00	a10.00	b		

AR-3010 P. 2

27-Mich. C 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Truck Drivers:						
Euclid	6.38	a17.00	a10.00	b		
Truck repair & maintenance	6.23	a17.00	a10.00	b		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

PAID HOLIDAYS (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Per week per employee.

b. Six paid holidays: A through F

c. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

d Nine paid holidays: A through F plus Washington's Birthday, Christmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

Mich. - 1 - LAB P 1 of 1

Building and Heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
CLASS A						
Construction Laborers	$5.55	.35	.30			
CLASS B						
Material mixers, mortar mixers (hand or machine), vibrator op., concrete mixer, motor driven buggy op., chipping hammers, tamping machines, green cutting (whether run by air, electric or gas), and sand blasters	5.65	.35	.30			
CLASS C						
Cement gun nozzlemen, blasters, miners drillers, buster operator, layers of all non-metallic pipe	5.95	.35	.30			
CLASS D						
Underground Work, Tunnels and Shafts: Muckers, caisson workers, miners, drillers, blasters	6.10	.35	.30			

Michigan Line Construction 1 K

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$7.28	.25	1%	a	½ of 1%	
Combination digger operator-groundman or tractor operator	5.70	.25	1%	a	½ of 1%	
Combination winch truck driver-groundman:						
1st 6 months	4.19	.25	1%	a	½ of 1%	
Over 6 months	4.79	.25	1%	a	½ of 1%	
Combination truck driver-groundman	4.06	.25	1%	a	½ of 1%	
Cable splicer	7.58	.25	1%	a	½ of 1%	
Groundman	4.06	.25	1%	a	½ of 1%	
Light equipment operator-groundman	5.01	.25	1%	a	½ of 1%	
Distribution line truck driver operator-groundman	5.01	.25	1%	a	½ of 1%	

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 7 Paid Holidays. A through F plus the Day after Thanksgiving Day.

Michigan-7-PEO K

	Basic Hourly Rates	Fringe Benefits Payments				
POWER EQUIPMENT OPERATORS: BUILDING, HEAVY & UNDERGROUND		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A Regular equipment operator, crane, dozer, front end loader, job mechanic	$7.07	.50	.55	.22	.01	
CLASS B Air track drill, boom truck, concrete mixers, fork truck, material hoist & tugger, pumps 6" or over, pumpcrete, belt crete, squeeze crete, sweeping machine, trencher, winches, well points and freeze systems	6.68	.50	.55	.21	.01	
CLASS C Air compressor, conveyor, concrete saw, farm tractor (without attachments) generator, gurar post driver, mulching, pumps under 6", welders	6.31	.50	.55	.20	.01	
CLASS D Oiler, firemen, heater operator	5.91	.50	.55			
STEEL CONSTRUCTION:						
CLASS 1 Operator	7.31	.50	.55	.23	.01	
CLASS 2 Compressor & welder	6.83	.50	.55	.21	.01	
CLASS 3 Oiler & fireman	6.02	.50	.55	.19		

STATE: Michigan COUNTIES: Grand Traverse & Leelanau
DECISION NUMBER: AR-3011 DATE: Date of Publication
Supersedes Decision No. AQ-3059 dated January 1, 1974 in 39 FR 1698
DESCRIPTION OF WORK: Building Construction, (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Const.

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Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers	7.10	.40			.01	
Carpenters-building	6.97	.45	.40		.02	
Carpenters-Heavy	7.49	.40	.40		.01	
Cement masons	6.65	.40			.01	
Electricians	8.90	.40	1%+.15		.5%	
Elevator constructors	7.18	.17	.185	2%+a&b	.005	
Elevator constructors' helpers	70%JR	.17	.185	2%+a&b	.005	
Elevator constructors' helpers (prob.)	50%JR					
Glaziers	5.20	.17	.10			
Ironworkers, structural, ornamental & reinforcing	8.60	.50	.50		.03	
Laborers:						
Laborers	5.50	.40	.30		.04	
Air tool op. (Jackhammer, vibrator)	5.65	.40	.30		.04	
Mortar mixers	5.65	.40	.30		.04	
Crock and pipe layers	5.65	.40	.30		.04	
Plasterers' tenders	5.65	.40	.30		.04	
Sewer and caisson workers	5.65	.40	.30		.04	
Lathers	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		c	.01	
Marble setters	7.10	.40			.01	
Marble setters' helpers	5.61	.30	.20		.02	
Millwrights	7.47	.45	.40		.02	
Painters:						
Brush	6.03	.42				
Spray	6.63	.42				
Drywall taping	6.63	.42				
Piledrivermen - Heavy	7.49	.40	.40		.01	
Plumbers	8.32	.40	.30		.03	
Plasterers	6.60	.25			.01	
Piledrivermen	7.42	.45	.40		.02	
Roofers	6.45					
Sheet metal workers (Comm.)	8.34	.35	.33	.60	.02	
Soft floor layers	6.97	.45	.40		.02	
Sprinkler fitters	8.20	.20	.30		.05	
Steamfitters	7.92	.40	.30		.03	
Stone masons	7.10	.40			.01	
Terrazzo workers	7.10	.40			.01	
Terrazzo workers' helpers	5.61	.30	.20			
Tile setters	7.10	.40			.01	
Tile setters' helpers	5.61	.30	.20			
Truck Drivers	5.02					

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS (WHERE APPLICABLE):
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Six paid holidays, A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid holidays : A through F, plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

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	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

Michigan-6-PEO T

POWER EQUIPMENT OPERATORS STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane operator with main boom & jib 220' or longer	$9.55	.50	.55		.05	
CLASS B						
Crane operator with main boom & jib 140' or longer, up to 220', tower cranes, gantry crane, whirley derrick	9.30	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, dozer, loader, hoist, straddle wagon, job mechanic	9.05	.50	.55		.05	
CLASS D						
Air tugger (single drum), material hoist, pump 6" or over	8.95	.50	.55		.05	
CLASS E						
Air compressor, welder, generators, conveyors	7.95	.50	.55		.05	
CLASS F						
Oiler or fireman	6.90	.50	.55			

Michigan-3-PEO L

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane with boom & jib or leads 220' or longer	$9.20	.50	.55		.05	
CLASS B						
Crane with boom and jib or leads 140' or longer, up to 220', tower cranes, gantry cranes, whivley derrick	8.95	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, stiff leg derrick, scraper, dozer, grader, front end loader, hust, job mechanic and head greese man	8.70	.50	.55		.05	
CLASS D						
Pumps 6" or over, well points & freeze systems, air tugger (single drum), material hust (buck type)	8.60	.50	.55		.05	
CLASS E						
Engineers when operating air compressor, welding machine, generators, conveyors, pumps under 6" and greese man	7.60	.50	.55		.05	
CLASS F						
Fireman, oiler or heater operator	6.90	.50	.55			

Underground Construction

Michigan 8 PEO J 1 of 2

POWER EQUIPMENT OPERATORS:	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passanger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

Michigan 8 PEO J 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
CLASS IV.						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.56	.65		.05	

Michigan Line Construction 1 K

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LINE CONSTRUCTION:						
Linemen	$7.28	.25	1%	a	½ of 1%	
Combination digger operator-ground man or tractor operator	5.70	.25	1%	a	½ of 1%	
Combination winch truck driver-groundman:						
1st 6 months	4.19	.25	1%	a	½ of 1%	
Over 6 months	4.79	.25	1%	a	½ of 1%	
Combination truck driver-groundman	4.06	.25	1%	a	½ of 1%	
Cable splicer	7.58	.25	1%	a	½ of 1%	
Groundman	4.06	.25	1%	a	½ of 1%	
Light equipment operator-groundman	5.01	.25	1%	a	½ of 1%	
Distribution line truck driver operator-groundman	5.01	.25	1%	a	½ of 1%	

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 7 Paid Holidays. A through F plus the Day after Thanksgiving Day.

STATE: Michigan COUNTY: Huron
DECISION NUMBER : AR-3012 DATE: Date of Publication
Supersedes Decision No. AQ-3060 dated December 21, 1973 in 38 FR 35162.
DESCRIPTION OF WORK: Building Construction, (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Const.

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Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers	8.77	.45	.50			
Carpenters:						
Building	8.59	.45	.40		.01	
Carpenters - Heavy	7.73	.40	.40		.01	
Cement masons	8.02	.45	.50			
Electricians	9.12	.75+.10	.65+.09	.91	.06	
Elevator constructors	8.68	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	6.08	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (prob.)	4.34	-				
Ironworkers, structural, ornamental	8.17	8%	13%	16%	.04	
Reinforcing	7.7934	.85	15%	15%	.01	
Riggers & machinery movers	8.10	.726	1.10	1.134	.01	
Lathers	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		c	.01	
Marble setters	9.49	.30	.40	.50		
Marble setters' helpers	8.18	.30	.30			
Millwrights	8.00	.45	7%+2%	17%	.04	
Painters: (East of Highway 53)						
Brush (hand)	8.30	.35				
Swing stage - 60' hook up	9.05	.35				
Spray work - under 40'	8.80	.35				
Spray work - 40' scaffold	8.95	.35				
Painters: (West of Highway 53)						
Commercial:						
Brush	6.45	.42	.30			
Spray	7.20	.42	.30			
Piledrivermen	8.59	.45	.40		.01	
Piledrivermen - Heavy	7.73	.40	.40		.01	
Plasterers	7.67	.45		.50		
Plumbers:						
Western ½ of County	8.89	.35	.45			
Eastern ½ of County	9.77	.35	.35			
Roofers:						
Roofers	5.85					
Roofers helpers	5.30					
Sheet metal workers	8.87	.30	.40			
Sprinkler fitters	8.20	.20	.30		.05	
Soft floor layers	7.88	.45	.40	.56	.01	
Steamfitters (Western ½ of County)	8.89	.35	.45			
Steamfitters (Eastern ½ of County)	9.77	.35	.35			
Stone masons	8.77	.45	.50			

PAID HOLIDAYS (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day;
D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays: A through F.

b. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

c. Nine paid holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, providing the employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

Michigan-3-PEO L

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A						
Crane with boom & job or leads 220' or longer	$9.20	.50	.55		.05	
CLASS B						
Crane with boom and jib or leads 140' or longer, up to 220', tower cranes, gantry cranes, whirley derrick	8.95	.50	.55		.05	
CLASS C						
Regular equipment operator, crane, stiff leg derrick, scraper, dozer, grader, front end loader, hust, job mechanic and head grease man	8.70	.50	.55		.05	
CLASS D						
Pumps 6" or over, well points & freeze systems, air tugger (single drum), material hust (buck type)	8.60	.50	.55		.05	
CLASS E						
Engineers when operating air compressor, welding machine, generators, conveyors, pumps under 6" and greese man	7.60	.50	.55		.05	
CLASS F						
Fireman, oiler or heater operator	6.90	.50	.55			

Michigan 10-LAB-1-2-C 1 of 1

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
CLASS A						
Construction Laborers, pumps with a three (3) inch or less discharge and not hooked up in battery, mechanized buggy operators and mortar mixer when done by hand	$6.74	.35	.30		.04	
CLASS B						
Mechanized mortar mixing, air, electric and gas driven tools, vibrators	6.86	.35	.30		.04	
CLASS C						
Air or electric driven pavement breakers, plasterer tenders, crock and/or pipelayer, signal men and top men, Windlass and tugger operator and caisson worker	6.94	.35	.30		.04	
CLASS D						
Drillers, and blasters, burners and welders	7.51	.35	.30		.04	

Michigan Line Construction Area II

Mich. 1 - M

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Line Construction:						
Linemen & Technician	$9.30	.75	.22+.09	.93	½ of 1%	
Cable splicer, Technicians & Helio Arc Welders	9.71	.75	.22+.09	.93	½ of 1%	
Combination equipment operator and groundmen	7.52	.75	.22+.09	.93	½ of 1%	
Combination driver and groundmen	7.10	.75	.22+.09	.93	½ of 1%	
Groundman	6.35	.75	.22+.09	.93	½ of 1%	

Michigan 3-TD M

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS:						
Pole trailers, low boys, straddle carriers, double bottoms and special load permits drivers	$7.87	a17.00	a14.00	b+c		
Semi drivers	7.77	a17.00	a14.00	b+c		
All other trucks	7.62	a17.00	a14.00	b+c		

PAID HOLIDAYS: (WHERE APPLICABLE)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Per week, per employee

b. 6 paid holidays for employees who have acquired seniority A-F

c. Vacation pay: Less than 3 years, 4 hours of basic straight time pay per month. Three to ten years 8 hours of basic straight time per month. Ten years to 15 years, 12 hours of basic straight time per month. Over 15 years, 16 hours of basic straight time pay per month.

Michigan 2-PEO N 1 of 1

POWER EQUIPMENT OPERATORS STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Engineer operating combination of boom & jib 220' or longer	$9.41	.40	.40	10%	.05	
Engineer operating combination of boom & jib 140' or longer, up to 220'	9.16	.40	.40	10%	.05	
Tower-crane & derrick operator (work station 50' or more above 1st sub-level)	9.16	.40	.40	10%	.05	
Crane operator & job mechanic	8.68	.40	.40	10%	.05	
Hoisting engineers	8.54	.40	.40	10%	.05	
Compressor or welder operator	7.84	.40	.40	10%	.05	
Oiler or fireman	6.875	.40	.40	10%	.03	

Michigan 8PEO-J 1 of 2

Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

Michigan 8 PEO J 2 of 2

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
CLASS IV						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.55	.65		.05	

SUPERSEDEAS DECISION

STATE: Michigan COUNTY: Saginaw
DECISION NUMBER: AR-3017 DATE: Date of Publication
Supersedes Decision No. AQ-3065 dated December 21, 1973 in 38 FR 35174.
DESCRIPTION OF WORK: Building Construction (Excluding single family homes and garden type apartments up to and including 4 stories), and Heavy Const.

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Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	$6.95	.44	.95		.01	
Boilermakers	8.83	.60	1.00	1.00	.01	
Bricklayers	8.52	.50	.50			
Carpenters (Building)	8.74	.50	.40		.01	
Carpenters - Heavy	7.73	.40	.40		.01	
Cement masons	7.77	.50	.50			
Electricians	10.00		1%+.15		½ of 1%	
Elevator constructors	8.68	.195	.20	2%+a&b	.005	
Elevator constructors' helpers	6.08	.195	.20	2%+a&b	.005	
Elevator constructors' helpers (Prob.)	4.34					
Ironworkers, structural, ornamental & reinforcing	8.17	8%	13%	16%	.04	
Lathers	7.65	.44	.10	.50	.01	
Lead burners	8.75	.30		d	.01	
Marble setters	8.70					
Millwrights	8.20	.53	.738	.1476	.05	
Painters:						
Industrial	7.60		.20			
Residential & Commercial	7.60		.20			
Spray	8.35		.20			
Sandblasting (Inside)	8.60		.20			
Swing stage, boatswain chair, sand blasting, (outside) work over 40' open structural steel	8.20		.20			
Piledrivermen	8.59	.45	.40		.01	
Piledrivermen - Heavy	7.73	.40	.40		.01	
Plasterers	8.42	.45				
Plumbers	9.15	.49	.60		.01	
Roofers	8.75	.60	.50			
Sheet metal workers	8.87	.30	.40			
Soft floor layers	7.98	.50	.40	.56	.01	
Sprinkler fitters	8.20	.20	.30		.05	
Steam fitters	9.15	.49	.60		.01	
Stonemasons	8.77	.45	.50			
Terrazzo workers	8.70					
Terrazzo workers' helpers & grinders	7.36	.30	.10	.25		
Tile setters	8.70					
Truck drivers:						
Under 8 yds.	5.97	c17.00	c18.00	.20		
Over 8 yds.	6.07	c17.00	c18.00	.20		
Euclids	6.17	c17.00	c18.00	.20		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

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PAID HOLIDAYS:
A-New Year's Day; B- Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Six paid holidays, A through F

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Per week per employee.

d. Nine paid holidays: A through F, Good Friday, Washington's Birthday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled workdays immediately preceding and following the holiday.

Michigan Line Construction 1 K

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen	$7.28	.25	1%	a	½ of 1%	
Combination digger operator-groundman or tractor operator	5.70	.25	1%	a	½ of 1%	
Combination winch truck driver-groundman:						
1st 6 months	4.19	.25	1%	a	½ of 1%	
Over 6 months	4.79	.25	1%	a	½ of 1%	
Combination truck driver-groundman	4.06	.25	1%	a	½ of 1%	
Cable splicer	7.58	.25	1%	a	½ of 1%	
Groundman	4.06	.25	1%	a	½ of 1%	
Light equipment operator-groundman	5.01	.25	1%	a	½ of 1%	
Distribution line truck driver operator-groundman	5.01	.25	1%	a	½ of 1%	

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. 7 Paid Holidays. A through F plus the Day after Thanksgiving Day.

BUILDING CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Laborers:						
CLASS A Construction Laborers, pumps with a three (3) inch or less discharge and not hooked up in battery, mechanized buggy operators and mortar mixer when done by hand	$6.74	.35	.30		.04	
CLASS B Mechanized nortar mixing, air, electric and gas driven tools, vibrators	6.86	.35	.30		.04	
CLASS C Air or electric driven pavement breakers, plasterer tenders, crock and/or pipelayer, signal men and top men, Windlass and tugger operator and caisson worker	6.94	.35	.30		.04	
CLASS D Drillers, and blasters, burners and welders	7.51	.35	.30		.04	

Michigan 2-PEO N 1 of 1

POWER EQUIPMENT OPERATORS STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Engineer operating combination of boom & jib 220' or longer	$9.41	.40	.40	10%	.05	
Engineer operating combination of boom & jib 140' or longer, up to 220'	9.16	.40	.40	10%	.05	
Tower-crane & derrick operator (work station 50' or more above 1st sub-level)	9.16	.40	.40	10%	.05	
Crane operator & job mechanic	8.68	.40	.40	10%	.05	
Hoisting engineers	8.54	.40	.40	10%	.05	
Compressor or welder operator	7.84	.40	.40	10%	.05	
Oiler or fireman	6.875	.40	.40	10%	.05	

POWER EQUIPMENT OPERATORS: (Cont'd)	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
CLASS IV Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.55	.65		.05	

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POWER EQUIPMENT OPERATORS: BUILDING & HEAVY	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
CLASS A Crane with boom & job or leads 220' or longer	$9.20	.50	.55		.05	
CLASS B Crane with boom and jib or leads 140' or longer, up to 220', tower cranes, gantry cranes, whivley derrick	8.95	.50	.55		.05	
CLASS C Regular equipment operator, crane, stiff leg derrick, scraper, dozer, grader, front end loader, husc, job mechanic and head greese man	8.70	.50	.55		.05	
CLASS D Pumps 5" or over, well points & freeze systems, air tugger (single drum), material hust (buck type)	8.60	.50	.55		.05	
CLASS E Engineers when operating air compressor, welding machine, generators, conveyors, pumps under 5" and greese man	7.60	.50	.55		.05	
CLASS F Fireman, oiler or heater operator	6.90	.50	.55			

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Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

STATE: Michigan
DECISION NO.: AR-3021
COUNTIES: Wayne, Oakland & Macomb
DATE: Date of Publication
Supersedes Decision No. AQ-3123 dated April 19, 1974 in 39 FR 14153

DESCRIPTION OF WORK: Building (including Residential), and Heavy Construction.

Building and Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$9.63	.64	.95		.02
Boilermakers	8.83	.60	1.00	1.00	.01
Bricklayers:					
Bricklayers, caulkers & cleaners	8.86	.70	8%	11%	.05
Carpenters and Piledrivermen	8.7034	.60	8%	10%	.02
Cement masons:					
Cement masons	8.1489	.60	10%	10%	.01
Grinders & Chipping hammer	8.3489	.60	10%	10%	.01
Swing Stage above 1st floor	8.4489	.60	10%	10%	.01
Electricians	9.12	.75+.10	.65+.09	.91	.06
Elevator constructors	9.45	.345	.23	2%+a&b	.015
Elevator constructors' helpers	6.615	.345	.23	2%+a&b	.015
Elevator constructors' helpers (Prob.)	4.725				
Glaziers	8.40	.50	.45		
Ironworkers:					
Structural, ornamental	8.40	8%	14%	17%	.06
Reinforcing	7.7934	.85	15%	15%	.01
Riggers and machinery movers	8.10	.85	1.10	1.134	.01
Lathers	7.79	.27	.10	.25	.01
Lead burners	8.75	.30		d	.01
Marble setters	9.65	.35	.50		
Marble setters' helpers	8.18	.30	.30		
Millwrights	8.50	.555	.85	1.53	.05
Pipefitters	8.765	.75	.685	1.35	.05
Plasterers	9.50	.60	.50		
Plumbers	8.77	.80	.685	1.34	.005
Roofers:					
Composition	8.47	.40	.55	.30	
Slate and Tile	9.22	.40	.55	.30	
Sheet metal workers	8.44	.54	6%	10%	.02
Soft floor layers	7.88	.50	.51	.63	.03
Sprinkler fitters	10.30	.40+.10	.60		.055
Stonemasons	8.519	.50	8%	11%	.05
Terrazzo workers:					
Terrazzo workers	9.02	.35	.50	.50	
Grinders & helpers	7.36	.30	.10	.25	
Tile setters	9.31	.35	.50		
Tile setters' helpers	7.60	.30	.30		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS
A- New Years Day; B- Memorial Day; C- Independence Day
D- Labor Day E- Thanksgiving Day; F- Christmas Day

FOOTNOTES:
a. Six paid holidays: A through F.
b. Employer contributes 4% of regular hourly rate to Vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee in the business less than 5 years.
c. Nine paid holidays, A through F plus Washington's Birthday, Christmas Eve, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work day immediately preceding and following the holiday.

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Painters:						
Brush & paperhangers	$8.20	.65	.75	.75	.05	
Brushing cleaning & other preparatory work (other than spraying or steeplejack work) on scaffolds of 50' from ground or higher, preparatorial work & painting on open steel under 40' when no scaffolding is used, swing stage work, window jacks and window belts (exterior & interior), spraymen & sandblasters on scaffolds 40' above ground or floor level, preparatorial work and painting on all highway bridges or overpasses up to 40' in height	8.45	.65	.75	.75	.05	
Spraymen and sandblasters at a scaffold height of 40' from floor level or higher	8.825	.65	.75	.75	.05	
Spraymen and sandblasters working from swing stage 20' or higher	8.95	.65	.75	.75	.05	
Steeplejacks working on elevations 40' or more	9.45	.65	.75	.75	.05	

Line Construction:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Linemen & Technician	$9.30	.75	.22+.09	.93	½ of 1%	
Cable splicer, Technicians & Helio Arc Welders	9.71	.75	.22+.09	.93	½ of 1%	
Combination equipment operator and groundmen	7.52	.75	.22+.09	.93	½ of 1%	
Combination driver and groundmen	7.10	.75	.22+.09	.93	½ of 1%	
Groundman	6.35	.75	.22+.09	.93	½ of 1%	

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POWER EQUIPMENT OPERATORS BUILDING & HEAVY CONSTRUCTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Crane with boom & jib or leads 220' or longer	$8.62	.40	.40	10%	.05	
Crane with boom and jib or leads 140' or longer, up to 220'	8.37	.40	.40	10%	.05	
Engineer	8.13	.40	.40	10%	.05	
Engineers when operating compressor or welding machine	7.305	.40	.40	10%	.05	
Fireman or oiler	6.68	.40	.40	10%	.05	

POWER EQUIPMENT OPERATORS STEEL ERECTION	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHS
Engineer operating combination of boom & jib 220' or longer	$9.41	.40	.40	10%	.05	
Engineer operating combination of boom & jib 140' or longer, up to 220'	9.16	.40	.40	10%	.05	
Tower-crane & derrick operator (work station 50' or more above 1st sub-level)	9.16	.40	.40	10%	.05	
Crane operator & job mechanic	8.68	.40	.40	10%	.05	
Hoisting engineers	8.54	.40	.40	10%	.05	
Compressor or welder operator	7.84	.40	.40	10%	.05	
Oiler or fireman	6.875	.40	.40	10%	.05	

BUILDING AND HEAVY CONSTRUCTION

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LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1 Laborers	$7.10	.65	.55	.55	
Group 2 Mortar mixers, scaffold builders	7.18	.65	.55	.55	
Group 3 Signal men, air-electric or gasoline tool Op., Windless and tugger Op., jackhammer Op., vibrator Op.	7.28	.65	.55	.55	
Group 4 Crock grade man	7.33	.65	.55	.55	
Group 5 Furnace battery heater helpers	7.35	.65	.55	.55	
Group 6 Crock layer & pipe layer	7.43	.65	.55	.55	
Group 7 Caisson Workers	7.48	.65	.55	.55	
Group 8 Lansing burners, blaster, powderman	7.85	.65	.55	.55	

Underground Construction	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS:						
CLASS I						
Power shovels, crane (crawler, truck type or pile driving), dragline, backhoe, clamshell, trencher (over 8' digging capacity), mechanic, end loader (over 1-1/2 cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batch plant operator (concrete), backfiller tamper, well drilling slip form paver, slope paver, conveyor loader (euclid type)	$9.39	.55	.65		.05	
CLASS II						
Trencher (8' digging capacity & smaller), endloader (1-1/2 cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller) than D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more - inclusive of generator), hoist, boom truck (power swing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher	9.26	.55	.65		.05	
CLASS III						
Air compressors (2 or more - less than 600 CFM,) air compressors (600 cu. ft. per min. or larger), pumperete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non-powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum-1/2 yd. or larger), wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck-mounted - includes compressor)	8.53	.55	.65		.05	

	BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS				
		H & W	PENSIONS	VACATION	APP. TR.	OTHERS
POWER EQUIPMENT OPERATORS: (Cont'd)						
CLASS IV						
Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hrs. or more a day - gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self-propelled (6' wide or over), stump remover, mulching equipment, farm tractor, (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 hp. or over)	$7.96	.55	.65		.05	
Oiler & firemen	7.96	.55	.65		.05	

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BUILDING AND HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS:						
Pole trailers, low boys, straddle carriers, double bottoms and special load permits drivers	$7.87	a17.00	a14.00	b+c		
Semi drivers	7.77	a17.00	a14.00	b+c		
All other trucks	7.62	a17.00	a14.00	b+c		
TRUCK DRIVERS:						
Underground Construction						
Lowboys & euclid & double bottoms	$5.17	a 14.50	a 10.00	b&c		
Dump of 8 cu. yds. cap., or over pole trailers, semis & fuel trucks	5.02	a 14.50	a 10.00	b&c		
All other trucks	4.92	a 14.50	a 10.00	b&c		

PAID HOLIDAYS (WHERE APPLICABLE):
A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Per week for each employee.

b. Vacation pay allowance; up to 3 years of service ½ day per month; 3 to 10 years of service 1 day per month, 10 to 15 years of service 1½ days per month, 15 or more years of service 2 days per month.

c. 6 paid holidays: A through F.

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
LABORERS: Underground Const.						
Tunnel, Shaft & Caisson Work:						
Tunnel, shaft & caisson laborer, dump men, shanty man, hog house tender, testing man (on gas)	$5.40	.40	.25			
Bricklayer tender, mortar men and material mixers	5.48	.40	.25			
Air tool operator (jackhammer man, bush hammer man and grinding man), first bottom man, second man, concrete man, concrete form man, concrete repair man, cement invert laborer, concrete shoveler, conveyor man, floor man, gasoline & electric tool operator, gunnite man, grout operator, heading dinky man, inside lock tender, pea gravel operator, pump man, outside lock tender, scaffold man, top signal man, switch man, signal man, track man, tugger man, utility man, vibrator man, winch operator and pipe jacking	5.53	.40	.25			
Tunnel, shaft & caisson mucker, bracer man, liner plate man, long haul dinky driver and well point man	5.68	.40	.25			
Tunnel, shaft & caisson miner, drill runner, key board operator, power knife operator, reinforced steel man	5.88	.40	.25			
Dynamite man and powder man	6.13	.40	.25			
Open Cut Work:						
Construction laborers	5.40	.40	.25			
Mortar mixers, material mixers and bricklayer tender	5.48	.40	.25			
Air, gasoline and electric tool operators, tar kettle operators, joint men (in trench only), signal men	5.53	.40	.25			
Windlass and tugger men	5.53	.40	.25			
Trench or excavating grade man	5.58					
Pipe layers (including crock or other conduits)	5.73	.40	.25			

SUPERSEDEAS

STATE: Pennsylvania
Decision No: AR-2009
Supersedes Decision Nos: AQ-2053 dated February 28, 1974, in 38 FR 7018.
COUNTIES: Cumberland, Dauphin, Perry, Junita, New Cumberland Depot in York County
DATE: Date of Publication
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Asbestos workers	$8.16	.42	.30		.01
Boilermakers	9.12	.50	1.00	.25	.01
Bricklayers & block layers	8.20	.50	.38		
Carpenters	7.65	.25	.25		.02
Cement masons	8.315	.25	.25		
Electricians	9.26	.40	1% + .21		¼ of 1%
Elevator constructors	8.07	.345	.23	2%+b+c	.015
Elevator constructors' helpers	5.65	.345	.23	2%+b+c	.015
Elevator constructors' helpers (prob.)	4.035				
Glaziers	8.09	.25	.30		.01
Ironworkers, structural	9.36	.64	1.06		.05
Ironworkers, ornamental	9.36	.64	1.06		.05
Ironworkers, reinforcing	9.36	.64	1.06		.05
Laborers:					
Air, fuel and electric tool operators and all other pneumatic and mechanical tools including blow-pipe and vacuum cleaners					
Pipelayers, power-buggy, precast slab placers and signal men	6.45	.20	.30		
Unskilled laborer	6.30	.20	.30		
Plaster and cement mason tenders, machine mixers, plaster pump and scaffold builders (excluding masonry scaffolding) for cassion workers, blasters, wagon air track and diamond point drill operators, burning torches, green cutting machine and steam jenny.	6.77	.20	.30		
Mason tenders, machine mixers, motorized stockers, scaffold builders (masonry), mortar pump, conveyors, mechanical cleaners and sandblasting for masonry and masonry equipment	6.57	.20	.30		

22-PA-1-B 2 of 3

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Laborers: (CON'T)					
Nursery workers, window washers, floor scrubbers and watchmen	$5.95	.20	.30		
Lathers	7.71	.25	.25		.01
Lead burners	9.25	.35		a	.01
Marble setters	8.345	.21			
Millwrights	8.79	.25	.25		.02
Line Construction:					
Linemen	8.84	.30	1%		3/8%
Groundmen	5.30	.30	1%		3/8%
Cable splicers	8.84	.30	1%		3/8%
Winch truck operator	6.19	.30	1%		3/8%
Painters:					
Brush	7.03	.20	.15		
Structural steel	7.48	.20	.15		
Spray	7.78	.20	.15		
Tanks, bridges, stacks	8.28	.20	.15		
Piledrivermen	9.92	1.28	.90	f	.07
Plasterers	8.15	.25	.25		.01
Plumbers	9.30	.30	.40		.12
Roofers:					
Composition	7.75	.25	.20		
Sheet metal workers	8.43	.52	.50		
Soft floor layers	7.79	.25	.35		.02
Sprinkler fitters	9.45	.50	.70		.08
Steam fitters	9.30	.30	.40		.12
Stone masons	8.20	.50	.38		
Terrazzo Workers & Tile Setters	7.525	.20			
Truck Drivers:					
Truck drivers, building Pick-ups, dump, service trucks, flat trucks, to and including Z highway lesense plates	6.71	d	e		
Transit Mix, winch trucks, tractor all types euclid, ross lumber and over Z plates	6.96	d	e		
Welders - Receive rate prescribed for craft performing operation to which welding is incidental					

BUILDING CONSTRUCTION 22-PA-1-B 3 of 3

PAID HOLIDAYS: (Where applicable):
New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Eight paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve provided the employee has worked 45 full days prior to the holiday, and is available for work the days preceding and the holiday.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F

d. $29.33 per month for employees who has worked sixty hours or more during the month.

e. $45.03 per month for employees who has worked sixty hours or more during the month.

f. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veteran's Day and Thanksgiving Day.

POWER EQUIPMENT OPERATORS
BUILDING CONSTRUCTION

PA-22-PEO-1- E 1 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
WAGE GROUP I					
Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above	$10.19	4.6%	9.5%	a	1.2%
WAGE GROUP II					
All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above	9.90	4.6%	9.5%	a	1.2%
WAGE GROUP III					
Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above	9.02	4.6%	9.5%	a	1.2%
WAGE GROUP IV					
Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, tireman (for power equipment), machines similar to the above	8.25	4.6%	9.5%	a	1.2%
WAGE GROUP V					
Fireman, grease truck	7.77	4.6%	9.5%	a	1.2%
WAGE GROUP VI					
Oilers and deck hands (personnel boats), core drill helper	6.85	4.6%	9.5%	a	1.2%

POWER EQUIPMENT OPERATORS
BUILDING CONSTRUCTION
(CONTINUE)

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
WAGE GROUP VII					
All machines with booms (including jib, masts, leads, etc.):					
100 ft. and over	10.44	4.6%	9.5%	a	1.2%
150 ft. and over	10.69	4.6%	9.5%	a	1.2%
200 ft. and over	10.94	4.6%	9.5%	a	1.2%

FOOTNOTE:

a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; and Christmas Day, provided the employee works the day before and after the holiday.

[FR Doc.74-16258 Filed 7-18-74;8:45 am]

GSA
1949-1974