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Title 7—Agriculture

CHAPTER VIII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (SUGAR), DEPARTMENT OF AGRICULTURE

SUBCHAPTER I—DETERMINATION OF PRICES

[Docket No. SH-321]

PART 871—SUGARBEETS

Fair and Reasonable Prices for 1974 Crop Correction

In FR Doc. 74-17615 appearing at page 27895 in the issue for Friday, August 2, 1974, make the following corrections:

1. On page 27895, the eighth line of § 871.25(c) (1) should read: "such juice into granulated sugar, and there is".
2. On page 27897 in the second column, the fourth item listed as "Texas" should read "Taxes".

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

PART 919—PEACHES GROWN IN MESA COUNTY, COLORADO

Expenses and Rate of Assessment

This document authorizes expenses of \$1,000 of the Administrative Committee, under Marketing Order No. 919, for the 1973-74 fiscal period and fixes the rate of assessment of \$0.0072 per cwt. of peaches handled in such period to be paid to the committee by each first handler as his pro rata share of such expenses.

On July 26, 1974, notice of rulemaking was published in the FEDERAL REGISTER (39 FR 27331) regarding proposed expenses and the related rate of assessment for the period December 1, 1973, through November 30, 1974, pursuant to the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), regulating the handling of peaches grown in Mesa County, Colorado. This notice allowed interested persons 17 days during which they could submit written data, views, or arguments pertaining to these proposals. None were submitted. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which

were submitted by the Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 919.213 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Administrative Committee during the period December 1, 1973, through November 30, 1974, will amount to \$1,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 919.41, is fixed at \$0.0072 per cwt. of peaches.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (7 U.S.C. 553) in that (1) shipments of peaches have already begun, (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable peaches handled during the aforesaid period; and (3) such period began on December 1, 1973, and the rate of assessment herein fixed will automatically apply to all assessable peaches beginning with such date.

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

Dated: August 14, 1974.

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

[FR Doc. 74-19124 Filed 8-19-74; 8:45 am]

PART 958—ONIONS GROWN IN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Handling Regulation; Correction

In the handling regulation issued for Idaho-Eastern Oregon onions (39 FR 25948 July 15, 1974, FR Doc. 74-16137), the handling regulation was incorrectly titled § 959.319. It is hereby corrected to read § 958.319.

Dated: August 15, 1974.

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

[FR Doc. 74-19169 Filed 8-19-74; 8:45 am]

Title 9—Animals and Animal Products

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

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Traveltimes Allowances

Correction

In FR Doc. 74-18700 appearing at page 29172 in the issue for Wednesday, August 14, 1974, the last two lines in the second paragraph above the signature should read: "cause is found for making it effective before 30 days per document."

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 9—PUBLIC RECORDS

Charges for Provision of Records

The Atomic Energy Commission hereby announces revisions to its notice entitled "Charges for Provision of Records," published in the FEDERAL REGISTER on March 4, 1974 (39 FR 8162).

1. Section 9.9 *Charges for provision of records* as set forth in the aforesaid notice is amended in its entirety to read as follows:

§ 9.9 Charges for provision of records.

(a) Requests for the reproduction of records at the AEC Public Document Room located in Washington, D.C. will be honored upon payment of the following charges:

(1) Sizes of 8½ x 11 inches and 8½ x 14 inches made on office copying machines—\$0.08 per page copy. Microfiche—8½ x 11 inches—\$0.15 per page copy.

(2) The charge for reproducing records other than those specified above will be computed on the AEC full-cost recovery basis.

(3) The charges for requests made through the mails will be the same as paragraph (a) (1) and (2) of this section except that shipping or mailing costs shall be added. If the amount of any mailed-in order is less than \$2.00, excluding the shipping or mailing costs, the customer shall be charged a minimum of \$2.00 plus costs of shipping or mailing.

(b) Requests for copies of records to be reproduced and furnished by the AEC

at all locations, except the AEC Public Document Room located in Washington, D.C., will be honored upon payment of the following charges:

(1) Sizes up to 8½ x 14 inches made on office copying machines—\$0.10 per page copy. Larger sizes—\$0.10 for each 8½ x 14 inch unit or fraction thereof per page copy.

(2) Photostat copies—\$0.40 each up to 9 x 12 inches. Copies larger than 9 x 12 inches, \$0.40 for each 9 x 12 inch unit or fraction thereof.

(3) The charge for reproducing records other than those specified above will be computed on the AEC full-cost recovery basis.

(c) If a request is for records not located in the Public Document Room, a search charge of \$6.00 per hour will be made. As necessary, a charge based on the actual hourly rates of the professional employee involved will be made for the screening of records to exclude information that is exempt under the Freedom of Information Act (5 U.S.C. 552). Fractional parts of an hour will be charged on a pro rata basis for the search and screening functions. No charge will be made for these functions if one hour or less is required to fulfill a request.

(d) A deposit or surety bond equal to the estimated cost of searching, screening, and reproducing the number of requested copies will be required in advance from any person requesting copies of records from the AEC. Refunds of unused deposits or additional billings will be made to adjust the charge to the actual cost.

(e) In compliance with the Federal Advisory Committee Act transcripts of testimony in AEC proceedings, which are transcribed by a reporting firm under contract with the AEC, shall be purchased directly from the reporting firm or AEC at the cost of reproduction as provided for in the AEC contract with the reporting firm.

(f) Material which has been copyrighted will not be reproduced in violation of the copyright laws.

(g) The General Manager or the Director of Regulation, or either's designee, may waive all or part of the fee for searching and screening if he determines such action to be in the public interest.

(Sec. 161, Pub. Law 83-703, 68 Stat. 948 (42 U.S.C. 2201); sec. 501, Pub. Law 82-137, 65 Stat. 290 (31 U.S.C. 483a); sec. 11, Pub. Law 92-463, 86 Stat. 775 (5 U.S.C. 552))

Effective date. This notice is effective August 20, 1974.

Dated at Washington, D.C., this 14th day of August 1974.

For the Atomic Energy Commission.

GORDON M. GRANT,
Assistant Secretary
of the Commission.

[FR Doc. 74-19076 Filed 8-19-74; 8:45 am]

Title 14—Aeronautics and Space CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-WA-14]

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

Designation of Terminal Control Area at Las Vegas, Nevada

Correction

In FR Doc. 74-18066, appearing at page 28518 in the issue for Thursday, August 8, 1974, make the following corrections:

1. In the third column of page 28518, in numbered paragraph 6, the second line should read "Vegas VORTAC 6 and 8-mile radii bounded".

2. In the first column of page 28519, under the center heading "Las Vegas, Nev., Terminal Control Area, Primary Airport", the second line of the first paragraph should read: "36°04'48" N., Longitude 115°09'08" (W.)".

3. Under the same center heading, the second line of the fourth paragraph should read: "from 4,500 feet MSL to and including 9,000".

CHAPTER II—CIVIL AERONAUTICS BOARD SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-86; Amdt. 43]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NON-HEARING MATTERS

Director, Bureau of Operating Rights

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 15, 1974.

By SPR-77, effective July 29, 1974, the Board repealed Part 378a, Bulk Inclusive Tours by Tour Operators, of the Special Regulations. The purpose of this amendment is to delete reference to Part 378a in § 385.13.¹

This editorial amendment is issued by the undersigned pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19 and shall become effective on September 10, 1974. Procedures for review of this amendment are set forth in Subpart C of Part 385 (14 CFR 385.50 through 385.54).

Accordingly, the Board hereby amends § 385.13 by revising paragraphs (v) and (cc) as follows:

§ 385.13 Delegation to the Director, Bureau of Operating Rights.

The Board hereby delegates to the Director, Bureau of Operating Rights, the authority to:

(v) With respect to study group charters and/or inclusive tour charters performed under Parts 373 and 378 of this chapter, respectively:

(1) [Reserved]

¹ In addition, the omission of reference to Part 373 in § 385.13(v) is corrected.

(2) Grant or deny waivers of the respective filing time requirements of Parts 373 and 378 of this chapter.

(3) Grant or deny waivers of § 378.12 of this chapter with respect to permission to tour operators to publish prices in a form other than that prescribed. Such waivers may be granted where:

(i) Brochures have been already printed and brochure reprinting costs would be at least \$450 per tour departure;

(ii) No prior such waiver has been granted to the tour operator under Part 378 of this chapter;

(iii) Advertising in other media will comply with Board requirements;

(iv) Future brochure printings will comply with Board requirements; and

(v) The tour price is not published in such manner as to be patently deceptive or misleading.

(cc) Grant or deny requests for waiver of Parts 207, 208, 212, 214, 372, 372a, 373 and 378 of this chapter, where grant or denial of the request is in accordance with established Board precedent.

(Sec. 204(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743; 49 U.S.C. 1324. Reorganization Plan No. 3, 1961; 75 Stat. 837, 26 FR 5989; 49 U.S.C. 1324 (note))

Effective: September 10, 1974.

Adopted: August 15, 1974.

By the Civil Aeronautics Board.

[SEAL] O. D. OZMENT,
Acting General Counsel.

[FR Doc. 74-19154 Filed 8-19-74; 8:45 am]

[Reg. OR-87, Amdt. 18]

PART 389—FEES AND CHARGES FOR SPECIAL SERVICES

Schedule of Filing and Licensing Fees

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 15, 1974.

By SPR-77, effective July 29, 1974, the Board repealed Part 378a, Bulk Inclusive Tours by Tour Operators, of the Special Regulations. The purpose of this amendment is to delete reference to Part 378a in § 389.25.

This editorial amendment is issued by the undersigned pursuant to a delegation of authority from the Board to the General Counsel in 14 CFR 385.19 and shall become effective on September 10, 1974. Procedures for review of this amendment by the Board are set forth in Subpart C of Part 385 (14 CFR 385.50 through 385.54).

Accordingly, the Board hereby amends § 389.25 by revising paragraphs (h) and (j) and deleting and reserving paragraph (m) as follows:

§ 389.25 Schedule of filing and license fees.

(h) Exemptions from section 401, waivers of Parts 207, 208, 372, 372a, 373 and 378, and special operating authorizations. The filing fee for an applica-

tion (1) for an exemption under section 416(b) or section 101(3) of the Act from the provisions of section 401 of the Act (except an application dealing with a specific number of charters) or (2) for a waiver of Parts 207, 208, 372, 372a, 373 or 378 (except an application dealing with specific number of charters), or (3) for a special operating authorization under section 417 of the Act, is \$300.

(j) *Exemptions or waivers for the performance of a specific number of charters.* The filing fee for an exemption under section 416(b) or section 101(3) of the Act from the provisions of section 401 of the Act, or a request for a waiver of Parts 207, 208, 372, 372a, 373, or 378, for the performance of a specific number

of charters (one-way or round-trip) is \$100 plus \$10 for each charter (one-way or round-trip) described, subject to a maximum fee of \$300.

(m) [Reserved]

(Sec. 204(a), Federal Aviation Act of 1958, as amended; 72 Stat. 743; 49 U.S.C. 1324. Reorganization Plan No. 3, 1961; 75 Stat. 837, 26 FR 5989; 49 U.S.C. 1324 (note))

Effective: September 10, 1974.

Adopted: August 15, 1974.

By the Civil Aeronautics Board.

[SEAL] O. D. OZMENT,
Acting General Counsel.

[FR Doc. 74-19155 Filed 8-19-74; 8:45 am]

Title 21—Food and Drugs
CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

GLYCINE

Correction

In FR Doc. 74-15848 appearing at page 25484 in the issue for Thursday, July 11, 1974, on page 25484 the first word in the third line of the chart in the second column was misspelled and should be corrected to read "saccharin".

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-336]

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
Connecticut.....	Groton Long Point Association.	Unincorporated areas.....	Aug. 20, 1974. Emergency.....			
Nebraska.....	Thayer.....	Deshler, city of.....	do.....	Apr. 12, 1974.....		
New Jersey.....	Somerset.....	Montgomery, township of.....	do.....	July 26, 1974.....		
New York.....	St. Lawrence.....	Potsdam, village of.....	do.....	Mar. 8, 1974.....		
Pennsylvania.....	Schuylkill.....	Ashland, borough of.....	do.....	Jan. 23, 1974.....		
Do.....	Northumberland.....	Zerbe, township of.....	do.....			
Do.....	Adams.....	Gettysburg, borough of.....	do.....			
Texas.....	Tarrant.....	Euless, city of.....	do.....	Mar. 22, 1974.....		
Vermont.....	Lamoille.....	Morristown, town of.....	do.....	May 31, 1974.....		
Do.....	Franklin.....	Richford, village of.....	do.....	Mar. 15, 1974.....		
Wisconsin.....	Polk.....	Oseola, village of.....	do.....	June 7, 1974.....		

(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: August 12, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc. 74-19045 Filed 8-19-74; 8:45 am]

RULES AND REGULATIONS

[Docket No. FI-337]

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
Arkansas	Clark	Arkadelphia, city of	Aug. 16, 1974. Emergency	Oct. 12, 1973		
Illinois	Tazewell	Unincorporated areas	do.			
Do.	Franklin	Hampton, city of	do.	June 21, 1974		
Maryland	Frederick	Brunswick, city of	do.	June 28, 1974		
Minnesota	Anoka	East Bethel, village of	do.			
New Hampshire	Sullivan	Plainfield, town of	do.	Mar. 29, 1974		
New York	Rockland	Orangetown, town of	do.	May 10, 1974		
Ohio	Ashtabula	Geneva, city of	do.	Nov. 23, 1973		
Oklahoma	Woodward	Mooreland, town of	do.	Mar. 15, 1974		
Oregon	Lane	Eugene, city of	do.	June 7, 1974		
Pennsylvania	Blair	Frankstown, township of	do.			
Texas	Brazos	College Station, city of	do.	May 31, 1974		
Washington	Whatcom	Everson, city of	do.	May 24, 1974		

(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: August 9, 1974.

CHARLES W. WIECKING,
Acting Federal Insurance Administrator.

[FR Doc.74-19046 Filed 8-19-74;8:45 am]

[Docket No. FI-338]

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	Pickens	Carrollton, town of	August 10, 1974. Emergency			
Georgia	Houston	Unincorporated areas	do.			
Michigan	Manistee	Manistee, township of	do.	May 24, 1974		
New Jersey	Warren	Pohatcong, township of	do.			
New York	Onondaga	Spafford, town of	do.			
Oregon	Linn	Brownsville, city of	do.	Dec. 7, 1973		
Wisconsin	Waukesha	Big Bend, village of	do.	Nov. 30, 1973		

(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: August 12, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-19047 Filed 8-19-74;8:45 am]

[Docket No. FI-339]

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
Massachusetts	Bristol	Easton, town of	Aug. 15, 1974. Emergency			
North Carolina	Rockingham	Reidsville, city of	do			
Oregon	Linn	Scio, city of	do			
Pennsylvania	Bucks	Tullytown, borough of	do	Dec. 28, 1973		
Do	Centre	Phillipsburg borough of	do	do		
Texas	Yoakum	Denver, city of	do	May 24, 1974		
Wisconsin	Milwaukee	Shorewood, village of	do	Dec. 17, 1973		

(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 2880, Feb. 27, 1969)

Issued: August 8, 1974.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[FR Doc.74-19048 Filed 8-19-74;8:45 am]

Title 36—Parks, Forests, and Public Property

CHAPTER II—FOREST SERVICE,
DEPARTMENT OF AGRICULTURE

PART 291—OCCUPANCY AND USE OF DEVELOPED SITES AND AREAS OF CONCENTRATED PUBLIC USE

Recreation Fees

Pursuant to the Land and Water Conservation Fund Act of 1965 as amended by the Acts of August 1, 1973 and June 7, 1974, Part 291, Chapter II of Title 36 of the Code of Federal Regulations is revised to provide for a change in terminology made necessary by Pub. L. 93-303. Section 291.9 is revised by deleting the word "special" and will read as follows:

§ 291.9 Admission fees and recreation use fees.

(a) Fees will be charged for admission or entrance to designated units of National Recreation Areas administered by the Department of Agriculture as provided by section 4(a) of the Land and Water Conservation Fund Act of 1965, as amended. Such fees shall be established by the Chief, Forest Service, or his delegate. Admission or entrance into any designated area of a National Recreation Area without payment of the established fee is prohibited.

(b) Recreation use fees will be charged for the use of sites, facilities, equipment or services furnished at Federal expense as provided by section 4(b) of the Land and Water Conservation Fund Act of 1965, as amended. Such fees shall be established by the Chief, Forest Service, or his delegate. Use of sites, facilities, equipment or services without payment of the established recreation use fee is prohibited.

(c) Clear notice that an admission or entrance fee or recreation use fee has been established shall be prominently

posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas. Any violation of this section is punishable by a fine of not more than \$100.00. (78 Stat. 897, as amended; 87 Stat. 178; 88 Stat. 192)

Findings and Determination. The purpose of this revision is to provide for the Forest Service fee program pursuant to the Land and Water Conservation Fund Act, as amended. While it is the policy of the Department of Agriculture, whenever practicable, to afford the public an opportunity to participate in the rule making process, it is deemed not necessary to do so in this instance since the revision serves to continue substantially the current fee program and the revised regulation does not further restrict members of the public.

Effective date. These regulations shall become effective on August 31, 1974.

Dated: August 15, 1974.

ROBERT W. LONG,
Assistant Secretary for Conservation Research, and Education.

[FR Doc.74-19168 Filed 8-19-74;8:45 am]

Title 38—Pensions, Bonuses and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 36—LOAN GUARANTY

Interest Rate Change

The Veterans Administration is amending §§ 36.4212(a) (2) and (3), 36.4311(a) and 36.4503(a), Title 38 of the Code of Federal Regulations to increase the maximum allowable interest rates on new loans.

Sections 36.4311(a) and 36.4503(a), Title 38 of the Code of Federal Regulations are being amended to increase the maximum interest rate on new guaranteed, insured and direct loans from 9 to 9½ percent. Section 36.4212(a) (2) and (3), Title 38 of the Code of Federal Regulations relating to that portion of a mobile home loan which finances the purchase of a lot and the cost of necessary site preparation is amended to increase the maximum interest rate from 9 to 9½ percent, except for that portion of § 36.4212(a) (3) which relates to loans that do not exceed \$2,500 made for site preparation to a lot owned by the veteran where no change is made. Thus, the interest rate on such loans will be consistent with that in effect on other guaranteed and insured loans for real estate purposes.

Compliance with the provisions of § 1.12 of this chapter is waived in this instance. The availability of mortgage funds from the private sector is dependent upon the interest rate being competitive with other available investments. Compliance with § 1.12 would create an acute shortage of mortgage funds pending the effective date of the amendments, which would necessarily be more than 30 days after it was published in proposed form.

1. In § 36.4212(a), subparagraphs (2) and (3) are amended to read as follows:
§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima:

(2) 9½ percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 9½ percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 12 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed \$2,500.

2. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815, effective August 14, 1974, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 9½ per centum per annum on the unpaid principal balance.

3. In 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to \$25,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 9½ percent per annum.

These VA Regulations are effective August 14, 1974.

Approved: August 14, 1974.

By direction of the Administrator:

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

[FR Doc. 74-19126 Filed 8-19-74; 8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCY

[FRL 214-1]

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGA-
TION OF IMPLEMENTATION PLAN

New York; Sulfur Oxides Control Strategy
Revision

On September 22, 1972 (37 FR 19812), pursuant to section 110 of the Clean Air Act (42 U.S.C. 1857c-5(a)), and 40 CFR Part 51, the Administrator disapproved portions of the New York implementation plan which did not provide for the adequate control of sulfur oxides emissions in the Hudson Valley, Genesee-Finger Lakes, Southern Tier West and Central New York Intrastate Regions. Also on September 22, 1972 (37 FR 19829), the Administrator proposed reg-

ulations for the regions which are designed to correct these deficiencies by limiting the maximum allowable sulfur content of fuels.

On September 14, 1973 (38 FR 25681), EPA revoked the annual average and 24-hour secondary standards for sulfur oxides. The secondary standard which remains in effect is 1300 µg/m³, not to be exceeded more than once per year. Some areas of the above regions that were exceeding the old secondary standards were found, after revocation, to have attained the remaining secondary standard.

On February 6, 1973, the State of New York submitted a revised regulation containing more stringent limitations of sulfur in fuels in part 226 of subchapter A, chapter III, title 6 of New York Official Compilation of Codes, Rules and Regulations. This regulation, which applies to the above regions, became effective March 15, 1973. These revised limitations when analyzed in the context of more recent air quality and emission data from the above regions, as well as the revised secondary standard for sulfur oxides (38 FR 25681), are shown to be adequate for the attainment and maintenance of the national ambient air quality standard for sulfur dioxide in all parts of those regions. A detailed analysis was performed which provides the revised emission data and the expected impact of the amendments. This analysis entitled "Technical Support Document for New York SO_x Strategy" is available for inspection at the Freedom of Information Center, 401 M Street SW., Washington, D.C. Accordingly, the Agency's disapproval of the sulfur oxides control strategy for Hudson Valley, Genesee-Finger Lakes, Southern Tier West, and Central New York Intrastate Regions are revoked below.

New York State also revised part 226 to allow the use of supplementary control systems (SCS) as an alternative to the permanent use of low sulfur fuels. The existence of 226.3(g) under present part 51 requirements prevents assurance that the national ambient air quality standards for sulfur oxides will be attained, since it allows the use of fuel which violates the provisions of the approved control strategy. Therefore, section 226.3(g) of part 226 is disapproved below.

Part 226 imposes certain new requirements on those sources in the Niagara Frontier Air Quality Control Region which are presently subject to part 230, section 230.2(c). Section 226.2(e) imposes a sulfur in fuel limitation on such sources until October 1, 1975, when section 230.2(c), which will impose a more stringent limitation, becomes effective. Section 226.4(d) imposes an immediately effective periodic reporting requirement on all major fuel distributors. These provisions assure that incremental steps will be taken to assure that the limitations of section 230.2(c) will be met by the October 1, 1975 effective date. Before adoption of Part 226, New York's control strategy for sulfur dioxides was deficient insofar as no increments of progress were provided for fuel burning sources in the Niagara Frontier Region which were to meet section 230.2(c) by October 1, 1975.

This deficiency having been corrected by Part 226, the Administrator will revoke the compliance schedule which was federally promulgated on August 23, 1973 (38 FR 22744) for sources subject to section 230.2(c).

On February 4, 1974 (39 FR 4485), EPA announced that the supplemental information submitted by the State of New York would be available for public inspection and comment for a period of 30 days. The public comment period ended on March 6, 1974 and two comments were received by the regional office. One supported the State's regulation as being reasonable, and the other comment asserted that the regulation is too restrictive in light of the current fuel situation. It is the Administrator's judgment that the limitations in part 226 are necessary to attain and maintain the standards. If an insufficient supply of conforming fuel develops, there are both State and Federal mechanisms to provide relief from the requirements. This regulation shall become effective September 19, 1974.

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

Dated: August 14, 1974.

JOHN QUARLES,
Acting Administrator.

Part 52 of 40 CFR Chapter I, is amended as follows:

Subpart HH—New York

Section 52.1670 is amended by adding paragraph (c) (5) as follows:

§ 52.1670 Identification of plan.

(c) * * *

(5) February 6 and March 7, 1973, by the New York State Department of Environmental Conservation.

Section 52.1675 is amended by revoking paragraphs (a), (b) and (c) and by adding paragraph (e) as follows:

§ 52.1675 Control strategy and regulations: Sulfur oxides.

- (a) [Revoked]
- (b) [Revoked]
- (c) [Revoked]

(e) Section 226.3(g) of subchapter A, chapter III, title 6 of New York State's Official Compilation of Codes, Rules and Regulations does not ensure the attainment and maintenance of national ambient air quality standard for sulfur dioxide, since it allows the use of fuel which violates the provisions of the approved control strategy. For this reason, section 226.3(g) is disapproved.

[FR Doc. 74-19070 Filed 8-19-74; 8:45 am]

Title 41—Public Contracts and Property
Management

CHAPTER 5A—FEDERAL SUPPLY SERV-
ICE, GENERAL SERVICES ADMINISTRA-
TION

PART 5A-1—GENERAL

Products or Services Presented for
Procurement Consideration

This change to the General Services Procurement Regulations (GSPR) up-

dates and expands instructional material relative to the processing of new item applications.

The table of contents for Part 5A-1 is amended as follows:

Subpart 5A-1.54—Products or Services Presented for Procurement Consideration

- 5A-1.5400 Scope of subpart.
- 5A-1.5401 Policy.
- 5A-1.5402 Definitions.
- 5A-1.5403 Initial referral of inquiries.
- 5A-1.5404 Processing of inquiries.
- 5A-1.5405 Processing of completed application forms.

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

Subpart 5A-1.54—Products or Services Presented for Procurement Consideration

Subpart 5A-1.54 is revised as follows:

§ 5A-1.5400 Scope of subpart.

This subpart deals with the processing of applications tendered to the Federal Supply Service by firms offering new or improved articles or methods of service for introduction into the GSA supply system.

§ 5A-1.5401 Policy.

(a) It is the general policy of the Government to be responsive to technological advances in industry by including, when appropriate, new or improved articles in its supply system, or by adopting new or improved methods of performance under its service contracts. Accordingly, all reasonable assistance shall be rendered to firms desiring to supply their products or services to the Government on either a prime contract or subcontract basis. This will include (1) consideration of the items with respect to all current and potential operational and program requirements of all GSA operating services and staff offices, (2) advice concerning potential needs outside GSA, and (3) assistance in contacting other agencies.

(b) Each applicant desiring to supply a product may, as appropriate, be required to furnish data relating to physical characteristics, performance characteristics, chemical composition, and such other data as may be required to (1) test and inspect the product, (2) develop specifications, (3) advise agencies concerning use of the product, and (4) identify the product for stock numbering and cataloging purposes.

(c) No applicant shall be compelled to assist in the development of data to show actual or potential Government demand for his products or services as a prerequisite to consideration or acceptance by FSS.

§ 5A-1.5402 Definitions.

As used in this subpart, the following terms shall have the meanings set forth:

(a) "Item" means either a product or a service.

(b) A "similar item" means an item having the same general characteristics and end use as another item currently included in the GSA supply system.

(c) A "competitively similar item" means an item which is comparable to

other items currently being supplied, and is deemed to meet the applicable specification requirements.

(d) A "new item" means an item which (1) is not a competitively similar item, or (2) is similar to an item being purchased but exceeds specifications requirements to the degree that the supplier could not reasonably be expected to submit competitive quotations.

§ 5A-1.5403 Initial referral of inquiries.

Oral or written inquiries regarding the presentation of items for procurement consideration by GSA which are received by other than a Business Service Center (BSC) shall be referred promptly to the BSC serving the geographic area in which the inquirer is located. The original receiving activity shall acknowledge receipt of written inquiries and advise the inquirer that his inquiry has been referred to the BSC for further action, and that future communications regarding the matter should be directed to the BSC (provide full address and telephone number).

§ 5A-1.5404 Processing of inquiries.

Upon receipt of an inquiry, the BSC shall provide the inquirer appropriate counseling on doing business with GSA and other Federal agencies and shall take the following action with respect to the item presented:

(a) When it is readily apparent that the item presented is competitively similar to types currently included in the GSA supply system, the BSC shall so advise the inquirer and provide him the appropriate bidders mailing list application forms and such instructions or specification information as will permit the preparation and submission of a bid or offer.

(b) When the item appears to be a new item, the BSC shall furnish the inquirer at least four copies of GSA Form 1171, Application for Presenting New or Improved Articles, and request its completion and return in triplicate.

(c) In cases where the nature and usage of the item presented is such that procurement by GSA is not likely, the BSC shall so advise the inquirer and shall provide appropriate counseling with respect to potential procurement of such item by other agencies.

§ 5A-1.5405 Processing of completed application forms.

New item applications (GSA Form 1171) received by other than a Business Service Center shall be transmitted promptly to the BSC serving the GSA organizational element which received the application.

(a) *Action by the Business Service Center.* Upon receipt of a new item application, the BSC shall:

(1) Screen the item for potential acceptability into the GSA supply system and review the application for completeness. If the item is of the type described in either paragraph (a) or (c) of § 5A-1.5404, the BSC shall advise the applicant accordingly. If the item appears to be appropriate for further review by FSS

but the application is incomplete, the BSC shall notify the applicant of the corrective action needed to make the application acceptable.

(2) Assign a control number to each application processed, with a new series of control numbers being established at the beginning of each fiscal year for applications received during that year. Each annual series shall be in numerical sequence and shall identify the processing region and the fiscal year in which the application is received and processed. For example, a number R5-74-1 would be the number assigned to the first application processed by Region 5 during the fiscal year 1974.

(3) Transmit the original and one copy of the completed application to the Office of Standards and Quality Control, Specification Management Staff (FMR).

(b) *Action by the Office of Standards and Quality Control.* (1) FMR shall maintain a register of all incoming new item applications showing the BSC control number, action dates, etc., for ready reference in connection with status inquiries. After classifying the proposed item by FSC Group and logging in the application, it shall be transmitted to the appropriate commodity branch for evaluation by a technician.

(2) The technician shall evaluate the merits of the item from the standpoint of safety, similarity to other FSS buying program items, and suitability based on practical considerations, including potential demand by agencies using GSA supply sources. If it is determined that insufficient technical information has been submitted, the applicant shall be requested to furnish whatever specification and test data is considered necessary for a proper evaluation. Determinations as to the need for additional technical or (if required) test data shall be made as early as possible in the evaluation process.

(3) When the technician determines that the proposed item is not acceptable for inclusion in the GSA supply system, a letter notifying the applicant of this determination and the reasons therefor shall be prepared for signature of the division director. A copy of this letter shall be sent to the BSC through which the application was processed.

(4) If the technician determines that the item should be recommended for inclusion in the GSA supply system as a "new item," or if the item is identified as being substantially similar to an item already available under a GSA stores or nonstores contract, the technician shall complete Section I of GSA Form 6477, New Item Application Summary (see § 5A-16.950-6477).¹ The original of this form, together with a copy of GSA Form 1171 and related documents, shall be forwarded by the commodity branch through FMR (for "logging out") and hand-carried (or promptly mailed, if directed to FPO) to the director of the appropriate commodity division in the

¹ Filed as part of the original document.

Office of Procurement, who will have final responsibility for determining the acceptability of the offered item.

(5) Ordinarily, new item applications should be processed through the Office of Standards and Quality Control within 30 days after receipt of the application from the BSC. However, this time limit is extended for a reasonable period in cases where unusual delays are encountered in obtaining additional technical data from the applicant or when Government testing is involved. When the technical evaluation cannot be completed within 30 days, the applicant shall be so advised by letter, a copy of which shall be included with papers forwarded to the Office of Procurement in accordance with paragraph (b) (4) of this section.

(c) *Action by the commodity division, Office of Procurement (Central Office).*

(1) Each commodity division director (or branch chief, at the option of the division director) in the Office of Procurement shall designate a person to serve as control clerk for the processing within the division (or branch) of new item applications received from the Office of Standards and Quality Control. The control clerk shall maintain a register of all incoming applications and shall "track" therein the status and disposition of each application. A new item case file shall be established and the file assigned to the appropriate commodity branch. (If the documents received from the Office of Standards and Quality Control are transferred to another commodity division for processing, FMR shall be promptly notified so that its record of disposition may be changed to reflect the reassignment.)

(2) The procurement officer to whom the case is assigned for review shall determine initially whether the item may be offered under a regularly issued FSS buying program solicitation. If so, the applicant shall be advised with respect to submitting an offer under a future solicitation, furnished a copy of the latest solicitation covering the type of item involved, and informed regarding the submission of a bidders mailing list application. (The applicant's name shall also be placed on a hand list to assure that he will be mailed a copy of the next solicitation.)

(3) If the case is not disposed of as indicated above, the procurement officer shall determine the need for and acceptability of the item (considering the requirements of other GSA services as well) in connection with GSA's overall national operational and program responsibilities, and shall make his recommendation on GSA Form 6477 as to whether the article should or should not be included in the GSA supply system. This determination may be made with or without consultation with other Federal agencies. Factors for consideration include, but are not limited to:

(i) The recommendation of the Office of Standards and Quality Control as to the suitability of the item from a technical standpoint;

(ii) The criteria for determining method of supply;

(iii) The number of Federal agencies expressing an interest in the article, including other GSA services;

(iv) Significant requirement volume, including the potential dollar volume of sales annually;

(v) The cost of the item compared to other items on the market which may be used to accomplish the same end-use purpose; and

(vi) Any procurement, warehousing and distribution problems that might be involved.

(4) If the procurement officer finds the item acceptable, a determination shall be made as to the most expedient method of introducing the item into the supply system. In this connection, the criteria set forth in Subpart 5A-1.71 shall be applied (in addition to other considerations) in determining whether the item should be procured on a centralized basis under a regular buying program (i.e., as a stock item, an advertised or multiple-award Schedule item, or as a consolidated purchase item for direct delivery to use points) or whether, as an alternative, the item should be procured for a trial period under the New Item Introductory Schedule or as a self-service stores pilot item, or on some other conditional basis. The following are guideposts for consideration in selecting an appropriate channel through which to introduce a new item into the supply system.

(i) *Advertised or multiple award Federal Supply Schedules.* If an item is related to and suitable for inclusion in an existing Schedule, it should be so assigned. If the item is to be procured competitively, a request for a specification (or purchase description) and a Federal Stock Number shall be initiated immediately.

(ii) *The stock program.* While, as a general rule, the New Item Introductory Schedule method is preferred for the initial introduction of a new item, there are circumstances which may justify its introduction directly into the stock system, if there is sound evidence of existing demand. Such demand must be sufficient to meet the criteria for inclusion in the stock program. Evidence of existing demand must be filed in the case file and may be in the form of statements from any Federal agency or FSS region. However, before an item can be placed into the stock system, a specification must be developed in order to permit competitive procurement, and a Federal Stock Number assigned.

(iii) *New Item Schedule.* If an item is not suitable for inclusion in an existing advertised or multiple award Schedule and/or does not meet the requirements for procurement as a stock item, it may be considered for assignment to the New Item Introductory Schedule (NIIS). This Schedule provides an economical and expeditious method for testing the demand for new items when projected sales are uncertain. Procurement of items under the NIIS is on a proprietary brand name basis under the authority of section 302(c) (10) of the Federal Property and Administrative Services Act of 1949,

as amended. The noncompetitive procurement of new items under the NIIS affords the advantage of eliminating the delay and expense of developing specifications, establishing a bidders mailing list, and processing awards with respect to items for which subsequent demand would render such actions unwarranted. Distinctive features of the NIIS are as follows:

(A) Covers all FSC classes;

(B) Mandatory for use by GSA and optional for use by all other Federal agencies;

(C) Remains continuously in effect with items added or deleted by subsequent cumulative issuances, representing a conglomerate of individual annual indefinite quantity negotiated contracts of brand name items with provision for annual renewals not to exceed a total period of 3 years.

(iv) *Pilot testing in self-service stores.* As an additional means of testing agency acceptance of a new item, action may be initiated to use one or more self-service stores as a proving ground. However, such action shall be carried out on a selective basis, and prior approval of the Chief, Special Programs Branch (FSDP), Office of Supply Distribution, is required. If this method of testing demand is approved, the commodity division will make appropriate recommendations to the buying activities at the regions involved and coordinate with the regional supply distribution activities in the selection of the retail stores to be used, and furnish source information and pertinent instructions to the appropriate regional buying divisions. (See also the HB., Supply Operations, 25-130 (FSS P 2900.4))

(v) *Other methods.* When items are of the type not normally procured on a prime contract basis, but appear to have merit for use either as components of prime contracts or as subcontract items, they shall be referred to the appropriate operating area of GSA so that consideration will be given to the development of new specifications or the modification of existing ones which would allow their use.

(5) Prior to finalizing a recommendation to introduce a new item into the supply system under the NIIS or other Federal Supply Schedule, the proposed action shall be coordinated with the National Program Manager, Federal Supply Schedules (FPS). (FPS may have knowledge of some pending development which may affect the evaluator's ultimate decision. In addition, information regarding the acceptance of new Schedule items is needed by FPS to maintain the Schedule Information Center.)

(6) Upon approval by the division director of the acceptance action recommended on GSA Form 6477, the applicant shall be advised in writing of the final disposition of the application, and a copy of this letter shall be forwarded to the BSC in which the application originated.

(7) With respect to new items placed on the NIIS, the control clerk shall prepare a copy of GSA Form 6220, Introductory

tory Contractor's Record, and maintain a card file of these forms tracing actions taken in connection with the item.

(8) If it is determined by the division director, based on the procurement officer's recommendation, that the item should not be accepted into the GSA supply system, the applicant shall be so notified and informed of the reason for nonacceptance. Advice of nonacceptance shall, when appropriate, contain a statement that other Federal agencies having need for the item may seek procurement through appropriate contracting facilities. Information copies of the letter shall be forwarded to the FM commodity division through which the related application was processed, and to the originating regional BSC. These copies shall be annotated to show the applicable control number.

Effective date. These regulations are effective upon the date shown below.

Dated: July 24, 1974.

M. J. TIMBERS,
Commissioner,
Federal Supply Service.

[FR Doc.74-19139 Filed 8-19-74; 8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 149—CRITERIA FOR RECOGNITION OF NATIONAL ACCREDITING BODIES AND STATE AGENCIES

Notice of proposed rulemaking with respect to criteria and procedures for recognition of Nationally Recognized Accrediting Agencies and Associations as reliable authorities concerning the quality of education or training offered by educational institutions or programs was published in the *FEDERAL REGISTER* on March 1, 1974 (39 FR 7946). Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed rulemaking.

The notice of proposed rulemaking also indicated that the effectiveness of these criteria will be closely monitored during the first year of their implementation. Thereafter, no later than June 1975, the Commissioner of Education intends to propose such further revisions of these criteria as are appropriate in light of this review and other ongoing studies and reports dealing with accreditation and institutional eligibility.

Notice of proposed rulemaking with respect to criteria and procedures for recognition of State Postsecondary Vocational Education Agencies for accreditation of public postsecondary vocational institutions or programs was published in the *FEDERAL REGISTER* on November 30, 1973 (38 FR 33089). Interested parties were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed rulemaking. No comments were received with respect to the criteria for recognition of State postsecondary vocational education agencies.

A. Summary of Comments—Office of Education Response. The following comments were received by the Office of Education regarding the proposed criteria and procedures for recognition of Nationally Recognized Accrediting Agencies and Associations. After a summary of each comment, a response is set forth stating the reasons why no change is deemed necessary prior to field testing the criteria.

1. Section 149.1 *Scope*—*Comment.* A commenter suggested addition of a policy declaration regarding support by the Office of Education of voluntary accreditation. The same commenter suggested addition of a policy statement regarding State and local control over education.

Response. Policy declarations are not directly germane to regulations such as are set forth in the proposed revised Criteria. The Office still adheres to the policy regarding support of voluntary accreditation, however. The statement regarding State and local control over education is not relevant to the criteria inasmuch as these criteria pertain only to accrediting bodies and not to educational institutions.

2. Section 149.2 *Definitions*—*Comment.* A commenter suggested substitution of the word "educational" in place of "public" with reference to accreditation.

Response. Despite the fact that accreditation is conducted by private organizations, it is an activity which serves the public.

3. Section 149.5 *Initial recognition; renewal of recognition*—*Comments.* Two commenters suggested changing the review cycle from four to five, or six years.

Response. Comments received during the period of drafting the criteria recommended review periods ranging from two to ten years. In view of a lack of consensus on this matter, the U.S. Commissioner of Education's Advisory Committee on Accreditation and Institutional Eligibility recommended continuation of the four-year cycle at this time.

4. Section 149.6(a) *Functional aspects*—*Comments.* Specific comments were received regarding three subsections of 149.6(a). The comments and responses follow:

Comment. One commenter sought deletion of the requirement to include on visiting teams at least one person who is not a member of the agency's policy or decision-making body or its administrative staff.

Response. This provision is retained in order to protect against conflict of interest situations, where policy, consulting, and decision-making functions are placed in the hands of a small group of individuals. It does not refer to the use of "lay" persons on visiting teams, but rather competent, knowledgeable peers who are not themselves directly involved in the final decision rendered by the accrediting body.

Comment. A commenter suggested addition of a requirement for self-study by accrediting agency staff.

Response. In the judgment of the Office of Education, agency self-study is

clearly implicit in the process of preparing a petition for recognition or renewal of recognition.

Comment. A commenter said that there was need for increased specificity regarding the self-analysis requirement.

Response. Accrediting agencies reviewed by the Office cover the increasingly broad spectrum of postsecondary education. This criteria therefore touches only upon what the Office has determined from experience to be the essentials of the process. Variations in the self-analysis process, such as the inclusion of quantitative material and cooperation with other agencies, are left up to individual accrediting agencies.

5. Section 149.6(b) *Responsibility*—*Comments.* Several comments were received regarding various subsections of 149.6(b). The comments and responses follow:

Comment. Two commenters asked for the deletion of the requirement regarding inclusion of public representatives in the accreditation process.

Response. This provision is retained because, in protecting and advancing the interest of quality education, institutional and program accrediting serve the public interest. There is no reason to fear that by adding a more generalized point of reference, the accreditation process would be made any less insightful. The public component is a complement to the essential professional judgments made in the accreditation review, not a replacement for them.

Comment. Two commenters suggested deletion of the requirement that the current accreditation status and the date of next review be published.

Response. Inasmuch as accreditation serves a public function, the public, prospective students, and employers should be apprised of all institutions which have less than "fully approved" status.

Comment. One commenter suggested revision of the requirement regarding opportunity to comment on revised accreditation standards to provide for such activity to take place through "member institutions."

Response. Accreditation affects other elements of society than educational institutions. Comments from these other elements should flow directly to the accrediting agency without running the risk of dilution or misinterpretation by educational institutions.

Comment. One commenter called for the deletion of the provision for evaluations, other than initial ones, to be carried out without the invitation of the executive officer of the institution.

Response. This provision is retained because it permits accrediting agencies to investigate possible violations of their standards in a timely and effective manner.

Comment. One commenter suggested deletion of the requirement for fostering of ethical practices, such as nondiscrimination and fair tuition refunds.

Response. Since the functions of accrediting agencies affect the public, the agencies should demonstrate responsibility in such areas as discrimination and financial responsibility.

Comment. One commenter suggested the addition of a requirement that accrediting agencies furnish the institution a list of proposed visiting team members and afford the institution the right to accept or reject an individual as a proposed examiner.

Response. This suggestion appears to have reasonable validity, and currently a number of accrediting agencies have such a policy. The Office wishes to consider further whether or not to add this requirement to the criteria.

After consideration of the above comments, Part 149 of Title 45 of the Code of Federal Regulations is amended to read as set forth below.

Effective date. Pursuant to section 431 (b) of the General Provisions Act (20 U.S.C. 1232(b)), these regulations become effective August 20, 1974.

Dated: August 15, 1974.

T. H. BELL,

U.S. Commissioner of Education.

Approved: August 16, 1974.

CASPAR W. WEINBERGER,

Secretary of Health, Education, and Welfare.

PART 149—COMMISSIONER'S RECOGNITION PROCEDURES FOR NATIONAL ACCREDITING BODIES AND STATE AGENCIES

Subpart A—Criteria for Nationally Recognized Accrediting Agencies and Associations

- Sec.
149.1 Scope.
149.2 Definitions.
149.3 Publication of list.
149.4 Inclusion on list.
149.5 Initial recognition; renewal of recognition.
149.6 Criteria.

AUTHORITY: (20 U.S.C. 403(b), 1085(b), 1141(a), 1248(11)); (42 U.S.C. 293a(b), 295f-3(b), 295h-4(1)(D), 298b(f)); (8 U.S.C. 1101(a) (15) (F)); (12 U.S.C. 1749c(b)); (38 U.S.C. 1775(a)).

Subpart B—Criteria for State Agencies

- Sec.
149.20 Scope.
149.21 Publication of list.
149.22 Inclusion on list.
149.23 Initial recognition; reevaluation.
149.24 Criteria.

AUTHORITY: Sec. 432(b) of the Higher Education Act of 1965, Pub. L. 89-329 as amended by Pub. L. 92-318, 86 Stat. 235, 264 (20 U.S.C. 1087-1(b)).

Subpart A—Criteria for Nationally Recognized Accrediting Agencies and Associations

§ 149.1 Scope.

Accreditation of institutions or programs of institutions by agencies or associations nationally recognized by the U.S. Commissioner of Education is a prerequisite to the eligibility for Federal financial assistance of institutions and of the students attending such institutions under a wide variety of federally supported programs. The recognition of such agencies is reflected in lists published by the Commissioner in the FEDERAL REGISTER. Inclusion on such list is dependent upon the Commissioner's finding that any such recognized agency or association is reliable

authority as to the quality of training offered. The Commissioner's recognition is granted and the agency or association is included on the list only when it meets the criteria established by the Commissioner and set forth in § 149.6 of this part.

§ 149.2 Definitions.

"Accrediting" means the process whereby an agency or association grants public recognition to a school, institute, college, university, or specialized program of study which meets certain established qualifications and educational standards, as determined through initial and periodic evaluations. The essential purpose of the accreditation process is to provide a professional judgment as to the quality of the educational institution or program(s) offered, and to encourage continual improvement thereof;

"Adverse accrediting action" means denial of accreditation or preaccreditation status or the withdrawal of accreditation or preaccreditation status;

"Agency or association" means a corporation, association, or other legal entity or unit thereof which has the principal responsibility for carrying out the accrediting function;

"Institutional accreditation" applies to the total institution and signifies that the institution as a whole is achieving its educational objectives satisfactorily;

"Regional" means the conduct of institutional accreditation in three or more States;

"Representatives of the public" means representatives who are laymen in the sense that they are not educators in, or members of, the profession for which the students are being prepared, nor in any way are directly related to the institutions or programs being evaluated;

"States" includes the District of Columbia and territories and possessions of the United States.

(20 U.S.C. 1141(a))

§ 149.3 Publication of list.

Periodically the U.S. Commissioner of Education will publish a list in the FEDERAL REGISTER of the accrediting agencies and associations which he determines to be reliable authorities as to the quality of training offered by educational institutions or programs, either in a geographical area or in a specialized field. The general scope of the recognition granted to each of the listed accrediting bodies will also be listed.

(20 U.S.C. 1141(a))

§ 149.4 Inclusion on list.

Any accrediting agency or association which desires to be listed by the Commissioner as meeting the criteria set forth in § 149.6 should apply in writing to the Director, Accreditation and Institutional Eligibility Staff, Bureau of Postsecondary Education, Office of Education, Washington, D.C. 20202.

§ 149.5 Initial recognition, and renewal of recognition.

(a) For initial recognition and for renewal of recognition, the accrediting agency or association will furnish in-

formation establishing its compliance with the criteria set forth in § 149.6. This information may be supplemented by personal interviews or by review of the agency's facilities, records, personnel qualifications, and administrative management. Each agency listed will be reevaluated by the Commissioner at his discretion, but at least once every four years. No adverse decision will become final without affording opportunity for a hearing.

(b) In view of the criteria set forth in § 149.6, it is unlikely that more than one association or agency will qualify for recognition (1) in a defined geographical area of jurisdiction or (2) in a defined field of program specialization within secondary or postsecondary education. If two or more separate organizations in a defined field do seek recognition, they will both be expected to demonstrate need for their activities and show that they collaborate closely so that their accrediting activities do not unduly disrupt the affected institution or program.

(20 U.S.C. 1141(a))

§ 149.6 Criteria.

In requesting designation by the U.S. Commissioner of Education as a nationally recognized accrediting agency or association, an accrediting agency or association must show:

(a) **Functional aspects.** Its functional aspects will be demonstrated by:

(1) Its scope of operations:

(i) The agency or association is national or regional in its scope of operations.

(ii) The agency or association clearly defines in its charter, by-laws or accrediting standards the scope of its activities, including the geographical area and the types, and levels of institutions or programs covered.

(2) Its organization:

(i) The agency or association has the administrative personnel and procedures to carry out its operations in a timely and effective manner.

(ii) The agency or association defines its fiscal needs, manages its expenditures, and has adequate financial resources to carry out its operations, as shown by an externally audited financial statement.

(iii) The agency's or association's fees, if any, for the accreditation process do not exceed the reasonable cost of sustaining and improving the process.

(iv) The agency or association uses competent and knowledgeable persons, qualified by experience and training, and selects such persons in accordance with nondiscriminatory practices: (A) to participate on visiting evaluation teams; (B) to engage in consultative services for the evaluation and accreditation process; and (C) to serve on policy and decision-making bodies.

(v) The agency or association includes on each visiting evaluation team at least one person who is not a member of its policy or decision-making body or its administrative staff.

(3) Its procedures:

(i) The agency or association maintains clear definitions of each level of accreditation status and has clearly written procedures for granting, denying, reaffirming, revoking, and reinstating such accredited statuses.

(ii) The agency or association, if it has developed a preaccreditation status, provides for the application of criteria and procedures that are related in an appropriate manner to those employed for accreditation.

(iii) The agency or association requires, as an integral part of its accrediting process, institutional or program self-analysis and an on-site review by a visiting team.

(A) The self-analysis shall be a qualitative assessment of the strengths and limitations of the institution or program, including the achievement of institutional or program objectives, and should involve a representative portion of the institution's administrative staff, teaching faculty, students, governing body, and other appropriate constituencies.

(B) The agency or association provides written and consultative guidance to the institution or program and to the visiting team.

(b) *Responsibility.* Its responsibility will be demonstrated by the way in which—

(1) Its accreditation in the field in which it operates serves clearly identified needs, as follows:

(i) The agency's or association's accreditation program takes into account the rights, responsibilities, and interests of students, the general public, the academic, professional, or occupational fields involved, and institutions.

(ii) The agency's or association's purposes and objectives are clearly defined in its charter, by-laws, or accrediting standards.

(2) It is responsive to the public interest, in that:

(i) The agency or association includes representatives of the public in its policy and decision-making bodies, or in an advisory or consultative capacity that assures attention by the policy and decision-making bodies.

(ii) The agency or association publishes or otherwise makes publicly available:

(A) The standards by which institutions or programs are evaluated;

(B) The procedures utilized in arriving at decisions regarding the accreditation status of an institution or program;

(C) The current accreditation status of institutions or programs and the date of the next currently scheduled review or reconsideration of accreditation;

(D) The names and affiliations of members of its policy and decision-making bodies, and the name(s) of its principal administrative personnel;

(E) A description of the ownership, control and type of legal organization of the agency or association.

(iii) The agency or association provides advance notice of proposed or revised standards to all persons, institutions, and organizations significantly af-

ected by its accrediting process, and provides such persons, institutions and organizations adequate opportunity to comment on such standards prior to their adoption.

(iv) The agency or association has written procedures for the review of complaints pertaining to institutional or program quality, as these relate to the agency's standards, and demonstrates that such procedures are adequate to provide timely treatment of such complaints in a manner that is fair and equitable to the complainant and to the institution or program.

(3) It assures due process in its accrediting procedures, as demonstrated in part by:

(i) Affording initial evaluation of the institutions or programs only when the chief executive officer of the institution applies for accreditation of the institution or any of its programs;

(ii) Providing for adequate discussion during an on-site visit between the visiting team and the faculty, administrative staff, students, and other appropriate persons;

(iii) Furnishing, as a result of an evaluation visit, a written report to the institution or program commenting on areas of strengths, areas needing improvement and, when appropriate, suggesting means of improvement and including specific areas, if any, where the institution or program may not be in compliance with the agency's standards;

(iv) Providing the chief executive officer of the institution or program with an opportunity to comment upon the written report and to file supplemental materials pertinent to the facts and conclusions in the written report of the visiting team before the accrediting agency or association takes action on the report;

(v) Evaluating, when appropriate, the report of the visiting team in the presence of a member of the team, preferably the chairman;

(vi) Providing for the withdrawal of accreditation only for cause, after review, or when the institution or program does not permit reevaluation, after due notice;

(vii) Providing the chief executive officer of the institution with a specific statement of reasons for any adverse accrediting action, and notice of the right to appeal such action;

(viii) Establishing and implementing published rules of procedure regarding appeals which will provide for:

(A) No change in the accreditation status of the institution or program pending disposition of an appeal;

(B) Right to a hearing before the appeal body;

(C) Supplying the chief executive officer of the institution with a written decision of the appeal body, including a statement of specifics.

(4) It has demonstrated capability and willingness to foster ethical practices among the institutions or programs which it accredits, including equitable student tuition refunds and nondiscriminatory practices in admissions and employment.

(5) It maintains a program of evaluation of its educational standards designed to assess their validity and reliability.

(6) It secures sufficient qualitative information regarding the institution or program which shows an on-going program evaluation of outputs consistent with the educational goals of the institution or program.

(7) It encourages experimental and innovative programs to the extent that these are conceived and implemented in a manner which ensures the quality and integrity of the institution or program.

(8) It accredits only those institutions or programs which meet its published standards, and demonstrates that its standards, policies, and procedures are fairly applied and that its evaluations are conducted and decisions rendered under conditions that assure an impartial and objective judgment.

(9) It reevaluates at reasonable intervals institutions or programs which it has accredited.

(10) It requires that any reference to its accreditation of accredited institutions and programs clearly specifies the areas and levels for which accreditation has been received.

(c) *Reliability.* Its reliability is demonstrated by—

(1) Acceptance throughout the United States of its policies, evaluation methods, and decisions by educators, educational institutions, licensing bodies, practitioners, and employers;

(2) Regular review of its standards, policies and procedures, in order that the evaluative process shall support constructive analysis, emphasize factors of critical importance, and reflect the educational and training needs of the student;

(3) Not less than two years' experience as an accrediting agency or association;

(4) Reflection in the composition of its policy and decisionmaking bodies of the community of interests directly affected by the scope of its accreditation.

(d) *Autonomous.* Its autonomy is demonstrated by evidence that—

(1) It performs no function that would be inconsistent with the formation of an independent judgment of the quality of an educational program or institution;

(2) It provides in its operating procedures against conflict of interest in the rendering of its judgments and decisions.

(20 U.S.C. 1141(a))

Subpart B—Criteria for State Agencies

§ 149.20 Scope.

(a) Pursuant to section 438(b) of the Higher Education Act of 1965 as amended by Public Law 92-318, the United States Commissioner of Education is required to publish a list of State agencies which he determines to be reliable authorities as to the quality of public postsecondary vocational education in their respective States for the purpose of determining eligibility for Federal student assistance programs administered by the Office of Education.

(b) Approval by a State agency included on the list will provide an alternative means of satisfying statutory standards as to the quality of public postsecondary vocational education to be undertaken by students receiving assistance under such programs.

(20 U.S.C. 1087-1(b))

§ 149.21 Publication of list.

Periodically the U.S. Commissioner of Education will publish a list in the FEDERAL REGISTER of the State agencies which he determines to be reliable authorities as to the quality of public postsecondary vocational education in their respective States.

(20 U.S.C. 1087-1(b))

§ 149.22 Inclusion on list.

Any State agency which desires to be listed by the Commissioner as meeting the criteria set forth in § 149.24 should apply in writing to the Director, Accreditation and Institutional Eligibility Staff, Bureau of Postsecondary Education, Office of Education, Washington, D.C. 20202.

(20 U.S.C. 1087-1(b))

§ 149.23 Initial recognition, and reevaluation.

For initial recognition and for renewal of recognition, the State agency will furnish information establishing its compliance with the criteria set forth in § 149.24. This information may be supplemented by personal interviews or by review of the agency's facilities, records, personnel qualifications, and administrative management. Each agency listed will be reevaluated by the Commissioner at his discretion, but at least once every four years. No adverse decision will become final without affording an opportunity for a hearing.

(20 U.S.C. 1087-1(b))

§ 149.24 Criteria for State agencies.

The following are the criteria which the Commissioner of Education will utilize in designating a State agency as a reliable authority to assess the quality of public postsecondary vocational education in its respective State.

(a) *Functional aspects.* The functional aspects of the State agency must be shown by:

(1) *Its scope of operations.* The agency:

(i) Is statewide in the scope of its operations and is legally authorized to approve public postsecondary vocational institutions or programs;

(ii) Clearly sets forth the scope of its objectives and activities, both as to kinds and levels of public postsecondary vocational institutions or programs covered, and the kinds of operations performed;

(iii) Delineates the process by which it differentiates among and approves programs of varying levels.

(2) *Its organization.* The State agency:

(i) Employs qualified personnel and uses sound procedures to carry out its

operations in a timely and effective manner;

(ii) Receives adequate and timely financial support, as shown by its appropriations, to carry out its operations;

(iii) Selects competent and knowledgeable persons, qualified by experience and training, and selects such persons in accordance with nondiscriminatory practices, (A) to participate on visiting teams, (B) to engage in consultative services for the evaluation and approval process, and (C) to serve on decision-making bodies.

(3) *Its procedures.* The State agency:

(i) Maintains clear definitions of approval status and has developed written procedures for granting, reaffirming, revoking, denying, and reinstating approval status;

(ii) Requires, as an integral part of the approval and reapproval process, institutional or program self-analysis and onsite reviews by visiting teams, and provides written and consultative guidance to institutions or programs and visiting teams.

(A) Self-analysis shall be a qualitative assessment of the strengths and limitations of the instructional program, including the achievement of institutional or program objectives, and should involve a representative portion of the institution's administrative staff, teaching faculty, students, governing body, and other appropriate constituencies.

(B) The visiting team, which includes qualified examiners other than agency staff, reviews instructional content, methods and resources, administrative management, student services, and facilities. It prepares written reports and recommendations for use by the State agency.

(iii) Reevaluates at reasonable and regularly scheduled intervals institutions or programs which it has approved.

(b) *Responsibility and reliability.* The responsibility and reliability of the State agency will be demonstrated by:

(1) Its responsiveness to the public interest. The State agency:

(i) Has an advisory body which provides for representation from public employment services and employers, employees, postsecondary vocational educators, students, and the general public, including minority groups. Among its functions, this structure provides counsel to the State agency relating to the development of standards, operating procedures and policy, and interprets the educational needs and manpower projections of the State's public postsecondary vocational education system;

(ii) Demonstrates that the advisory body makes a real and meaningful contribution to the approval process;

(iii) Provides advance public notice of proposed or revised standards or regulations through its regular channels of communications, supplemented, if necessary, with direct communication to inform interested members of the affected community. In addition, it provides such persons the opportunity to comment on the standards or regulations prior to their adoption;

(iv) Secures sufficient qualitative information regarding the applicant institution or program to enable the institution or program to demonstrate that it has an ongoing program of evaluation of outputs consistent with its educational goals;

(v) Encourages experimental and innovative programs to the extent that these are conceived and implemented in a manner which ensures the quality and integrity of the institution or program;

(vi) Demonstrates that it approves only those institutions or programs which meet its published standards; that its standards, policies, and procedures are fairly applied; and that its evaluations are conducted and decisions are rendered under conditions that assure an impartial and objective judgment;

(vii) Regularly reviews its standards, policies and procedures in order that the evaluative process shall support constructive analysis, emphasize factors of critical importance, and reflect the educational and training needs of the student;

(viii) Performs no function that would be inconsistent with the formation of an independent judgment of the quality of an educational institution or program;

(ix) Has written procedures for the review of complaints pertaining to institutional or program quality as these relate to the agency's standards, and demonstrates that such procedures are adequate to provide timely treatment of such complaints in a manner fair and equitable to the complainant and to the institution or program;

(x) Annually makes available to the public (A) its policies for approval, (B) reports of its operations, and (C) list of institutions or programs which it has approved;

(xi) Requires each approved school or program to report on changes instituted to determine continued compliance with standards or regulations;

(xii) Confers regularly with counterpart agencies that have similar responsibilities in other and neighboring States about methods and techniques that may be used to meet those responsibilities.

(2) Its assurances that due process is accorded to institutions or programs seeking approval. The State agency:

(i) Provides for adequate discussion during the on-site visit between the visiting team and the faculty, administrative staff, students, and other appropriate persons;

(ii) Furnishes as a result of the evaluation visit, a written report to the institution or program commenting on areas of strength, areas needing improvement, and, when appropriate, suggesting means of improvement and including specific areas, if any, where the institution or program may not be in compliance with the agency's standards;

(iii) Provides the chief executive officer of the institution or program with opportunity to comment upon the written report and to file supplemental materials pertinent to the facts and conclusions in the written report of the visiting team

before the agency takes action on the report;

(iv) Provides the chief executive officer of the institution with a specific statement of reasons for any adverse action, and notice of the right to appeal such action before an appeal body designated for that purpose;

(v) Publishes rules of procedure regarding appeals;

(vi) Continues the approval status of the institution or program pending disposition of an appeal;

(vii) Furnishes the chief executive officer of the institution or program with a written decision of the appeal body, including a statement of its reasons therefor.

(c) *Capacity to foster ethical practices.* The State agency must demonstrate its capability and willingness to foster ethical practices by showing that it:

(i) Promotes a well-defined set of ethical standards governing institutional or programmatic practices, including recruitment, advertising, transcripts, fair and equitable student tuition refunds, and student placement services;

(ii) Maintains appropriate review in relation to the ethical practices of each approved institution or program.

(20 U.S.C. 1087-1(b))

[FR Doc. 74-19298 Filed 8-19-74; 8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA—PUBLIC FIXED STATIONS

Logs of Public Coast Telegraphy Stations

1. Section 81.214(a)(6) of the rules requires that public coast stations using telegraphy are to maintain a radiotelegraph log during their hours of service. All calls transmitted from or received by the coast station, together with a brief notation of any messages transmitted or received, must be entered, showing the respective times, official call signs of the mobile or land station communicated with, and the assigned frequency(s) on which the operations occurred.

2. It is apparent that, when copies of messages are retained by the licensee of the public coast station, and when the information required to be entered in the log by § 81.214(a)(6) is contained in these messages, needless duplication of effort results from requiring that this information also be entered directly in the log. This is the situation which now results from the operation of § 81.214(a)(6) of the rules.

3. The policy underlying § 81.214(a)(6) is merely one of insuring that all the requested information is on file with the station log. The Commission is of the opinion that no useful purpose or public policy objective would be served by continuing to require and sanction a duplication of effort in circumstances such as those hereinabove described. Accordingly, the rule change set forth below is designed to eliminate such duplication of effort by providing that, when copies of messages are retained by a licensee of the station, entries of the required information need not be made directly in the log when the information is contained in the message so maintained.

low is designed to eliminate such duplication of effort by providing that, when copies of messages are retained by a licensee of the station, entries of the required information need not be made directly in the log when the information is contained in the message so maintained.

4. The rule amendment adopted herein makes no substantive change in the information required to be maintained with the log of the coast station; accordingly, the amendment is editorial in nature, and hence the prior notice, procedure, and effective date provisions of 5 U.S.C. 553 do not apply. Authority for the promulgation of the amendment is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 2.231(d) of the Commission's rules.

5. Accordingly, Part 81 of the Commission's rules is amended as shown below, effective August 26, 1974.

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

Adopted: August 13, 1974.

Released: August 14, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] JOHN M. TORBET,
Executive Director.

Part 81 of 47 CFR Chapter I is amended as follows:

1. Section 81.214(a)(6) is amended to read as follows:

§ 81.214 Station records.

(a) * * *

(6) All calls transmitted from or received by the coast station, together with a brief notation of any messages transmitted or received, shall be entered, showing the respective times, official call signs of the mobile or land stations communicated with, and the assigned frequency(s) on which the operations occurred. Provided, however, that the entries prescribed by this paragraph may be omitted from the station log upon the express condition that copies of messages are retained by the station licensee. Such messages shall be made available upon request of an authorized Commission representative. The equivalent records shall include the time and such other notations as are required to identify the frequency(s) employed and the call sign(s) of the mobile or land station communicated with.

[FR Doc. 74-19131 Filed 8-19-74; 8:45 am]

Title 49—Transportation

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

[Docket No. 74-31; Notice 1]

PART 576—RECORD RETENTION

Interim Rule

This notice establishes an immediate temporary requirement for retention by

motor vehicle manufacturers of records concerning malfunctions that may be related to motor vehicle safety.

By a separate notice published today, 39 FR 30048 the NHTSA proposes to establish permanent requirements for the retention of records by manufacturers. The proposed rule would require motor vehicle manufacturers to retain for 5 years all records in their possession relating to failures, malfunctions, or flaws that could be a causative factor in accidents or injuries. These records are needed in agency investigations of possible defects related to motor vehicle safety, or of nonconformity to the safety standards and regulations. A fuller discussion of the proposal is contained in that notice.

The NHTSA finds it important that existing records and those that may be generated or acquired while this rule-making is under consideration not be disposed of prior to the permanent effectiveness of the rule. In order to maintain the status quo, therefore, this rule is issued to be effective August 15, 1974. For the reasons stated, pursuant to 5 U.S.C. 553(b), notice and public procedure thereon with respect to this interim notice are found to be impracticable and contrary to the public interest. This rule in its present form will be effective only until action is taken upon the proposed permanent rule issued concurrently.

In light of the foregoing, a new Part 576, Record Retention, is added to Title 49, Code of Federal Regulations, to read as set forth below.

Effective date: August 15, 1974.

Issued: August 13, 1974.

JAMES B. GREGORY,
Administrator.

Sec.

- 576.1 Scope.
- 576.2 Purpose.
- 576.3 Application.
- 576.4 Definitions.
- 576.5 Basic requirement.
- 576.6 Records.
- 576.7 Retention.
- 576.8 Malfunctions covered.

AUTHORITY: Secs. 108, 112, 113, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1397, 1401, 1402, 1407; delegation of authority at 49 CFR 1.51.

§ 576.1 Scope.

This part establishes requirements for the retention by motor vehicle manufacturers of complaints, reports, and other records concerning motor vehicle malfunctions that may be related to motor vehicle safety.

§ 576.2 Purpose.

The purpose of this part is to preserve records that are needed for the proper investigation, and adjudication or other disposition, of possible defects related to motor vehicle safety and instances of nonconformity to the motor vehicle safety standards and associated regulations.

§ 576.3 Application.

This part applies to all manufacturers of motor vehicles, with respect to all

records generated or acquired after August 15, 1969.

§ 576.4 Definitions.

All terms in this part that are defined in the Act are used as defined therein.

§ 576.5 Basic requirements.

Each manufacturer of motor vehicles shall retain as specified in § 576.7 all records described in § 576.6 for a period of 5 years from the date on which they were generated or acquired by the manufacturer.

§ 576.6 Records.

Records to be retained by manufacturers under this part include all documentary materials, films, tapes, and other information-storing media that contain information concerning malfunctions that may be related to motor vehicle safety. Such records include, but are not limited to, communications from vehicle users and memoranda of user complaints; reports and other documents related to work performed under, or claims made under, warranties; service reports or similar documents from dealers or manufacturer's field personnel; and any lists, compilations, analyses, or discussions of such malfunctions contained in internal or external correspondence of the manufacturer.

§ 576.7 Retention.

Duplicate copies need not be retained. Information may be reproduced or transferred from one storage medium to another (e.g., from paper files to microfilm) as long as no information is lost in the reproduction or transfer, and when so reproduced or transferred the original form may be treated as a duplicate.

§ 576.8 Malfunctions covered.

For purposes of this part, "malfunctions that may be related to motor vehicle safety" shall include, with respect to a motor vehicle or item of motor vehicle equipment, any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person.

[FR Doc.74-19079 Filed 8-15-74; 10:13 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER B—PRACTICE AND PROCEDURE

[Ex parte No. 306]

PART 1100—GENERAL RULES OF PRACTICE

Freight Rates for Recyclables

At a General Session of the Interstate Commerce Commission, held at its office

in Washington, D.C., on the 30th day of July 1974.

It appearing, That the Commission, on this date, has made and filed its report in this proceeding setting forth its conclusions and findings and its reasons therefor, which report is hereby incorporated in this order;

Wherefore, and for good cause:

It is ordered, That Part 1100 of Subchapter B of Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby amended by adding a new § 1100.251, reading as follows:

§ 1100.251 Special rules for proceedings in which the elimination of discrimination against the shipment of recyclable materials is sought.

(a) *Filing of complaint.* A person seeking elimination of discrimination against shipments of recyclable materials shall file a formal complaint. Such complaint should be so drawn as to fully advise the parties defendant and the Commission of the discrimination against recyclables complained of; make specific reference to the tariffs or schedules containing the rates, fares, or charges occasioning the discrimination against the shipment of recyclable materials, if the claimed discrimination is said to be occasioned by the rate structure; and in all other respects comport with the requirements for the commencement of proceedings as set forth in the General Rules of Practice.

(b) *Discrimination defined.* For the purpose of these rules, "discrimination" is understood to encompass, but not be limited to, situations in which carriers charge different rates and/or charges for substantially similar transportation services on recyclable materials which are competitive, in whole or in part, with virgin natural resource materials. Any complainant of the view that the "discrimination" referred to in section 603 of the Regional Rail Reorganization Act of 1973, 45 U.S.C. 793 (1974), is other than "unjust discrimination" prescribed by section 2 of the Interstate Commerce Act shall set forth the reasons therefor in said complaint.

(c) *Recyclable materials defined.* For the purpose of these rules, the term "recyclable materials" includes, but is not limited to, commodities shown in Standard Transportation Commodity Code Tariff No. 1-B, Traffic Executive Association—Eastern Railroads, Agent, I.C.C. No. C-998, issued jointly with other agents, effective April 1, 1974, including the following:

Commodity	STCC No.:
22-----	Textile waste garneted or processed.
22 973 15----	Nolls, ramie.
22 973 25----	Nolls (combings or comb-er waste), cotton.
thru	

Commodity	STCC No.:
22 973 68----	Rovings, jute and istle (itile).
32 299 24----	Cullet (broken glass).
33 119-----	Blast furnace or coke oven products, nec.
32 312-----	Copper matte, speiss or flue dust.
33 322-----	Lead matte, speiss or flue dust.
33 332-----	Zinc dross, residues, ashes.
33 342-----	Aluminum residues.
33 394-----	Miscellaneous nonferrous metal residue.
40 1-----	Ashes.
40 2-----	Waste or scrap.

(d) *Filing of answer.* Answers to claims of discrimination shall be so drawn as to fully advise the complainant, any other parties, and the Commission of the defense to the charge of discrimination against the shipment of recyclable materials that the respondent proposes to assert in its defense and otherwise conform to the requirements of the General Rules of Practice.

(e) *Procedural handling.* The proceeding following the commencement of the action as set forth in the foregoing rules shall be handled under modified procedure and will be accorded expeditious handling.

(f) *Intervention.* (1) A summary of any complaint filed with the Commission under these rules will be published in the FEDERAL REGISTER as notice to interested parties, (2) Government agencies, environmental and other public interest groups, and trade associations having an interest in the proceeding may intervene as of right by filing a statement of their intention to participate within 20 days from the date that notice of the filing of a complaint is published in the FEDERAL REGISTER. After the expiration of that 20-day period, petitions for leave to intervene must be filed under rule 72 of the General Rules of Practice, 49 CFR § 1100.72.

(g) *Other procedures.* In all other particulars the proceeding shall be governed by the Commission's General Rules of Practice.

(45 U.S.C. § 793 and 49 U.S.C. § 1 et seq.)

It is further ordered, That this order shall become effective August 20, 1974.

And it is further ordered, That notice of this order shall be given to the public by depositing a copy thereof in the Office of the Secretary of this Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication therein.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-19158 Filed 8-19-74; 8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 910]

HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

Approval of Expenses and Fixing of Rate of Assessment for 1974-75 Fiscal Year; Carryover of Unexpended Funds

This notice invites written comment relative to the proposed expenses of \$295,200 and rate of assessment of \$0.024 per carton of lemons to support the activities of the Lemon Administrative Committee for the 1974-75 fiscal year under Marketing Order No. 910.

Consideration is being given to the following proposals submitted by the Lemon Administrative Committee, established pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in the State of Arizona and that part of the State of California south of a line drawn due east and west through the post office in Turlock, California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and likely to be incurred by the Lemon Administrative Committee during the period August 1, 1974, through July 31, 1975, will amount to \$295,200.

(2) That the rate of assessment for said period, payable by each handler in accordance with § 910.41, be fixed at \$0.024 per carton of lemons.

(3) That \$20,000 of unexpended funds in excess of expenses incurred during the fiscal year ended July 31, 1974, be added to the reserve, established pursuant to § 910.42(a) (2).

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than September 6, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: August 15, 1974.

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

[FR Doc.74-19172 Filed 8-19-74; 8:45 am]

[7 CFR Part 926]

TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALIFORNIA

Limitation of Handling; Proposed Continuation

This notice invites written comments relative to the continuation of Tokay Grape Regulation 10 (§ 926.311; 39 FR 28870) which will expire on September 30, 1974. Said regulation currently specifies that all shipments of fresh Tokay grapes, grown in the production area shall meet at least the grade and size requirements for U.S. No. 1 Table Grapes including the additional requirement that at least 30 percent of the berries in the lower quarter of each bunch show characteristic color. Containers of all regulated Tokay grapes must bear a Federal-State Inspection Service lot stamp number on one outside end to verify inspection prior to shipment. The Industry Committee has recommended that said regulation be amended to extend its requirements through December 31, 1974, to assure the shipment of only those Tokay grapes that will be of suitable quality and size in the interest of consumers and producers.

Accordingly, consideration is being given to the following proposal submitted by the Industry Committee, established pursuant to the marketing agreement, as amended, and Order No. 926, as amended (7 CFR Part 926), regulating the handling of Tokay grapes grown in San Joaquin County, California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal is to amend § 926.311 (Tokay Grape Regulation 10; 39 FR 28870) to continue the effective period of such regulation through December 31, 1974. Unless so amended the regulation will expire on September 30, 1974.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than September 9, 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)).

Under the proposal the provisions of § 926.311(a) preceding paragraph (1) thereof would read as follows:

§ 926.311 Tokay Grape Regulation 10.

Order. (a) During the period August 19, 1974, through December 31, 1974, no handler shall ship:

Dated: August 15, 1974.

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

[FR Doc.74-19171 Filed 8-19-74; 8:45 am]

[7 CFR Part 927]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Limitation of Handling; Proposed Continuation

This notice invites written comments relative to the continuation of Pear Regulation 13 (§ 927.313; 39 FR 29170) which will expire on September 30, 1974. Said regulation specifies that all interstate shipments of fresh Beurre D'Anjou, Beurre Bosc, Winter Nelis, and Doyenne du Comice varieties of winter pears grown in Oregon, Washington, or California must meet certain grade, size, and other requirements. Those requirements for Beurre D'Anjou variety are that such pears grade at least U.S. No. 1 and be not smaller than 180 size, however, such pears which grade at least U.S. No. 2 may be shipped if they are not smaller than 165 size. Beurre D'Anjou pears bearing unhealed skin punctures not exceeding $\frac{3}{16}$ -inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are not smaller than 135 size. All such pears shipped from the Medford, Hood River-White Salmon-underwood, Wenatchee, and Yakima Districts must have had their core temperature lowered to 35° Fahrenheit, or less, prior to shipment as certified by the Federal-State Inspection Service.

Beurre Bosc pears must grade at least U.S. No. 1 and be not smaller than 195 size, however, such pears which grade at least U.S. No. 2 may be shipped if they are not smaller than 180 size. Beurre Bosc pears bearing unhealed skin punctures not exceeding $\frac{3}{16}$ -inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are not smaller than 135 size.

Winter Nelis pears must grade at least U.S. No. 2 and be not smaller than 195 size.

Doyenne du Comice pears must grade at least U.S. No. 2 and be not smaller than 165 size, however, such pears bearing unhealed skin punctures not exceeding $\frac{3}{16}$ -inch in diameter may be shipped if they otherwise grade at least U.S. No. 1 and are not smaller than 135 size.

The regulation also provides that any handler may ship not more than 200 standard western pear boxes of any variety of uninspected pears on a single conveyance after having secured permission from the Control Committee to do so. All such shipments must be reported to the committee to facilitate spot check inspections.

Accordingly, consideration is being given to the following proposal submitted by the Control Committee, established pursuant to the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927; 39 FR 26714), which regulate the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal is to amend § 927.313 (Pear Regulation 13; 39 FR 29170) to continue the effective period thereof through June 30, 1975, except that the aforementioned core temperature requirements for Beurre D'Anjou pears would be continued through October 15, 1974. Unless so amended the regulation will expire on September 30, 1974.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than September 13, 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)).

Under the proposal the provisions of § 927.313(a) through subparagraph (2) thereof would read as follows:

§ 927.313 Pear Regulation 13.

Order. (a) During the period August 15, 1974, through June 30, 1975, no handler shall ship any of the following varieties of pears which do not meet the requirements hereinafter specified.

(2) Beurre D'Anjou pears shipped from the Medford, Hood River-White Salmon-Underwood, Wenatchee, and Yakima Districts prior to October 15, 1974, shall have an appropriate certification by the Federal-State Inspection Service, issued prior to shipment, showing that the core temperature of such

pears has been lowered to 35° Fahrenheit or less;

Dated: August 15, 1974.

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

[FR Doc.74-19170 Filed 8-19-74;8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

National Highway Traffic Safety
Administration

[49 CFR Part 571]

[Docket No. 74-30; Notice 1]

**DOOR LOCKS AND DOOR RETENTION
COMPONENTS**

**Proposed Motor Vehicle Safety Standard
Correction**

In FR Doc. 74-18649, appearing at page 29198 in the issue for Wednesday, August 14, 1974, the comment closing date on page 29199 which reads "August 14, 1974" should read "October 14, 1974."

[49 CFR Part 576]

[Docket No. 74-31; Notice 2]

RECORD RETENTION

Proposed Requirements

This notice proposes requirements for the retention by motor vehicle manufacturers of records concerning malfunctions that may be related to motor vehicle safety.

An important factor in any NHTSA investigation of a possible vehicle defect related to motor vehicle safety, or non-conformity to the safety standards, is the records in the possession of the vehicle manufacturer. Typically, the manufacturer is the main recipient of complaints of malfunction by the vehicle owner. Many reports of malfunctions are processed through channels for the administration of vehicle warranties by manufacturers and their dealers. Manufacturers' field service representatives may also serve as collection points for information of this nature. It is to be expected that manufacturers compile analyses and lists of malfunction reports, with a view to product improvement, removal of design weaknesses, and of course the remedying of safety-related defects. Since some defects are not revealed as such until months or years after the vehicle's manufacture, a determination by the NHTSA of the proper disposition of a possible defect, under section 113 of the National Traffic and Motor Vehicle Safety Act, may be seriously hindered if manufacturers do not retain these records for a substantial period.

This agency therefore proposes to require manufacturers to retain for 5

years their records related to vehicle malfunctions that may be related to motor vehicle safety. This period is tentatively selected as long enough to cover the great majority of defects, while not so long as to pose major problems for modern information-storage systems. The proposal is phrased broadly to include any media by which such information may be stored, not just "paper records." The proposal would require a storage method that would permit retrieval and assemblage with similar materials within a 30-day period. It would allow the discarding of duplicate copies, and of records that have been transferred to another storage medium such as microfilm, as long as there is no loss of information in the transfer.

This agency recognizes that not all malfunctions constitute safety-related defects. In order for the NHTSA to make an independent determination of whether a safety-related defect is present, however, the records to be retained by manufacturers must cover a broad enough area that any cases of doubt will be resolved in favor of retention. The proposed regulation defines this area as any failure or malfunction beyond normal deterioration in use, or any failure of performance or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or a personal injury.

In light of the foregoing, it is proposed that 49 CFR Part 576, Record Retention, presently promulgated on an interim basis, be made a permanent part of the Code of Federal Regulations as set forth below.

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

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

Comment closing date: October 14, 1974.

Proposed effective date: Date of publication in **FEDERAL REGISTER**.

Issued: August 13, 1974.

JAMES B. GREGORY,
Administrator.

PART 576—RECORD RETENTION

- Sec.
- 576.1 Scope.
- 576.2 Purpose.
- 576.3 Application.
- 576.4 Definitions.
- 576.5 Basic requirement.
- 576.6 Records.
- 576.7 Retention.
- 576.8 Malfunctions covered.

(Sec. 108, 112, 113, 119, Pub. L. 89-563, 80 Stat. 718, 15 U.S.C. 1397, 1401, 1402, 1407; delegation of authority at 49 CFR 1.51)

§ 576.1 Scope.

This part establishes requirements for the retention by motor vehicle manufacturers of complaints, reports, and other records concerning motor vehicle malfunctions that may be related to motor vehicle safety.

§ 576.2 Purpose.

The purpose of this part is to preserve records that are needed for the proper investigation, and adjudication or other disposition, of possible defects related to motor vehicle safety and instances of nonconformity to the motor vehicle safety standards and associated regulations.

§ 576.3 Application.

This part applies to all manufacturers of motor vehicles, with respect to all records generated or acquired after August 15, 1969.

§ 576.4 Definitions.

All terms in this part that are defined in the Act are used as defined therein.

§ 576.5 Basic requirements.

Each manufacturer of motor vehicles shall retain as specified in § 576.7 all records described in § 576.6 for a period of 5 years from the date on which they were generated or acquired by the manufacturer.

§ 576.6 Records.

Records to be retained by manufacturers under this part include all documentary materials, films, tapes, and other information-storing media that contain information concerning malfunctions that may be related to motor vehicle safety. Such records include, but are not limited to, communications from vehicle users and memoranda of user complaints; reports and other documents related to work performed under, or claims made under, warranties; service reports or similar documents from dealers or manufacturer's field personnel; and any lists, compilations, analyses, or discussions of such malfunc-

tions contained in internal or external correspondence of the manufacturer.

§ 576.7 Retention.

(a) Records shall be retained in a manner that permits retrieval and assemblage with other materials on the same or similar subjects within a period of not more than 30 days.

(b) Duplicate copies need not be retained. Information may be reproduced or transferred from one storage medium to another (e.g., from paper files to microfilm) as long as no information is lost in the reproduction or transfer, and when so reproduced or transferred the original form may be treated as a duplicate.

§ 576.8 Malfunctions covered.

For purposes of this part, "malfunctions that may be related to motor vehicle safety" shall include, with respect to a motor vehicle or item of motor vehicle equipment, any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, that could in any reasonably foreseeable manner be a causative factor in, or aggravate, an accident or an injury to a person.

[FR Doc.74-19080 Filed 8-15-74;10:16 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 252-4]

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Nebraska; Approval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of State plans for implementation of the national ambient air quality standards. The State of Nebraska submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved plans pursuant to 40 CFR 51.6. 40 CFR 51.8 requires the Administrator to approve or disapprove compliance schedules submitted by the states. Therefore, the Administrator proposes the approval of the compliance schedules listed below.

The approvable schedules were adopted by the State and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR 51.4 and 51.6 and the substantive requirements of 40 CFR 51.15 pertaining to compliance schedules, and have been reviewed and determined to be consistent with the approved control strategies of Nebraska. Each approved revision establishes a new date by which the indi-

vidual source must comply with the applicable emission limitation in the federally approved State implementation plan. This date is indicated in the table below, under the heading "Final Compliance Date." In all cases, the schedules include incremental steps toward compliance with the applicable emission limitations. While the tables below do not include these interim dates, the actual compliance schedules do. Since the date adopted and the effective date of the compliance schedules are the same, a variance expiration date is included in the schedule in place of the effective date. Three sources, Nebraska Public Power District, Hallam; Deeter Foundry, Inc., Lincoln; and Lincoln Grain, Inc., Lincoln, have final compliance dates beyond the variance expiration date. These schedules are approved contingent upon the State's extending the variance for the appropriate period.

In the indication of proposed approval of individual compliance schedules, the individual schedules are included by reference only. In addition, since the large numbers of compliance schedules preclude setting forth detailed reasons for approval of individual schedules in the **FEDERAL REGISTER**, an evaluation report has been prepared for each individual compliance schedule. Copies of these evaluation reports and the compliance schedules proposed to be approved are available for public inspection at the Environmental Protection Agency, 1735 Baltimore Avenue, Kansas City, Missouri 64108.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Region VII office at the above address. All comments submitted on or before September 19, 1974 will be considered. All comments received, as well as copies of the applicable implementation plans, will be available for inspection during normal business hours at the Regional Office. (42 U.S.C. 1857c-5)

Dated: June 11, 1974.

JEROME H. SVORE,
Regional Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40 of the Code of Federal Regulations as follows:

Subpart CC—Nebraska

1. A new paragraph (c) is added to § 52.1425 as follows:

§ 52.1425 Compliance schedules.

(c) *Compliance schedules for sources.* The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.6 and § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

NEBRASKA

Source	Location	State regulation involved	Date adopted	Variance expiration date	Final compliance date
Far-Mar-Co.: Grain Elevator Lincoln	do	Sec. 4, 16, 13	May 2, 1973	July 31, 1974	July 31, 1974
Gooch Milling and Elevator Co.: (a) Grain Elevator "C"	do	do	Apr. 24, 1973	Aug. 15, 1974	July 1, 1974
(b) Grain Elevator "D"	do	do	do	do	July 1, 1975
Deeter Foundry, Inc., Cupola	do	Sec. 4, 5	May 2, 1973	do	Dec. 31, 1974
Uncle Sam Breakfast Food Co., Grain Elevator	do	Sec. 4, 16, 13	do	June 1, 1974	June 1, 1974
Lincoln Grain, Inc., Grain Elevator	do	do	do	Aug. 15, 1974	Dec. 31, 1974
Nebraska Public Power District, Sheldon Station	Hallam	Sec. 4, 5, 13	do	do	Mar. 31, 1975
Gould, Inc.	Omaha	do	do	do	do
Bers Metal Division, Blast Furnace	do	Sec. 45.04.200	Jan. 31, 1973	Aug. 31, 1974	Aug. 31, 1974
		Sec. 45.04.180			
Omaha Public Power District: (a) North Omaha Station, Boilers Nos. 1, 2, 3, 4 and 5	do	Sec. 45.04.190	Nov. 5, 1973	July 31, 1975	July 31, 1975
(b) Jones Street Station, Boilers Nos. 20, 21, 22, 23, 24 and 25	do	Sec. 45.04.190	Apr. 11, 1973	June 1, 1974	June 1, 1974
		Sec. 45.04.180			

[FR Doc.74-18953 Filed 8-19-74; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20136; RM-2285]

TV BROADCAST STATIONS

Table of Assignments; Tennessee

In the matter of amendment of § 73.606(b), table of assignments, TV broadcast stations (Cookeville and Fayetteville, Tenn.).

1. The Commission, by the Chief, Broadcast Bureau, has before it for consideration the South Central Broadcasting Corporation petition for rule making, RM-2285, requesting the amendment of § 73.606(b) of the Commission's rules, the Television Table of Assignments.

2. On November 23, 1973, South Central Corporation (SCBC) licensee of commercial television Station WTVK, Channel 26, Knoxville, Tennessee, proposed the following changes in the Table:

City	Channel No.	
	Present	Proposed
Cookeville, Tenn.	*22	*22, 28+
Fayetteville, Tenn.	*28-	*50-

The SCBC proposal would shift the reserved Channel *28 at Fayetteville to Cookeville where it would be made available for commercial use and thereafter would be applied for by SCBC for operation as a satellite of its Station WTVK at Knoxville. Cookeville is located approximately 90 miles west of Knoxville and beyond the Grade B contour of Station WTVK. However, a satellite station at Cookeville would provide service to a substantial area within Station WTVK's predicted Grade B contour to the west of Knoxville. Residents of the area now are unable to receive satisfactory service from Station WTVK. SCBC proposes replacing Channel *28 at Fayetteville with Channel *50. Although the Tennessee State Board of Education has not objected to the proposed switch to a higher UHF channel, the Corporation for Public Broadcasting, by its President, Mr. Henry Loomis, has filed pre-notice oppo-

sition urging retention of a low UHF television channel at Fayetteville. Notwithstanding the availability of a higher channel (in the Channel 50 range) which could be assigned directly to Cookeville without requiring Fayetteville or any other community to change channels, SCBC is not interested in such an assignment because it is seeking a low UHF channel in a band near its Knoxville Channel 26 operation so that it can utilize certain equipment previously used by Station WTVK.

3. Although the Commission does not recognize technical or psychological superiority of low UHF channels over high UHF channels in designing assignment plans, changes to maintain a better balance between high and low reserved and unreserved UHF channels have been made if channel efficiency is not substantially reduced or impaired. The studies of the co-channel and 18 pertinent adjacent and taboo related channels indicate that Channel 28 could be assigned to Cookeville and Channel *50 could be assigned to Fayetteville in accordance with the SCBC proposal; and that both assignments would comply with the minimum geographic mileage separation requirements of the rules, while providing ample flexibility for transmitter site selection. We believe that rule making is warranted in order to determine whether the SCBC proposal to assign a commercial channel to Cookeville would be in the public interest. However, we are modifying SCBC's plan by proposing a different substitute channel for the reserved assignment at Fayetteville because of a conflict in assignment proposed in another petition for rule making, RM-2340, filed by the Georgia State Board of Education requesting the assignment of Channel *50 to Young Harris, Georgia. Instead of replacing Channel *28 with Channel *50 at Fayetteville as proposed by SCBC, we are proposing Channel *52 as a substitute for Channel *28.

4. In view of the foregoing, pursuant to authority found in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules and regulations, it is proposed to

amend § 73.606(b) of the Commission's rules, the Television Table of Assignments, as follows:

City	Channel No.	
	Present	Proposed
Cookeville, Tenn.	*22	*22, 28+
Fayetteville, Tenn.	*28-	*52-

5. For purposes of avoiding undue delay in the termination of this proceeding, counterproposals advanced in this proceeding will be considered if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments. With respect to petitions for rule making which conflict with the proposals in this Notice, they will be considered as comments in this proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that date, they will not be considered in connection with the decision in this docket.

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before October 4, 1974, and reply comments on or before October 29, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

8. All filings made in this proceeding will be available for examination by interested parties during business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW, Washington, D.C.

Adopted: August 12, 1974.

Released: August 14, 1974.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-19130 Filed 8-19-74; 8:45 am]

[47 CFR Part 73]

[Docket No. 20135; RM-2340]

TV BROADCAST STATION

Table of Assignment; Georgia

In the matter of Amendment of § 73.606(b) table of assignments, television broadcast stations. (Carnesville, Carrollton, Cedartown, Columbus, Elberton, Flintstone, Lafayette, Toccoa and Young Harris, Georgia).

1. The Commission, by the Chief, Broadcast Bureau, has before it for consideration the Georgia State Board of Education (GSBE) petition for rule making, RM-2340, requesting the amendment

of § 73.606(b) of the Commission's Rules, the Television Table of Assignments, by assigning reserved educational channels to various communities in Georgia.

2. Some educationally reserved channels are assigned to various Georgia communities in the present table. The petition, filed on March 7, 1974, as supplemented by subsequent pleadings, proposed the assignment of additional reserved channels, under an expanded state plan, as follows: Carnesville, Channel *52; Carrollton, Channel *49; Cedartown, Channel *65; Columbus, Channel *48; Elberton, Channel *60; Flintstone, Channel *51; Lafayette, Channel *35; Toccoa, Channel *68 and Young Harris, Channel *50.

3. On its present state network GSBE operates the following licensed stations: WCLP-TV, Chatsworth, Georgia; WACS-TV, Dawson, Georgia; WABW-TV, Pelham, Georgia; WCES-TV, Wrens, Georgia; WXGA-TV, Waycross, Georgia; WVAN-TV, Savannah, Georgia; WJSP-TV, Columbus, Georgia; and WDOC-TV, Cochran, Georgia. Another state-owned station, WGTW, Athens, Georgia, not licensed to GSBE, and the eight GSBE licensed stations form the Georgia Educational Television Network. GSBE states that it is committed to the purpose of providing educational television to all the citizens and schools of Georgia. Presently the instructional and public television programs broadcast by the network are not received in many rural areas of the State. GSBE estimates that approximately 435,000 citizens and 135 elementary and secondary schools are unable to receive satisfactory signals from its present network service. The GSBE proposal would assign reserved channels in those rural areas not now receiving satisfactory service from any noncommercial educational television station. Its plan would provide the channels necessary to bridge the gap in bringing statewide coverage by the network. Initially GSBE plans to operate high-powered translators on these channels. GSBE now has three translator stations operating in its system.

4. Except for the request for a second reserved channel at Columbus the GSBE proposal seeks first reserved assignments for noncommercial educational use in small communities in outlying rural areas. The need for a second reserved channel at Columbus stems from the use of its present reserved assignment at a site near Warm Springs, some 30 miles from Columbus. GSBE states that a second channel should be assigned to upgrade the quality of reception in Columbus.

5. When the Commission developed the educational grid within its nationwide television table of assignments, statewide coverage was given first priority. In the absence of individual State plans, communities were selected for their particular geographic location in order to provide the necessary coverage to meet this priority through a fair and equitable distribution of reserved channels. Experience and the passage of time bring plans

and needs into sharper focus. Accordingly we believe the GSBE expanded educational plan should be explored in a rule making proceeding. Each of the proposed assignments has been carefully examined and found to satisfy the technical requirements insofar as the standards of allocation are concerned. The computer program used by GSBE in deriving the proposed plan has selected channels having the least adverse preclusionary effect. Under the existing pattern of assignments, each channel can be dropped in without making any other changes in the Table and carrier offset can be applied for maximum efficiency.

6. In view of the foregoing, pursuant to authority found in sections 4(i), 5(d)(1), 303(g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules and regulations, it is proposed to amend § 73.606(b) of the Commission's rules and regulations, the TV Table of Assignments, as follows:

City	Channel No.	
	Present	Proposed
Carnesville, Ga.		*52
Carrollton, Ga.		*49
Cedartown, Ga.		*65
Columbus, Ga.	3, 9+, 28, 38+, 54+	3, 9+, 28, 38+, 48, 54+
Elberton, Ga.		*60+
Flintstone, Ga.		*51
Lafayette, Ga.		*35
Toccoa, Ga.	32-	32-, 68-
Young Harris, Ga.		*50+

7. *Cut-off procedures.* The Georgia State Board of Education requests an early resolution of this proceeding because of budgetary deadlines. Accordingly, for purposes of avoiding undue delay in the termination of this proceeding, counterproposals advanced in this proceeding will be considered if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments. With respect to petitions for rule making which conflicts with the proposals in this Notice, they will be considered as comments in this proceeding, and Public Notice to this effect will be given, as long as they are filed before the date for filing initial comments herein. If filed later than that date, they will not be considered in connection with the decision in this docket.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before September 24, 1974, and reply comments on or before October 4, 1974. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

9. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

10. All filings made in this proceeding will be available for examination by interested parties during regular business

hours in the Commission's Public Reference Room at its headquarters, 1919 M Street NW., Washington, D.C.

Adopted: August 9, 1974.

Released: August 14, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.74-19129 Filed 8-19-74; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 231 and 271]

[Release No. 33-5516, IC-8438; File No. S7-530]

SALES LITERATURE FOR VARIABLE ANNUITIES

Statement of Policy; Notice of Proposed Rulemaking

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed amendment of the Statement of Policy adopted by the Commission August 11, 1950 and amended January 31, 1955 and November 5, 1957 (15 FR 5469, as amended 20 FR 793, 22 FR 8977). The amendment to the Statement of Policy would permit investment companies issuing variable annuity contracts to employ standardized illustrations based on hypothetical investment results in sales literature and prospectuses.

The Statement of Policy sets forth the respects in which the Commission considers that literature used in connection with the sale of investment company shares may be misleading and violate the standards of the securities acts which, generally speaking, provide that it shall be unlawful to offer or sell securities by means of any untrue statement or omission of a material fact or by any fraudulent or deceitful practice or device.

For a number of years and most recently at the Hearings on Mutual Fund Distribution and the Potential Impact of the Repeal of section 22(d) held in 1973, representatives of the life insurance industry have maintained that the purposes for which the variable annuity contract is offered and its special characteristics are best portrayed by sales literature illustrating results based on hypothetical investment returns. Heretofore, illustrations based on hypothetical investment results have not been permitted by the Statement of Policy.¹

¹ The Statement of Policy (as amended November 5, 1957) states in paragraph (b) (2) that it will be considered materially misleading hereafter for sales literature: "to represent or imply an assurance that an investor will receive a stable, continuous, dependable, or liberal return or that he will receive any specified rate or rates of return;" and in paragraph (c), "to represent or imply that an investor's capital will increase or that the purchase of investment company shares involves a preservation of original capital and a protection against a loss in value."

THE PROPOSED AMENDMENT

An investor considering the purchase of a variable annuity contract must consider not only the complex investment considerations involved in the purchase of a regular annuity but also must take into account how long-term investment results may affect future annuity payments. Properly constructed illustrations can provide the best method for portraying the operation and unique characteristics of a variable annuity and how sales, administrative, and other charges affect variable annuity investment returns. Such illustrations can also provide a basis for comparing potential costs and benefits with those of contracts offered by the same or other issuers.

The Commission has determined to propose an amendment to the Statement of Policy to establish standards with respect to the use of illustrations of variable annuity contracts based on hypothetical investment results. The proposed amendment takes the form of a new paragraph(s) of the Statement of Policy which is appended to this release and includes sample tables and a chart. Under the amendment, redemption values and annuity payments shown in the tables of permissible illustrations must be based solely on hypothetical investment returns of 0 percent, 4 percent and 8 percent, compounded continuously, after any deductions for insurance company taxes but before all other charges and deductions. Redemption values and annuity payments must be shown at specified points in time and at no other times. Along with the standardized illustration, the proposal would also permit an illustration tailored in certain respects to the circumstances of a particular prospect.

To achieve greater investor understanding of how charges affect investment returns and to permit those investors who are so inclined to make more meaningful and complete comparisons of different contracts, during the accumulation or pay-in period of a deferred annuity the proposal requires that the "effective rate of return" be shown alongside each redemption value. The difference between the hypothetical return and the effective rate of return indicates the combined effect of all charges (except taxes) on the investment return.

However, unlike the situation in the accumulation or pay-in period, for the annuity payout period neither a simple listing of annuity payments in dollars based on hypothetical investment results of 0 percent, 4 percent, and 8 percent nor effective rates of return realized by an individual would provide a single number which facilitates an accurate comparison of costs. The return an individual would receive will depend upon how long he lives. Since a prospective purchaser does not know how long he will live, he may want to know which contract would provide the greatest return for an "average person." Such a comparison can be based on the experi-

ence of a large group of purchasers who are assumed to live according to a standardized mortality table for annuitants. Therefore, the proposal requires that the "effective group return" for the payout period be shown.

In addition, in order to focus investor attention on the basic annuity trade-off, the proposed amendment would require an issuer to include a chart based upon hypothetical investment returns of 0 percent, 4 percent, and 8 percent showing how long an investor would have to live to receive aggregate annuity payments which would be the equivalent of various effective rates of return. The Commission is aware that this chart presents significantly different information than that which has traditionally been included in the sales literature and prospectuses of variable annuities. Therefore, it is particularly interested in receiving comments with respect to requiring such disclosure as part of any hypothetical illustration.

COMMENT REQUESTED ON OTHER POSSIBILITIES

Requiring illustrations in variable annuity prospectuses. The Commission is also considering requiring prospectuses for variable annuity contracts to include standardized illustrations as set forth in this amendment in order to facilitate contract comparisons and to further the statutory objectives of full and fair disclosure, and therefore requests comment on this possibility.

Use of illustrations by other investment companies. The Commission also has under consideration allowing or requiring other investment companies, including mutual funds, to use illustrations based on hypothetical investment results and would like to obtain views and comments of interested persons thereon including what the form and content of such illustrations might be.

Several issuers of variable annuity contracts have expressed interest in using illustrations as early as possible. However, until an amendment to the Statement of Policy is adopted in final form, the Commission will adhere to its previously announced position that no hypothetical illustrations may be used in sales literature or prospectuses of any investment companies.

All interested persons are invited to submit their views and comments on the above proposal in writing to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549 on or before September 30, 1974. All such communications in this regard would refer to File No. S7-530 and will be available for public inspection in the Commission's Public Reference Room,

*The appropriateness of illustrations for variable life insurance is being considered separately in connection with the whole question of the adequacy of disclosure in variable life insurance registration statements.

Room 6101, 1100 L Street NW., Washington, D.C.

By the Commission.

[SEAL]

SHIRLEY E. HOLLIS,
Assistant Secretary.

JULY 30, 1974.

§ 231.3530 [Amended]

1. It is proposed to amend § 231.3530 *Statement of policy of the Commission relating to advertising and sales literature used in the sale of investment company shares* by adding paragraph (s) as follows.

It will be considered materially misleading hereafter for sales literature—

(s) With respect to any variable annuity contract, to use any illustration based on hypothetical investment results which is inaccurate in factual detail or tends to create a false or misleading impression as to any material aspect of the variable annuity contract or the hypothetical nature of the illustration. Illustrations which conform to the "Approved Illustrations," described below, samples of which are set forth in the Appendix, will not be regarded as materially false and misleading in the absence of facts or circumstances which make such illustrations or their use in fact, false and misleading in a particular case.

(1) Approved illustrations of variable annuity contracts should contain the following:

(i) Issue age and sex of the prospective contract purchaser;

(ii) The amount, frequency, and the total of periodic purchase payments, or the amount of the single purchase payment;

(iii) A statement that the purchase payments set forth in the illustration are assumed to be the amounts remaining after deductions for state premium taxes and a reference to relevant prospectus disclosure of such premium taxes;

(iv) The total deductions from purchase payments and a reference to the prospectus for the details of these deductions;

(v) The daily charge at an annual rate against the assets of the separate account and a statement that this charge does not include deductions for insurance company taxes;

(vi) A statement stating how the daily charge against the asset of the separate account, used in constructing the illustration, might vary in the future and a reference to relevant prospectus disclosure;

(vii) The redemption charge, if any, during the accumulation period expressed as a percentage of the value of the accumulation account;

(viii) Age at commencement of annuity payments for a deferred annuity;

(ix) The annuity payout option;

(x) The annuity purchase rate for a deferred annuity or the first monthly

annuity payment for an immediate annuity; and

(xi) The assumed interest rate of the contract.

(2) Approved illustrations of the accumulation period of a deferred variable annuity contract should contain the following:

(i) A statement that the illustrations assume the separate account earns hypothetical investment returns of 0%, 4%, and 8%, compounded continuously, after any deductions from the separate account for insurance company taxes but before all other charges and deductions;

(ii) A statement in bold face type making clear that:

A. The redemption values and annuity payments shown in the tables are based on hypothetical investment returns;

B. The hypothetical investment returns bear no relationship to past or prospective investment experience and should not be considered a projection of the actual investment results which would be realized by the purchaser of a contract;

C. The actual investment experience of the separate account, which varies from day to day, may be more or less on an annual basis than the hypothetical rates of investment return shown. Accordingly, the accumulation or redemption value before retirement and the amount of each monthly variable annuity payment after retirement will vary to reflect investment results; and

D. No investment result is guaranteed and redemption values or annuity payments could be less than shown under 0%.

(iii) A tabular presentation listing total purchase payments, hypothetical redemption values, and effective rates of return at the end of the 2d, 5th, and 10th years, and every 10th year thereafter (and at the end of the accumulation period if not a multiple of 10 years) based on hypothetical investment returns of 0%, 4%, and 8% in that order;

(iv) A statement that the "effective rate of return" is the return realized by an individual during the accumulation period and that the difference between the hypothetical investment return and the effective rate of return indicates the combined effect of all charges (except taxes) on the investment return;

(v) A statement that the "effective rates of return" during the accumulation period do not take into account the value to the purchaser of the minimum death benefit or the mortality and expense guarantees, which should be considered when making this type of investment; and

(vi) A statement, if appropriate, that the minimum death benefit is the return of purchase payments if they should be greater than the redemption value at the time of the contractholder's death during the accumulation period.

(3) Approved illustrations of the annuity payout period of a variable annuity contract should contain the following:

(i) If the contract is an immediate annuity, the text of the illustration

should contain the information called for by paragraph (A) (2) (i) and (2) (ii) of this section;

(ii) A tabular presentation listing the first, 60th, 120th, 180th, and 240th monthly annuity payments, based on hypothetical investment returns of 0%, 4%, and 8% in that order;

(iii) A tabular presentation of the rates of return realized by a large group of purchasers over the annuity payout period based on hypothetical investment returns of 0%, 4%, and 8%;

(iv) A statement that the rate of return realized by a large group does not indicate the return that any one individual receives; instead it provides a means of measuring charges during the annuity payout period from the point of view of an "average" person.

(v) A chart expressing as effective rates of return the aggregate annuity payments which would be received by an individual, assuming various life-spans, and a discussion which indicates how the following information could be obtained using the chart.

A. What effective rate of return the aggregate annuity payments received by an individual would represent, assuming he dies at the end of a given year;

B. How long an investor would have to live in order to receive a given effective rate of return; and

C. How long an investor would have to live in order to receive annuity payments totaling the annuity purchase amount.

(4) An approved illustration may be tailored to the circumstances of a particular prospective purchaser to the extent that his actual age, contemplated purchase payment level, intended retirement age, type of annuity selected and the assumed interest rate selected may be used. However, if an investor receives a tailored illustration, he must also receive non-tailored illustrations of the results for male and female lives for a deferred periodic payment contract and for a single payment immediate contract (which could be contained in the prospectus). In addition to the general requirements for illustration listed in paragraph (s) (1), (2) and (3) of this section, the non-tailored illustrations should be standardized as follows:

(i) For a periodic deferred contract, the issue age should be 45, with purchase payments of \$50 per month over a 20 year accumulation period, and with annuity payments commencing at age 65 for a period of ten years certain and life thereafter;

(ii) For a single payment immediate contract, the issue age should be 65 with a purchase payment of \$10,000 and annuity payments for ten years certain and life thereafter.

(5) The tabular portion of any approved illustration should be limited to that which is prescribed in paragraph(s) (2) (iii), 3(ii), and (3) (iii) of this section.

(6) If the approved illustration is not contained in a current prospectus, it should be accompanied or preceded by a current prospectus and should so state.

(7) The text, detail and arrangement of an approved illustration should be

substantially as shown in Sample Illustrations A and B in the Appendix, whichever is applicable. In addition, a chart expressing as effective rates of return the aggregate annuity payments which would be received by an individual, assuming various life-spans, and a discussion of it should be included. A sample chart and a question and answer discussion of it are contained in Sample Illustration C. The questions and answers are merely one form of explaining the material contained in the chart; other forms of explanations are also permissible.

(8) For the purpose of this paragraph (s), the following definitions apply:

(i) Total deductions from purchase payments refers to the total dollar amount of all deductions from purchase payments during the accumulation period of a deferred annuity, or at the time of purchase of an immediate annuity. For purposes of this definition the total deductions from purchase payments includes any other charges against individual contracts (except withdrawal charges and daily charges against the assets of the separate account) such as constant annual charges for administrative expenses assessed through an annual liquidation of accumulation units. The purchase payments are assumed to be the amounts remaining after any deductions for state premium taxes; consequently, the total deductions from purchase payments do not include deductions for premium taxes.

(ii) Deductions from the separate account for insurance company taxes means any charges against (or possibly credits to) the separate account under the provision for the federal income tax liabilities of the insurance company, including any such tax charges expressed as a constant percentage of assets.

(iii) Daily charge at an annual rate against the assets of the separate account: The daily percentage charge against the assets of the separate account is found as the ratio of the total of all charges deducted during the day from the separate account and/or any affiliated, underlying fund (excluding deductions from the separate account for insurance company taxes) to the value of the assets of the separate account which represent total variable annuity policy reserves. These daily percentage charges are expressed in terms of an average annual rate by taking their sum over the past three years or the life of the separate account, if shorter, and dividing by the number of years covered. The resulting figure for the average charge, when expressed as a decimal fraction should be accurate to at least four decimal places. If the formula specifying the annual asset charge for the contract has changed, the average daily charge against the separate account should be determined as if the current formula was in effect over the past three years.

(iv) Net investment return means the investment return of the separate account after any deductions from the separate account for insurance company taxes and after the daily charge against

the assets of the separate account. It represents the return on an accumulation unit.

(v) Minimum death benefit means the return of purchase payments if they should be greater than the redemption value of contract at the time of the contractholder's death during the accumulation period.

(vi) Annuity payout option refers to the types of life or non-life annuities available under a particular variable annuity contract or under different contracts offered by the same issuer.

(vii) Annuity purchase amount refers to the final value of the accumulation account for a deferred annuity or the total purchase price of an immediate annuity.

(viii) Annuity purchase rate refers to the amount of the first monthly annuity payment per \$1,000 of the final value of the accumulation account for a deferred variable annuity.

(ix) Assumed interest rate refers to the constant net investment return which the separate account would have to earn in order for the annuity payments to remain constant, at the level of the first monthly annuity payment.

(x) Mortality guarantee refers to the guarantee of the annuity purchase rate for a deferred variable annuity and the guarantee that annuity payments will continue for the life of the contractholder regardless of general trends in annuitant mortality.

(xi) Expense guarantee refers to the guarantee that deductions for expenses will not exceed the limits stated in the contract.

(xii) Hypothetical investment returns of 0%, 4%, and 8% refers to the assumption of three separate constant hypothetical investment returns for the separate account, at annual rates of 0%, 4%, and 8%, compounded continuously, which represent returns after any deductions from the separate account for insurance company taxes but before the daily charge at an annual rate against the assets of the separate account.

(xiii) Hypothetical redemption values refers to the amounts an investor would receive upon redemption of his account the accumulation period, assuming the separate account earns a net investment return equal to the hypothetical gross investment return of 0%, 4%, or 8% minus the daily charge at an annual rate against the assets of the separate account, and assuming the purchase payments are reduced by all applicable charges and deductions.

(xiv) Hypothetical annuity payments refers to the annuity payments which a contractholder would receive assuming the separate account earns a net investment return equal to the hypothetical gross investment return of 0%, 4%, or 8% minus the daily charge at an annual rate against the assets of the separate account. The annuity payments for a deferred variable annuity are based on the final value of the accumulation account assuming the same hypothetical investment return for the accumulation period. The annuity payments for an immediate

annuity are based on the single purchase payment, reduced by all applicable charges and deductions.

(xv) Effective rate of return realized by an individual over a specified holding period during the accumulation period means the return, expressed in terms of a continuously compounded rate, that the purchase payments during the specified holding period would have to earn in order to provide the hypothetical redemption value at the end of the holding period. The difference between the effective rate of return and the hypothetical investment return indicates the combined effect of all charges and deductions on the hypothetical investment return (except taxes).

(xvi) Rate of return realized by a large group over the annuity payout period means the return, expressed in terms of a continuously compounded rate, that the aggregate annuity purchase amount paid by all the members of the group would have to earn in order to provide the hypothetical monthly annuity payments to each member of the group according to the terms of the contract, assuming the group members live and die according to the 1971 Individual Annuity Mortality Table, which is contained in the "Transactions of the Society of Actuaries" Volume XXIII, pp. 475-550.

(xvii) Aggregate annuity payments which would be received by an individual, assuming he dies at a specified age, expressed as an effective rate of return means the return, in terms of a continuously compounded rate, that the annuity purchase amount paid by the contractholder would have to earn in order to provide him (or his heirs) with the hypothetical annuity payments according to the terms of the contract, assuming he dies at the specified age. This computation assumes the annuity payments represent a return of both principal and investment earnings and should be distinguished from the interest or dividend yield which does not include a return of principal. For a non-life annuity providing variable installments over a fixed number of years, the rate of return realized by an individual contractholder will not be affected by the date of his death since he or his heirs will always receive the variable installment payments over the fixed number of years.

(xviii) A chart expressing as effective rates of return the aggregate annuity payments which would be received by an individual, assuming various lifespans refers to a chart of effective rates of return based on the aggregate annuity payments which an individual would receive, plotted on a continuous basis, for each possible age at death after commencement of the annuity until age 95. For a straight life annuity, rates of return of less than minus 15 percent should not be portrayed. For a non-life annuity providing variable installments over a fixed number of years, this chart should be replaced by a table listing the three rates of return realized by an individual over the entire, fixed payout

period, based on the three hypothetical investment returns of zero percent, 4 percent, and 8 percent.

The proposed additions to the Appendix of the Statement of Policy are as follows:

SAMPLE ILLUSTRATION A

SAMPLE ILLUSTRATION OF A DEFERRED PERIODIC PAYMENT VARIABLE ANNUITY, BASED ON HYPOTHETICAL INVESTMENT EXPERIENCE

General Description of the Contract

Accumulation or pay-in period. The illustration portrays a deferred variable annuity, issued at age 45, with purchase payments of \$50 per month over a 20 year accumulation period. Purchase payments total \$12,000. For simplicity, the \$50 monthly purchase payment is assumed to be the amount remaining after any deductions for State premium taxes.¹ The \$50 purchase payments are subject to various deductions for sales and administrative expenses.² For this contract, these deductions total \$1,380 over the 20 year accumulation period.

The investment results achieved by the managers of the separate account are reduced by deductions for insurance company taxes and by a daily charge at the annual rate of 1.00% against the assets of the separate account for investment management and mortality and expense risks.³ The investment return of the separate account after any tax deductions and the 1.00% asset charge is the "net investment return."

The redemption value of the contract during the accumulation period is equal to the net amount invested (after all deductions from purchase payments) accumulated at the net investment return of the separate account. There are no redemption charges.

Annuity payout period. The final value of the accumulation account is applied to purchase a life annuity, commencing at age 65 for a period of 10 years certain and life thereafter.

The first monthly annuity payment per \$1,000 of the final value of the accumulation account is given by the terms of the contract and is \$6.44 per \$1,000 for a male age 65, and \$5.68 per \$1,000 for a female age 65. These first monthly annuity payments are based, in part, on the "assumed interest rate" of the contract which is 3.5%.

Subsequent monthly annuity payments will vary depending on the investment experience of the separate account. If the net investment return should be equal to the "assumed interest rate" of 3.5%, the subsequent monthly annuity payments would remain constant, at the level of the first

¹ No numerical effect in the illustration has been given to State premium taxes, if applicable. Such taxes vary from state to state in both amount and point in time assessed. Premium taxes could reduce the number of dollars available for investment in the separate account or the number of dollars upon which the initial annuity payment is based. See pages — of the current prospectus for more details.

² Deductions from purchase payments are set forth on pages — of the current prospectus.

³ The daily charge against the assets of the separate account will not exceed 1.00% on an annual basis as provided under the expense guarantee of the contract. See pp. — of the current prospectus for details of the expense guarantee. The mortality guarantee covers the guarantee of the annuity purchase rate at retirement.

monthly annuity payment. If the net investment return exceeds the assumed interest rate, monthly annuity payments would increase; they would decrease if the net investment return were less than the assumed interest rate.

ILLUSTRATION OF THE CONTRACT DESCRIBED ABOVE, BASED ON HYPOTHETICAL INVESTMENT EXPERIENCE

In order to more clearly portray the operation of the deferred variable annuity contract described above, redemption values and annuity payments are illustrated below, assuming the separate account earns a hypothetical investment return of 0%, 4%, and 8% compounded continuously, after any deductions from the separate account for in-

surance company taxes,⁴ but before all other charges and deductions. The illustrations are not intended to provide an estimate of actual or expected future annuity payments or redemption values. These will vary with actual investment experience which depends, in part, on the investment objectives and policies of the separate account as are set forth in the current prospectus. The actual investment experience of the separate account may vary from day to day and may be more

⁴ Insurance company tax liability related to investment experience of the separate account can, over a period of time, significantly affect contract values but has been given no numerical effect in the illustration. See page ---- of the current prospectus for the tax status of the separate account and how taxes are charged.

or less on an annual basis than the hypothetical rates of investment return shown. No investment result is guaranteed and redemption values or annuity payments could be less than shown under 0%.

The hypothetical results for the accumulation and annuity payment periods are illustrated separately and are presented in tabular form.

Accumulation period. The table, below, lists the redemption values at the end of the 2d, 5th, 10th, and 20th years, for each of the hypothetical investment returns. Because of the various charges and deductions, an investor who surrenders his contract would not receive the full 0, 4, or 8% hypothetical investment return. Instead, he would receive the "effective rate of return" shown in the table. The difference between the hypothetical return and the effective rate of return indicates the combined effect of all charges (except taxes) on the investment return.

SAMPLE TABLE A-1

Holding period	Total ¹ purchase payments	0-percent hypothetical return		4-percent hypothetical return		8-percent hypothetical return	
		Redemption value	Effective rate ² of return (percent)	Redemption value	Effective rate of return (percent)	Redemption value	Effective rate of return (percent)
2 years.....	\$1,200	\$1,051	-13.01	\$1,096	-8.81	\$1,144	-4.61
5 years.....	3,000	2,588	-8.96	2,889	-1.77	3,190	2.40
10 years.....	6,000	5,049	-3.52	6,201	.65	7,717	4.80
20 years.....	12,000	9,615	-2.29	14,567	1.87	23,249	6.00

¹ During the accumulation period, the minimum death benefit is the return of purchase payments if they should be greater than the redemption value.

² Effective rates of return during the accumulation period do not take into account the value to the purchaser of the minimum death benefit, or the expense or annuity purchase rate guarantees, which should be considered when making this type of investment.

Annuity payout period. The table below lists the first monthly annuity payment at age 55 based on the final value of the accumulation account, and subsequent monthly annuity payments at ages 70, 75, 80, and

85, for male and female lives, assuming the same hypothetical investment return, reduced by the 1.00% annual asset charge, continues throughout the annuity payout period.

SAMPLE TABLE A-2

Age	0-percent hypothetical return		4-percent hypothetical return		8-percent hypothetical return	
	Female life	Male life	Female life	Male life	Female life	Male life
55.....	\$54	\$62	\$82	\$94	\$132	\$150
70.....	44	50	81	92	156	178
75.....	35	40	79	90	187	212
80.....	28	32	77	88	223	254
85.....	23	26	75	86	266	303

The return which any one individual realizes during the annuity payout period will depend on the entire series of annuity payments which he receives. A precise comparison of two series of annuity payments is difficult because the payments vary and because of differences in assumed interest rates. One series may have a higher initial payment but lower subsequent payments than another series. The comparison is further complicated because the payments any one individual receives depends on how long he lives. How-

ever, the experience of large groups of purchasers permits an overall comparison of two series of annuity payments from the point of view of an "average" person. Stating the rate of return realized by a large group also isolates costs (except taxes) from other contract features such as the assumed interest rate.

The following table lists the rates of return realized by a large standardized group for the deferred variable annuity illustrated above.

SAMPLE TABLE A-3

[In percent]

0-percent hypothetical return		4-percent hypothetical return		8-percent hypothetical return	
Female life	Male life	Female life	Male life	Female life	Male life
-1.2	-1.8	2.8	3.2	6.7	7.1

NOTE.—If not contained in a current prospectus, this illustration must be accompanied by a current prospectus.

SAMPLE ILLUSTRATION B

SAMPLE ILLUSTRATION OF A SINGLE PAYMENT IMMEDIATE VARIABLE ANNUITY, BASED ON HYPOTHETICAL INVESTMENT EXPERIENCE

General Description of the Contract

The illustration portrays a single payment immediate variable annuity, issued at age 65, with annuity payments for a period of 10 years certain and life thereafter. Out of the total purchase payment of \$10,000, the amount deducted for sales and administrative expense is \$737.50,¹ leaving a net amount invested of \$9,262.50.² This investment results in a first monthly payment of \$61.80 for a male life and \$55.70 for a female life. The first monthly annuity payments are based, in part, on the assumed interest rate of the contract, which is 3.5%.

Subsequent annuity payments will vary depending on the investment experience of the separate account. The investment results achieved by the managers of the separate account are reduced by deductions for insurance company taxes and by a daily charge at the annual rate of 1.00% against the assets

¹ Deductions from purchase payments are set forth on pages ---- of the current prospectus.

² The \$10,000 is assumed to be the amount remaining after any deductions for State premium taxes. No numerical effect in the illustration has been given to State premium taxes, if applicable. Such taxes vary from state to state in both amount and point in time assessed. Premium taxes could reduce the number of dollars upon which the initial annuity payment is based. See pages ---- of the current prospectus for more details.

PROPOSED RULES

of the separate account for investment management and mortality expense risks.³ The investment return of the separate account after any tax deductions and the 1.00% asset charge is the "net investment return."

If the net investment return should be equal to the "assumed interest rate" of 3.5%, subsequent monthly annuity payments would remain constant at the level of the first monthly annuity payment. If the net investment return exceeds the assumed interest rate, monthly annuity payments would increase; they would decrease if the net investment return were less than the assumed interest rate.

Illustration of the Contract Described Above, Based on Hypothetical Investment Experience

In order to more clearly portray the operation of the single payment immediate variable annuity contract described above, annuity payments are illustrated below, assuming the separate account earns hypo-

thetical investment returns of 0%, 4%, and 8% compounded continuously, after any deductions from the separate account for insurance company taxes,⁴ but before all other charges and deductions. The illustrations are not intended to provide an estimate of actual or expected future annuity payments. These will vary with actual investment experience which depends, in part, on the investment objectives and policies of the separate account as are set forth in the current prospectus. The actual investment experience of the separate account may vary from day to day and may be more or less on an annual basis than the hypothetical rates of investment return shown. No investment result is guaranteed and annuity payments could be less than shown under 0%.

The table, illustrated below, lists the first monthly annuity payment at age 65, and the subsequent monthly annuity payments at ages 70, 75, 80, and 85 for male and female lives for a \$10,000 immediate variable annuity for each of the hypothetical investment returns.

³The daily charge against the assets of the separate account will not exceed 1.00% on an annual basis as provided under the expense guarantee of the contract. See pp. ---- of the current prospectus for the details of the expense guarantee. The mortality guarantee covers the guarantee that annuity payments will be made for the life of the contractholder, irrespective of general trends in mortality.

⁴Insurance company tax liability related to the investment experience of the separate account can, over a period of time, significantly affect contract values but has been given no numerical effect in the illustration. See page ---- of the current prospectus for the tax status of the separate account and how taxes are charged.

SAMPLE TABLE B-1

Age	0-percent hypothetical return		4-percent hypothetical return		8-percent hypothetical return	
	Female life	Male life	Female life	Male life	Female life	Male life
65-----	\$56	\$62	\$56	\$62	\$56	\$62
70-----	45	50	54	60	66	74
75-----	36	40	53	59	79	88
80-----	29	32	52	58	95	105
85-----	23	25	51	57	113	125

The return which any one individual realizes will depend on the entire series of annuity payments which he receives. A precise comparison of two series of annuity payments is difficult because the payments vary, and because of differences in assumed interest rates one series may have higher initial payments but lower subsequent payments than another series. The comparison is further complicated because the payments that any one individual receives depends on how long he lives. However, the experience of

large groups of purchasers permits an overall comparison of two series of annuity payments from the point of view of an "average" person. Stating the rate of return realized by a large group also isolates costs (except taxes) from other contract features such as the assumed interest rate.

The following table lists the rates of return realized by a large standardized group for the immediate variable annuity illustrated above.

SAMPLE TABLE B-2

[In percent]

0-percent hypothetical return		4-percent hypothetical return		8-percent hypothetical return	
Female life	Male life	Female life	Male life	Female life	Male life
-1.4	-1.3	2.5	2.6	6.5	6.6

NOTE.—If not contained in a current prospectus, this illustration must be accompanied or preceded by a current prospectus.

SAMPLE ILLUSTRATION C

CHART EXPRESSING AS EFFECTIVE RATES OF RETURN THE AGGREGATE ANNUITY PAYMENTS WHICH WOULD BE RECEIVED BY AN INDIVIDUAL, ASSUMING VARIOUS LIFESPANS

The distinguishing feature of an annuity is that it guarantees that the payments will be made for the lifetime of the purchaser. In making a decision to purchase a variable annuity and to receive such lifetime payments, an investor gives up other uses of his

principal (except for any guaranteed minimum number of payments provided by his contract). Anyone contemplating how he will provide for his retirement should understand this trade-off. Some of the factors to be considered include: (1) The level of income he requires; (2) the rate of investment return that the annuity might provide; and (3) his future life expectancy.

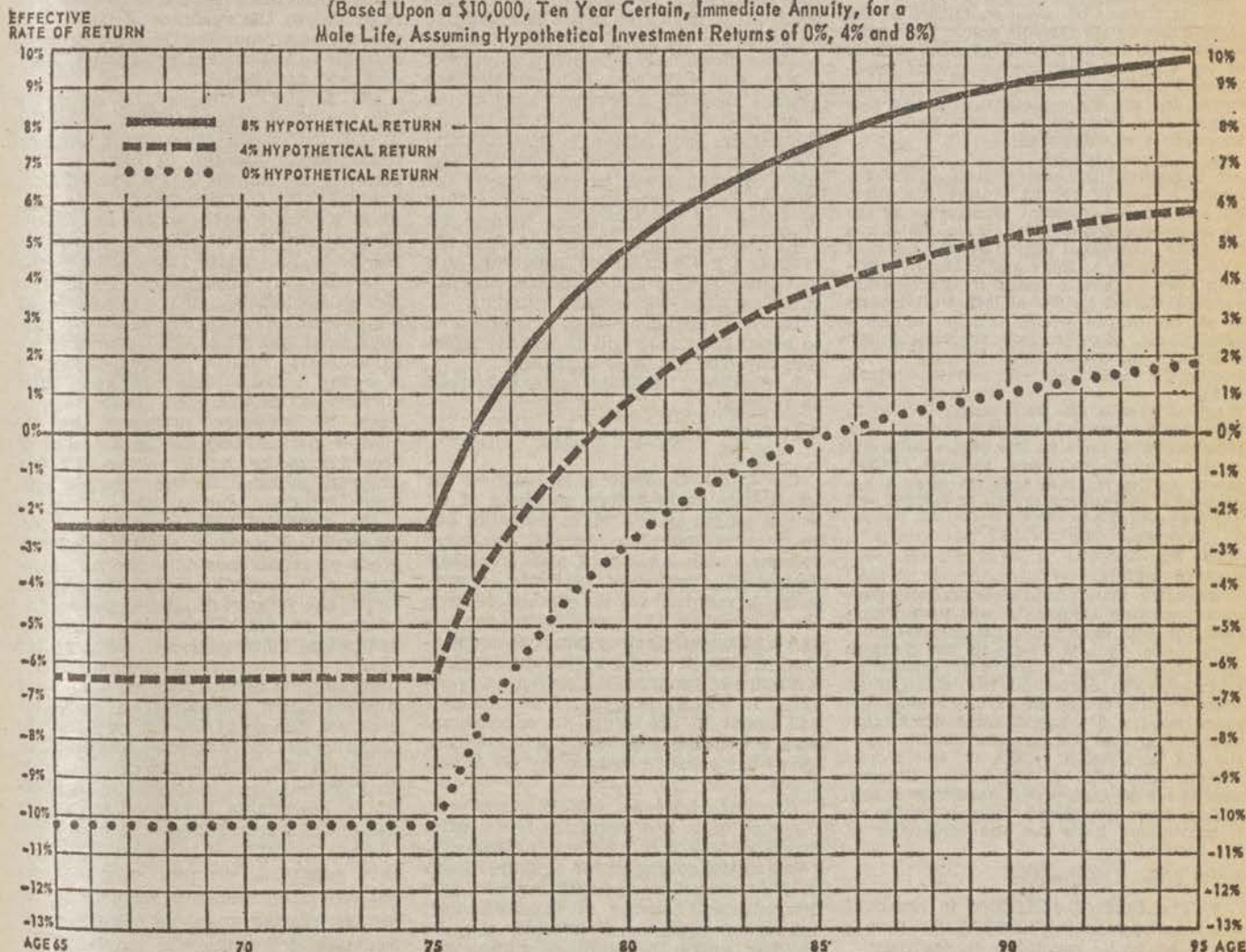
Of course, the following chart cannot indicate what actual investment return anyone will receive or how long he will live, but it

should provide information which will be helpful in reaching an investment decision. It shows how long an investor would have to live to receive various effective rates of return (assuming gross hypothetical returns of 0, 4, and 8%) and, therefore, it illustrates the annuity principle. This information can also be helpful in choosing among different payout options (e.g., straight life annuity v. life annuity with a period certain v. non-life annuity with variable payments for a specified number of years).

(Sample Chart C-1)

AGGREGATE ANNUITY PAYMENTS RECEIVED BY AN INDIVIDUAL, ASSUMING VARIOUS LIFESPANS, EXPRESSED AS EFFECTIVE RATES OF RETURN

(Based Upon a \$10,000, Ten Year Certain, Immediate Annuity, for a Male Life, Assuming Hypothetical Investment Returns of 0%, 4% and 8%)



CS-1022 (7-74)

(Sample Explanation for Chart C-1)

(1) What effective rate of return would a man, age 65, receive if he invested \$10,000 in the sample immediate variable annuity and received annuity payments for 20 years and then died at age 85, assuming the separate account earns (a) a hypothetical investment return of 8%, after taxes but before all other deductions and charges? and, (b) it earns a hypothetical investment return of 4%?

A. (a) 7.67%

(b) 3.74%

A vertical line passing through age 85 crosses the curve for the 8% hypothetical illustration at an effective rate of return of 7.67% and crosses the curve for the 4% hypothetical illustration at an effective rate of return of 3.74%.

If the man had invested \$10,000 in an investment which returns 7.67% per year he could have withdrawn the amount of the

annuity payments such as are shown in the 8% hypothetical illustration each month for 20 years. These withdrawals would represent a return of both the \$10,000 principal and investment earnings at the rate of 7.67% per year on any remaining balance. Thus, his final withdrawal would deplete his investment to zero at the end of the 85th year. However, under the variable annuity, if he lived, he would continue to receive his monthly payments.

(2) What effective rate of return would a man, age 65, and his heirs receive if he invested \$10,000 in the sample immediate variable annuity and lived only 5 years, assuming the separate account earns a hypothetical investment return of 8%?

A. -2.43%

Although the man receives annuity payments for only 5 years, his heirs will continue to receive annuity payments for 5 more years since the annuity is for ten years certain. Therefore, no matter when the purchaser should die during the first 10 years, he and his heirs would receive the same effective rate of return as if he lived 10 years. Thus, on the chart, the curve for the 8% hypothetical return never falls below the effective rate of return for the 10th year, which is -2.43%.

(3) If, instead of investing \$10,000 in the sample immediate variable annuity, the man invested the \$10,000 at a constant return of 5% and withdrew the amount of hypothetical annuity payments such as are illustrated for the 8% hypothetical investment return, how long would it take before his investment was depleted?

A. 15 years (Age 80).

A horizontal line passing through the 5% effective rate of return crosses the curve for the 8% hypothetical illustration at age 80. Since the payment the man withdraws from the investment paying 5% are assumed to be the same as the variable annuity payments which would result if the separate account earned an 8% hypothetical investment return, he would realize the same effective rate of return from the variable annuity as from the alternate investment (assuming he dies at age 80) and this return is 5%.

(4) If a man age 65 invested \$10,000 in the sample immediate variable annuity, how long would he have to live before he would receive annuity payments totaling \$10,000, assuming the separate account earns a hypothetical investment return of (a) 8% and (b) 4% and (c) 0%?

- A. (a) Age 76
(b) Age 79
(c) Age 85

When the man has received annuity payments totaling \$10,000, he will have recovered the full amount of his original purchase price. This is shown in the chart as an effective rate of return of 0% on his investment. The horizontal line through an effective rate of return of 0% crosses the curve for the 8% hypothetical illustration at age 76, crosses the curve for the 4% hypothetical illustration at age 79, and crosses the curve for the 0% hypothetical illustration at age 85. Subsequent payments, if any, will increase the effective rate of return on a continuous basis for the remainder of the man's life.

§ 271.2086 [Amended]

2. The text of § 271.2086 is identical with that appearing in § 231.3530 and is proposed to be amended accordingly.

[FR Doc.74-19165 Filed 8-19-74; 8:45 am]

VETERANS ADMINISTRATION

[38 CFR Part 21]

CHANGE OF PROGRAM OF EDUCATION

Clarification of Counseling Requirement

These changes to §§ 21.4102 and 21.4106 are intended to clarify the cir-

cumstances in which counseling shall be required if a veteran or eligible person requests a change of program pursuant to section 1791, title 38, United States Code. In addition minor editorial changes have been made to § 21.4106(b) designed to reflect agency policy to avoid any appearance of seeming to preclude benefits for female veterans.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (27A1), Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420. All relevant material received before September 19, 1974, will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed to make §§ 21.4102 and 21.4106(a) effective the date of final approval.

1. Section 21.4102 is revised to read as follows:

§ 21.4102 Requirement; 38 U.S.C. Chapter 35.

(a) *Child.* Counseling is required for an eligible child before approval of an initial course except when the child has been accepted for, or is pursuing, courses which lead to a standard college degree at an approved institution. Counseling is required for all eligible children for reentrance after discontinuance because of unsatisfactory conduct or progress. Counseling will be required before a change of program is approved as provided in § 21.4106(a)(2). The counselor will assist in preparing an educational plan if requested by the eligible person, his or her parent or guardian. (38 U.S.C. 1720).

(b) *Wife, husband, widow or widower.* Counseling is not required for a wife, husband, widow or widower for approval of an initial course or for a change from such course unless the earlier course was discontinued because of unsatisfactory conduct or progress. Counseling may be required before a second or subsequent change of program as provided in § 21.4106(a)(3).

2. Section 21.4106 is revised to read as follows:

§ 21.4106 Counseling; change or reentrance.

(a) *When required.* Counseling, or additional counseling, will be required under the following circumstances unless

it is found by the counselor that the change requested is from a program that was not considered suitable in the initial counseling to a program which is supported by the counseling data, and need for additional counseling is not shown.

(1) 38 U.S.C. Chapter 34. For any change of program if the program was interrupted or discontinued due to the veteran's own misconduct, neglect, or lack of application; or for resumption of a course of education which had been discontinued because of unsatisfactory conduct or progress under § 21.4277; or for a second or subsequent change unless a counseling psychologist finds on the basis of evidence submitted by the veteran and/or the evidence of record that the change requested is to a program suitable to the veteran's aptitudes, interests, and abilities.

(2) 38 U.S.C. Chapter 35; *child.* For any change of program or for resumption of a course of education which had been discontinued because of unsatisfactory conduct or progress under § 21.4277.

(3) 38 U.S.C. Chapter 35; *wife, husband, widow or widower.* For any change of program if the program was interrupted or discontinued due to the eligible person's own misconduct, neglect, or lack of application; or for resumption of a course of education which has been discontinued under § 21.4277 because of unsatisfactory conduct or progress; or for a second or subsequent change unless a counseling psychologist finds on the basis of evidence submitted by the eligible person and/or the evidence of record that the change requested is to a program suitable to the person's aptitudes, interests, and abilities.

(b) *Approval.* The counselor will recommend approval of a change of program or reentrance into the same program, if he or she finds that the program which the veteran or eligible person proposes to pursue is suitable to his or her aptitudes, interests, and abilities; and where the veteran's or eligible person's program has been interrupted, or he or she has failed to progress in, his or her program due to his or her own misconduct, neglect or lack of application, the cause for the unsatisfactory conduct or progress has been removed and there exists a reasonable likelihood that there will not be a recurrence of such an interruption or failure to progress. Subject to this approval criteria, approval for changes of program subsequent to the second change may be recommended. Negative determinations involving unsatisfactory conduct or progress will be made by the Vocational Rehabilitation Board.

Approved: August 14, 1974.

By direction of the Administrator.

[SEAL]

R. L. ROUDEBUSH,
Deputy Administrator.

[FR Doc.74-19127 Filed 8-19-74; 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 STATE

Agency for International Development MISSION DIRECTOR, USOM, THAILAND Contracting Functions; Redelegation of Authority

Redelegation of Authority Regarding Contracting Functions No. 99.1.15, effective October 1, 1973, and published in the FEDERAL REGISTER on October 23, 1973 (38 FR 29238), is amended to add a new subparagraph 3. after the last line of subparagraph 2., as follows:

3. U.S. Government contracts and grants (other than grants to foreign governments or agencies thereof), and amendments thereto, for the Narcotics Control Program, and AID grant-financed host country contracts for the Narcotics Control Program, provided that the aggregate amount of each individual contract does not exceed \$150,000 or local currency equivalent.

This amendment is effective immediately.

Dated: August 1, 1974.

JOHN F. OWENS,
Director,
Office of Contract Management.

[FR Doc.74-19106 Filed 8-19-74; 8:45 am]

MISSION DIRECTOR, USAID, VIETNAM [No. 99.1.14]

Contracting Functions; Redelegation of Authority

Pursuant to the authority delegated to me as Director, Office of Contract Management, under Redelegation of Authority No. 99.1 (38 FR 12836) from the Assistant Administrator for Program and Management Services of the Agency for International Development, I hereby redelegate to the Mission Director, USAID, Vietnam, the authority to sign or approve:

1. U.S. Government contracts and grants (other than grants to foreign governments or agencies thereof) and amendments thereto, and AID grant-financed host country contracts for technical assistance, provided that the aggregate amount of each individual contract does not exceed \$2,000,000 or local currency equivalent.

2. Contracts with individuals for the services of the individual alone without monetary limitation.

The authority herein delegated may be redelegated in writing, in whole, or in part, by said Mission Director at his discretion to the person or persons designated by the Mission Director as con-

tracting officer. Such redelegation shall remain in effect until such designated person ceases to hold the office of contracting officer for the Mission, or until the redelegation is revoked by the Mission Director, whichever shall first occur. The authority so redelegated by the Mission Director may not be further redelegated.

The authority delegated herein is to be exercised in accordance with regulations, procedures and policies now or hereafter established or modified and promulgated within AID and is not in derogation of the authority of the Director of the Office of Contract Management to exercise any of the functions herein redelegated.

The authority herein delegated to the Mission Director may be exercised by duly authorized persons who are performing the functions of the Mission Director in an acting capacity.

This redelegation of authority shall be effective immediately.

Redelegation of Authority No. 99.1.74-19, as amended, is hereby cancelled.

Dated: August 7, 1974.

JOHN F. OWENS,
Director,
Office of Contract Management.

[FR Doc.74-19107 Filed 8-19-74; 8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

COMPTROLLER OF THE CURRENCY'S NATIONAL ADVISORY COMMITTEE ON BANKING POLICIES AND PRACTICES Closed Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Comptroller of the Currency's National Advisory Committee on Banking Policies and Practices will be held at Loew's L'Enfant Plaza Hotel, Washington, D.C. on Monday, September 9, 1974, beginning at 9:15 a.m.

The purpose of this meeting is to assist the Comptroller of the Currency in a continuing review of bank regulations and policies. The meeting will also apprise agency officials of current conditions and problems banks are experiencing.

It is hereby determined pursuant to section 10(d) of Pub. L. 92-463 that the meeting is concerned with matters listed in section 552(b) of Title 5 of the United States Code and particularly with exceptions (3), (4) and (8) thereof, and is therefore, exempt from the provisions of section 10(a)(1) and (3) of the Act

(Pub. L. 92-463) relating to open meetings and public participation therein.

[SEAL] JAMES E. SMITH,
Comptroller of the Currency.

[FR Doc.74-19128 Filed 8-19-74; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management [Group 565]

ARIZONA

Notice of Filing of Plats of Dependent Resurvey and Accretion Survey

AUGUST 12, 1974.

1. Plats of survey of the lands described below will be officially filed in the Arizona State Office, Phoenix, Arizona, effective at 10:00 a.m., on September 25, 1974:

GILA AND SALT RIVER MERIDIAN, ARIZONA AND CALIFORNIA

T. 4 N., R. 22 W.,

A dependent resurvey of portions of the east boundary and subdivisional lines and survey of accreted lands, accepted July 9, 1974, in two sheets.

2. This survey was executed at the request of the Bureau of Indian Affairs in conjunction with a court order filed September 27, 1973, in the case of United States of America v. Gerald Aranson, et al., Civil No. 72-1621-CC, U.S. District Court, Central District of California.

3. The above described resurveyed and surveyed accreted lands are withdrawn by Executive Order 2273 dated November 22, 1915, as part of the Colorado River Indian Reservation.

THERESA A. CARMACK,
Acting Chief, Branch of
Records and Data Management.

[FR Doc.74-19111 Filed 8-19-74; 8:45 am]

[NM 20833]

NEW MEXICO

Notice of Application

AUGUST 9, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Natural Gas Pipeline Company of America has applied for a 4-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 18 S., R. 27 E.,
Sec. 3, NE 1/4 SE 1/4.

This pipeline will convey natural gas across 11 feet of national resource lands in Eddy County, New Mexico.

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

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

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

[FR Doc.74-19085 Filed 8-19-74; 8:45 am]

[NM 21262]

NEW MEXICO

Notice of Application

AUGUST 9, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a 6½ inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 26 E.,
Sec. 21, N½NW¼, SE¼NW¼ and S½NE¼;
Sec. 20, NE¼NE¼;
Sec. 17, N½SW¼, SE¼SW¼ and S½SE¼;
Sec. 18, S½NE¼ and N½SE¼.

This pipeline will convey natural gas across 2.528 miles of national resource lands in Eddy County, New Mexico.

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

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

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

[FR Doc.74-19086 Filed 8-19-74; 8:45 am]

[NM 20530, 20858, 21114, 20472, 20857, 20473
and 20557]

NEW MEXICO

Notice of Applications

AUGUST 9, 1974.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Co. has applied for seven 4½-inch natural gas pipelines right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 25 N., R. 6 W.,
Sec. 1, Lot 1 and SE¼NE¼.

T. 26 N., R. 10 W.,
Sec. 5, SW¼SW¼,
Sec. 7, SW¼NE¼,
Sec. 19, SW¼NE¼, SE¼NW¼, NE¼SW¼
and NW¼SE¼,
Sec. 31, NE¼NE¼,
T. 27 N., R. 10 W.,
Sec. 30, Lots 1 and 2,
T. 26 N., R. 11 W.,
Sec. 1, Lot 4, SW¼NW¼ and S½SE¼,
Sec. 12, E½NE¼ and NW¼NE¼.

These pipelines will convey natural gas across 1.720 miles of national resource lands in San Juan and Rio Arriba Counties, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550 Pan American Freeway, Albuquerque, NM 87107.

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

[FR Doc.74-19136 Filed 8-19-74; 8:45 am]

Bureau of Reclamation

[INT FES 74-44]

PROPOSED CIBOLO PROJECT, TEXAS

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for the proposed Cibolo Project, Texas.

The environmental statement concerns a proposed water storage project for the purposes of municipal and industrial water supplies plus flood control, fish and wildlife, and recreation benefits. Cibolo Dam would be located on Cibolo Creek in Wilson County, Texas.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-4991.

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, Herring Plaza Box H-4377, Amarillo, Texas 79101, telephone (806) 376-2404.

Austin Planning Office, Bureau of Reclamation P.O. Box 1946, Austin, Texas 78767, telephone (512) 397-5641.

Single copies of the final statement may be obtained on request to the Commissioner of Reclamation, Regional Director, or Austin Planning Officer.

Dated: August 12, 1974.

STANLEY D. DOREMUS,
Deputy Assistant Secretary
of the Interior.

[FR Doc.74-19135 Filed 8-19-74; 8:45 am]

Fish and Wildlife Service

DANIEL K. ODELL

Issuance of Permit for Endangered Species

On May 28, 1974, a notice was published in the FEDERAL REGISTER (39 FR 18482) that an application had been filed with the Fish and Wildlife Service by Dr. Daniel K. Odell, University of Miami, Miami, Florida, for a permit to take, by collecting, dead Manatees, for scientific research.

Notice is hereby given that on July 12, 1974, as authorized by the provisions of the Endangered Species Act of 1973, 16 U.S.C. 1531-1543, the Fish and Wildlife Service issued a permit to Dr. Daniel K. Odell, Division of Biology, School of Marine and Atmospheric Science, University of Miami, Miami, Florida, to take, by collecting, up to thirty (30) Manatees (*Trichechus manatus*), found dead in Florida, for the purpose of conducting a research program for the University of Miami, subject to certain conditions set forth therein.

This permit was granted after a consideration of and finding that the exception was applied for in good faith. By granting this permit, it will not operate to the disadvantage of this endangered species as it permits the taking of thirty (30) Manatees (*Trichechus manatus*), found dead in Florida, and therefore will not place a drain on the wild populations. The exception is consistent with the purposes and policy of the Act which provides for the taking of specimens for scientific purposes.

This permit is available for public inspection during normal business hours at the Fish and Wildlife Service's office in Suite 600, 1612 K Street, NW., Washington, D.C. 20240.

Dated: July 18, 1974.

C. R. BAVIN,
Chief, Division of
Law Enforcement.

[FR Doc.74-19179 Filed 8-19-74; 8:45 am]

LINCOLN PARK ZOOLOGICAL GARDENS

Issuance of Permit for Endangered Species

On May 28, 1974, a notice was published in the FEDERAL REGISTER (39 FR 18485) that an application had been filed with the Fish and Wildlife Service by the Lincoln Park Zoological Gardens, Chicago, Illinois, for a permit to import a trio, one male, two female, Afghanistan Leopards (*Panthera pardus saxicolor*).

Notice is hereby given that on July 12, 1974, as authorized by the provisions of the Endangered Species Act of 1973, 16 U.S.C. 1531-1543, the Fish and Wildlife Service issued a permit to the Lincoln Park Zoological Gardens, Chicago, Illinois, to import two female Afghanistan Leopards from the Kabul Zoo in Afghanistan, and to import one captive-born male Afghanistan Leopard, subject to certain conditions set forth therein.

This permit was granted after a consideration of and finding that the exception was applied for in good faith. By granting this permit, it will not operate

to the disadvantage of this endangered species as the specimens are presently in captivity at the Kabul Zoo in Afghanistan and will not be taken from the wild. The exception is consistent with the purposes and policy of the Act as the Lincoln Park Zoological Gardens as the permittee, proposes to propagate the species in captivity.

This permit is available for public inspection during normal business hours at the Fish and Wildlife Service's office in Suite 600, 1612 K Street, NW., Washington, D.C. 20240.

Dated: July 18, 1974.

C. R. BAVIN,
Chief, Division of
Law Enforcement.

[FR Doc.74-19180 Filed 8-19-74; 8:45 am]

National Park Service

CASTILLO DE SAN MARCOS NATIONAL MONUMENT

Notice of Intention To Issue a Concession Permit

Pursuant to the provisions of section 5, of the Act of October 9, 1965, (79 Stat. 969; 16 U.S.C. 20) public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Castillo de San Marcos National Monument, proposes to issue a concession permit to Mr. J. Carver Harris, dba The Castillo Shop, authorizing him to provide concession facilities and services for the public at Castillo de San Marcos National Monument, for a period of five (5) years from January 1, 1975, through December 31, 1979.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the human environment, and that it is not a major federal action under the Environmental Quality Act and the guidelines of the Council on Environmental Quality. The environmental assessment may be reviewed in the Office of the Superintendent, Castillo de San Marcos National Monument.

The foregoing concessioner has performed his obligations under a prior permit to the satisfaction of the National Park Service and, therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the Act cited above, the National Park Service is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before September 19, 1974.

Interested parties should contact the Superintendent, Castillo de San Marcos National Monument, 1 Castillo Drive, St. Augustine, Florida 32084, for informa-

tion as to the requirements of the proposed permit.

DAVID D. THOMPSON,
Regional Director,
Southeast Region.

[FR Doc.74-19132 Filed 8-19-74; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service SHIPPERS ADVISORY COMMITTEE Notice of Public Meeting

Pursuant to the provisions of section 10(a) (2) of the Federal Advisory Committee Act (86 Stat. 770), notice is hereby given of a meeting of the Shippers Advisory Committee established under Marketing Order No. 905 (7 CFR Part 905). This order regulates the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida and is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The committee will meet in the A. B. Michael Auditorium of the Florida Citrus Mutual Building, 302 South Massachusetts Avenue, Lakeland, Florida, at 10:30 a.m., local time, on September 5, 1974.

The meeting will be open to the public and a brief period will be set aside for public comments and questions. The agenda of the committee includes consideration of a marketing policy for the 1974-75 shipping season, analysis of information concerning market supply and demand factors, and the need for regulation of shipments of any grade or size of such fruits, including export shipments, and the size, capacity, weight, dimensions or pack of the containers used in export shipments other than to Canada or Mexico.

The names of committee members, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Frank D. Trovillion, Manager, Growers Administrative Committee, P.O. Box R, Lakeland, Florida, 33802; telephone 813-682-3103.

Dated: August 15, 1974.

JOHN C. BLUM,
Associate Administrator.

[Filed Doc.74-19123 Filed 8-19-74; 8:45 am]

Animal and Plant Health Inspection Service EXPERT PANEL ON NITRITES AND NITROSAMINES

Notice of Meeting and Agenda

Notice is hereby given of a meeting of the Expert Panel on Nitrites and Nitrosamines to be held in Room 218A (Conference Room), Administration Building, 14th and Independence Avenue, SW., Washington, D.C., September 9, 1974, at 9:30 a.m. This is the fifth scheduled meeting of the Panel.

There will be no formal agenda for the Panel meeting. The Panel will continue

developing recommendations with respect to nitrite use for submittal to the Secretary of Agriculture. Discussion will be primarily limited to Panel participation; however, where appropriate, public comment and questions will be solicited during the course of the meeting.

The meeting will be open to the public and under the direction of the Panel Chairman or his designee. Written statements may be filed with the Panel before or after the meeting. Any member of the public who wishes to attend or who has further questions should contact the Issuance Coordination Staff, Technical Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 4905, South Agriculture Building, Washington, D.C. 20250, Area Code (202) 447-6189. Any person who wishes to file a statement may send such statement to the Issuance Coordination Staff at the above address.

Dated: August 14, 1974.

HARRY C. MUSSMAN,
Executive Secretary.

[FR Doc.74-19122 Filed 8-19-74; 8:45 am]

Food and Nutrition Service

NUTRITIONAL TRAINING AND EDUCATION, AND STUDIES AND SURVEYS

Plans for Use of Funds

This notice announces the Food and Nutrition Service (FNS) plans for the use of a specified amount of the funds available under section 6(a)(3) of the National School Lunch Act (NSLA) for nutritional training and education of workers, cooperators, and participants in the child nutrition programs (School Lunch and School Breakfast) and for necessary survey and studies of requirements for food service programs. Section 6(a)(3) makes available to the Secretary of Agriculture up to one percent of the funds provided for programs under the NSLA and the Child Nutrition Act, other than section 3, to supplement the nutritional benefits of the programs through grants to States and other means.

The Food and Nutrition Service (FNS) will arrange for nutritional training and education, and studies and surveys through grants, cooperative agreements or other contractual arrangements with States, or through contracts with non-profit institutions, universities or private industry. Priority will be given to projects which are anticipated to have findings with national or regional implications.

A total of one million dollars is included in the FNS budget request for nutritional training and education, and studies and surveys for fiscal year 1975. Of this amount:

(1) \$250,000 is to be used for grants to five to ten State agencies to conduct nutritional training and education proj-

ects. Such grants will be made for the purpose of undertaking nutritional training and education outreach efforts through cooperators of the child nutrition programs, with concentration on improving the food selection, nutrition knowledge and general well-being of program participants. Emphasis should be placed on working with parents, parent groups, community leaders, and nutrition-health communicators. Grant monies could involve communicating the nutritional message of the child nutrition programs using various media approaches—radio spot announcements, televised education programs, newspaper articles, or local professional meetings.

This initial notice is being issued at this time. However, in succeeding fiscal years the notice of plans for use of these funds will be issued by May 15 with a deadline date for proposal submittal of August 1.

Grant application requirements. States must submit Grant Applications before the deadline date of October 31, 1974. Requests for Grant Applications should be addressed to:

Director
Management Services Division
Food and Nutrition Service
U.S. Department of Agriculture
Washington, D.C. 20250

Grant proposals must be submitted on the Office of Management and Budget form entitled, "Application for Federal Assistance (Non-Construction Programs)." All parts must be completed in accordance with the instructions which accompany the forms. Proposals will be received, evaluated and awarded under the provisions of the Office of Management and Budget Circular (OMB) A-102 and Title 4, Agriculture Grant and Agreement Regulations of the Administration Regulations of the Department of Agriculture. Attention should be given to the following areas of OMB Circular A-102 when submitting Grant Applications:

1. Attachment C to OMB Circular A-102—Retention and Custodial Requirements.
2. Attachment G to OMB Circular A-102—Standards for Grantee Financial Management Systems.
3. Attachment N to OMB Circular A-102—Property Management Standards.
4. Attachment O to OMB Circular A-102—Procurement Standards.
5. OMB Circular A-87—Principles for Determining Costs Applicable to Grants.

Proposals should be submitted to the above address. Proposals received will be reviewed on a competitive basis and announcement of grant awards will be made on or before January 1, 1975.

(2) \$750,000 is to be used by FNS for cooperative agreements or other contractual agreements to do nutritional training and education, and studies and surveys.

FNS plans to pursue the following subject areas through Requests for Proposals (RFPs):

Nutritional training and education. 1. Develop, implement and evaluate a coordinated nutrition education program among elementary, junior high school

and high school students participating in child nutrition programs. The effectiveness of the program methods and materials on such factors as students' food-nutrition-health related knowledge, attitudes, opinions, and practices in school and out of school will be studied. In addition, an educational campaign to coordinate and dramatize nutrition education activities of all child nutrition programs and appropriate instructional materials will be developed. Central to the program would be development of a character symbol, or the like, to carry the nutritional message.

2. Develop course outline to be used by State and local supervisory personnel in training new employees in school food service management. Emphasis will be given to the adaptation of management principles influencing school food service programs. A financial management training short course for use by States in connection with other workshops will also be developed.

Studies and surveys. 1. Assess and compare food acceptability and cost data associated with representative school food service delivery systems. Data will be obtained from local school systems to determine the magnitude of any existing safety problems and the degree of nutrient loss under existing program operations.

2. Determine the effect of implementing recommended program modifications on child nutrition programs. Characteristics like a profile of program participants, frequency of participation and the kinds of milk selected, etc., will be studied.

3. Develop a profile of school food service personnel, in terms of professional background and capabilities, to assess the need for additional training.

4. Evaluate the impact of the National School Lunch and School Breakfast Programs against a la carte and no school food service in terms of nutritional and dietary benefits to student participants. Evaluations would be based on school-by-school comparisons where strong programs of the various kinds predominate.

Effective date: August 20, 1974.

Dated: August 15, 1974.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.74-19087 Filed 8-19-74; 8:45 am]

Soil Conservation Service STONY BROOK WATERSHED, NEW JERSEY

Environmental Statement; Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; § 1500.6(e) of the Council on Environmental Quality Guidelines issued on August 1, 1973; and § 650.8(b)(3) of 39 FR 19651 issued June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Stony Brook Water-

shed, Mercer and Hunterdon Counties, New Jersey.

The environmental assessment of this Federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Chester F. Bellard, State Conservationist, Soil Conservation Service, USDA, 1370 Hamilton Street, Somerset, New Jersey 08873, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection, flood prevention, irrigation and recreation. The remaining works of improvement consist of the installation of basic recreational facilities associated with Site 3 or Rosedale Park.

The environmental assessment file is available for inspection during regular working hours at the following location: Soil Conservation Service, USDA, 1370 Hamilton Street, Somerset, New Jersey 08873

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: August 14, 1974.

EUGENE C. BUIE,
Acting Deputy Administrator
for Water Resources Soil
Conservation Service.

[FR Doc.74-19140 Filed 8-19-74; 8:45 am]

UPPER ELK CREEK WATERSHED, OKLAHOMA

Environmental Statement; Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; § 1500.6(e) of the Council on Environmental Quality Guidelines issued on August 1, 1973; and § 650.8(b)(3) of 39 FR 19651 issued June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Upper Elk Creek Watershed Project, Beckham, Kiowa and Washita Counties, Oklahoma.

The environmental assessment of this Federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. Hampton Burns, State Conservationist, Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The remaining works of improvement include conservation land treatment, critical area treatment, supplemented by 19 floodwater retarding struc-

tures, 1 multiple-purpose structure and 1.5 miles of channel work on intermittent flowing streams.

The environmental assessment file is available for inspection during regular working hours at the following location.

Soil Conservation Service
USDA Building
Farm Road and Brumley Street
Stillwater, Oklahoma

No administrative action on implementation of the proposal will be taken until 15 days after the date of this notice.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services).

Dated: August 14, 1974.

EUGENE C. BUIE,
Acting Deputy Administrator
for Water Resources, Soil
Conservation Service.

[FR Doc.74-19141 Filed 8-19-74;8:45 am]

DEPARTMENT OF COMMERCE

National Bureau of Standards GAGE BLANKS

Withdrawal of Commercial Standard

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the withdrawal of Commercial Standard CS 8-61, "Gage Blanks."

It has been determined that this standard serves no useful purpose due to the fact that the subject is adequately covered by a replacement document published by the American National Standards Institute as B 47.1, "Gage Blanks (American Gage Design)."

This action is taken in furtherance of the Department's announced intentions as set forth in the public notice appearing in the FEDERAL REGISTER of June 4, 1974 (39 FR 19799), to withdraw this standard.

The effective date for the withdrawal of this standard will be October 21, 1974. This withdrawal action terminates the authority to refer to this standard as a voluntary standard developed under the Department of Commerce procedures.

Dated: August 9, 1974.

RICHARD W. ROBERTS,
Director.

[FR Doc.74-19114 Filed 8-19-74;8:45 am]

PINE PLYWOOD

Intent To Withdraw Commercial Standard

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the intent to withdraw Commercial Standard CS 157-56, "Pine Plywood (Ponderosa Pine, Sugar Pine, and

Idaho White Pine." It has been tentatively determined that this standard is no longer used by the industry. Revision would serve no useful purpose in that the product is covered by Voluntary Product Standard 1-74, "Construction and Industrial Plywood."

Any comments or objections concerning the intended withdrawal of this standard should be made in writing to the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234, on or before Sept. 19, 1974. The effective date of withdrawal will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures from the effective date of withdrawal.

Dated: August 9, 1974.

RICHARD W. ROBERTS,
Director.

[FR Doc.74-19113 Filed 8-19-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 12451; Docket No. FDC-D-553; NDA No. 12-452]

ETHAMIVAN PARENTERAL

Withdrawal of Approval of New Drug Application

A Notice of opportunity for hearing was published in the FEDERAL REGISTER of December 23, 1972 (37 FR 28439) in which the Commissioner of Food and Drugs proposed 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 NDA 12-452 for Emivan Parenteral containing 50 milligrams ethamivan per cubic centimeter; USV Pharmaceutical Corp., 800 Second Avenue, New York, N.Y. 10017. The basis of the proposed action was the lack of substantial evidence that the drug is effective for the various labeled indications.

On January 22, 1973, USV Pharmaceutical Corp. requested a hearing but did not submit any clinical data to support the request. On June 13, 1974 the firm withdrew its request for hearing, stating that, due solely to economic considerations, the manufacture of Emivan Parenteral had been discontinued.

No other persons responded to the notice of opportunity for hearing.

All identical, related, or similar products, not the subject of an approved new drug application, are covered by the new drug application(s) reviewed and are subject to this notice (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write to the Food and Drug Administration, Bureau of Drugs, Office of Compliance (HFD-300), 5600 Fishers Lane, Rockville, MD 20852.

The Director of the Bureau of Drugs, pursuant to the provisions of the Federal

Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and under authority delegated to him (21 CFR 2.121), finds that on the basis of new information before him with respect to the drug product, evaluated together with the evidence available to him when the application was approved, there is a lack of substantial evidence that the drug product will have the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Therefore, pursuant to the foregoing finding, approval of new drug application No. 12-452 and all amendments and supplements applying thereto is withdrawn effective on August 30, 1974.

Shipment in interstate commerce of the above-listed product or of any identical, related, or similar product, not the subject of an approved new drug application, will then be unlawful.

Dated: August 13, 1974.

CARL M. LEVENTHAL,
Acting Director,
Bureau of Drugs.

[FR Doc.74-19125 Filed 8-19-74;8:45 am]

Office of Education

NATIONAL ADVISORY COUNCIL ON EQUALITY OF EDUCATIONAL OPPORTUNITY

Notice of Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the National Advisory Council on Equality of Educational Opportunity will convene at 9:00 a.m. on Thursday, September 5 until 4:00 p.m. and reconvene at 9:00 a.m. on Friday, September 6 until 4 p.m. at the Vacation Village, Ingram Street, San Diego, California instead of at the Western White House in San Clemente, California as published in the FEDERAL REGISTER issue for Tuesday, August 6, 1974.

The National Advisory Council on Equality of Educational Opportunity is established under section 716 of the Emergency School Aid Act (Pub. L. 92-318, Title VII). The Council is established to advise the Assistant Secretary for Education with respect to the operation of programs under the Act, and to review the operation of such programs.

The meeting of the Council shall be open to the public. The proposed agenda includes subcommittee reports from the Evaluation Subcommittee, the Legal and Interagency Subcommittee, and the State Departments of Education Subcommittee. The Report Writing Committee will submit its Second Interim Report for final approval. There will be a special report on Asian American concerns and their involvement in the Emergency School Aid Act. There will also be a report by the California State Education Agency concerning its relationship with the Emergency School Aid Act.

Signed at Washington, D.C., on July 29, 1974.

HERMAN R. GOLDBERG,
Associate Commissioner for
Equal Educational Opportunity.

[FR Doc.74-19115 Filed 8-19-74;8:45 am]

Office of Education

ILLINOIS; TITLE I AUDIT APPEAL

Approval of Application for Appeal

Notice is hereby given that, pursuant to the notice establishing the Title I Audit Hearing Board (37 FR 23002, October 26, 1972), an application for an appeal before the Board has been received from the State of Illinois and it has met the jurisdictional requirements of section 5 of the notice establishing the Board. The appeal involves the allowability of specified expenditures of funds under Title I of the ESEA during the period of July 1, 1965 through June 30, 1969, by the State Education Agency. The amount involved in the subject audit appeal is \$83,325.

Section 7(c) of the notice setting up the board provides:

(c) *Intervention by third parties.* (1) Interested third parties may, upon application to the Board Chairman, intervene in proceedings conducted under this Notice. Such application must indicate to the satisfaction of the Board Chairman that the intervenor has information relative to the specific issues raised by the final audit determination and that such information will be useful to the Hearing Panel in resolving those issues.

(2) When third parties are given leave to intervene in accordance with subparagraph (1) above, such parties shall be afforded the same opportunities as other parties to present written materials, to participate in informal conferences, to call witnesses, to cross-examine other witnesses, and to be represented by counsel.

All such applications for intervention will be considered if received on or before August 23, 1974.

(20 U.S.C. 241a, 1232)

(Catalog of Federal Domestic Assistance Numbers 13.427, Educationally Deprived Children—Handicapped (Pub. L. 89-313); 13.428, Educationally Deprived Children—Local Educational Agencies; 13.429, Educationally Deprived Children—Migrants; 13.430, Educationally Deprived Children—State Administration; 13.431, Educationally Deprived Children in State Administered Institutions Serving Neglected or Delinquent Children.)

Dated: August 14, 1974.

T. H. BELL,
U.S. Commissioner of Education.
[FR Doc.74-19081 Filed 8-19-74;8:45 am]

IOWA; TITLE I AUDIT APPEAL

Approval of Application for Appeal

Notice is hereby given that, pursuant to the notice establishing the Title I

Audit Hearing Board (37 FR 23002, October 27, 1972), an application for an appeal before the Board has been received from the State of Iowa and it has met the jurisdictional requirements of section 5 of the notice establishing the Board. The appeal involves the allowability of specified expenditures of funds under Title I of the ESEA during the period of July 1, 1966 through June 30, 1969 by the Des Moines Independent Community School District. The amount involved in the subject audit appeal is \$137,391.

Section 7(c) of the Notice setting up the Board provides:

(c) *Intervention by third parties.* (1) Interested third parties may, upon application to the Board Chairman, intervene in proceedings conducted under this Notice. Such application must indicate to the satisfaction of the Board Chairman that the intervenor has information relative to the specific issues raised by the final audit determination, and that such information will be useful to the Hearing Panel in resolving those issues.

(2) When third parties are given leave to intervene in accordance with subparagraph (1) above, such parties shall be afforded the same opportunities as other parties to present written materials, to participate in informal conferences, to call witnesses, to cross-examine other witnesses and to be represented by counsel.

All such applications for intervention will be considered, if received on or before September 6, 1974.

(20 U.S.C. 241a, 1232)

(Catalog of Federal Domestic Assistance Numbers 13.427, Educationally Deprived Children—Handicapped (Pub. L. 89-313); 13.428, Educationally Deprived Children—Local Educational Agencies; 13.429, Educationally Deprived Children—Migrants; 13.430, Educationally Deprived Children—State Administration; 13.431, Educationally Deprived Children in State Administered Institutions Serving Neglected or Delinquent Children.)

Dated: August 14, 1974.

T. H. BELL,
U.S. Commissioner of Education.
[FR Doc.74-19082 Filed 8-19-74;8:45 am]

TEXAS; TITLE I AUDIT APPEAL

Approval of Application for Appeal

Notice is hereby given that, pursuant to the notice establishing the Title I Audit Hearing Board (37 FR 23002, October 27, 1972), an application for an appeal before the Board has been received from the State of Texas and it has met the jurisdictional requirements of section 5 of the notice establishing the Board. The appeal involves the allowability of specified expenditures of funds under Title I of the ESEA during the period of July 1, 1966 through June 30, 1969, by the following State and/or local educational agencies:

Houston
Georgetown

The amount involved in the subject audit appeal is \$546,489.

Section 7(c) of the notice setting up the Board provides:

(c) *Intervention by third parties.* (1) Interested third parties may, upon application to the Board Chairman, intervene in proceedings conducted under this notice. Such application must indicate to the satisfaction of the Board Chairman that the intervenor has information relative to the specific issues raised by the final audit determination, and that such information will be useful to the Hearing Panel in resolving those issues.

(2) When third parties are given leave to intervene in accordance with subparagraph (1) above, such parties shall be afforded the same opportunities as other parties to present written materials, to participate in informal conferences, to call witnesses, and to be represented by counsel.

All such applications for intervention will be considered, if received on or before September 6, 1974.

(20 U.S.C. 241a, 1232)

Dated: August 14, 1974.

T. H. BELL,
U.S. Commissioner of Education.

(Catalog of Federal Domestic Assistance Numbers 13.427, Educationally Deprived Children—Handicapped (Pub. L. 89-313); 13.428, Educationally Deprived Children—Local Educational Agencies; 13.429, Educationally Deprived Children—Migrants; 13.430, Educationally Deprived Children—State Administration; 13.431, Educationally Deprived Children in State Administered Institutions Serving Neglected or Delinquent Children.)

[FR Doc.74-19083 Filed 8-19-74;8:45 am]

Office of the Secretary

CALIFORNIA; RESULTS OF POLL OF PHYSICIANS IN PSRO IV

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 Greater Sacramento Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area IV 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 Sacramento Bee" on May 23, 24 and 25, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or 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 en-

gaged in active practice in PSRO Area IV who objects to the Secretary entering into an agreement with the Greater Sacramento 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 24, 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 more than 10 percent of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area IV has expressed timely objection to entering into an agreement with the Greater Sacramento Professional Standards Review Organization.

Therefore, on July 1, 1974, in accordance with 42 CFR 101.106, the Secretary of Health, Education, and Welfare published in the *FEDERAL REGISTER* a notice announcing a poll to be conducted of all doctors of medicine or osteopathy engaged in active practice in PSRO Area IV to determine whether the Greater Sacramento Professional Standards Review Organization is representative of such doctors in the area.

Such notice was also published in "The Sacramento Bee" on July 1, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or 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 stated that a ballot was to be mailed to each such doctor on which he was to indicate whether in his opinion the Greater Sacramento Professional Standards Review Organization was or was not representative of the doctors of medicine or osteopathy engaged in active practice in PSRO Area IV. The notice also requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area IV who had not received a ballot by July 6, 1974, might request in writing a ballot from the Secretary of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York, 10022. According to the notice only those ballots postmarked no later than July 31, 1974 and returned in the stamped self-addressed envelope provided to each individual doctor would be considered valid.

A ballot and envelope together with a letter explanation was mailed to each individual doctor of medicine or osteopathy whom the Secretary determined, pursuant to 42 CFR 101.103, to be engaged in the active practice of medicine or osteopathy in the PSRO area.

The counting of the ballots took place in a proceeding open to the public at the Conference Room, Sacramento Metro-

politan Chamber of Commerce, 918 "J" Street, Sacramento, California on August 9, 1974.

After tabulating the ballots received under 42 CFR 101.106, the Secretary has determined, pursuant to 42 CFR 101.107, that not more than 50 percent of the doctors responding to the poll indicated by checking the appropriate box on the ballot, that Greater Sacramento Professional Standards Review Organization was not representative of the doctors in the area and therefore that the Secretary will proceed to enter into an agreement designating it as the conditional Professional Standards Review Organization for such area.

This count will be final, except that the Secretary will conduct a recount if at least 5 doctors in the area so request in writing, postmarked on or before August 30, 1974. Such recount will be conducted in a public proceeding and the result of the recount will be final.

Dated: August 14, 1974.

DAVID N. WEINMAN,
Acting Director, Office of
Professional Standards Review.

[FR Doc.74-19119 Filed 8-19-74; 8:45 am.]

MONTANA; PROFESSIONAL STANDARDS REVIEW ORGANIZATION

Intention To Enter Into Agreement; Notice to Physicians

Notice is hereby given, in accordance with section 1152(f) of the Social Security Act and 42 CFR 100.104, that the Secretary of Health, Education, and Welfare proposes, subject to satisfactory completion of the contract negotiation process, to enter into an agreement with the Montana Foundation for Medical Care, Inc., designating it as the Professional Standards Review Organization for the State of Montana, which area is designated a Professional Standards Review Organization in 42 CFR 101.30.

The Secretary has determined that the Montana Foundation for Medical Care, Inc., is qualified to assume the duties and responsibilities of a Professional Standards Review Organization as specified in Title XI, Part B of the Social Security Act. The aforementioned organization is incorporated, according to the laws of the State of Montana, as a non-profit professional organization whose membership is voluntary and comprises at least 25 percent of the licensed doctors of medicine or osteopathy engaged in active practice in Montana. As stipulated in its Articles of Incorporation, the principal officers of the Montana Foundation for Medical Care, Inc., are:

Name and Office Held

1. John A. Newman, M.D., President.
2. Alfred M. Fulton, M.D., Vice President.
3. W. David Coyner, Executive Director.

The official address of the corporation is 1400 11th Avenue, Helena, Montana, 59601.

Any licensed doctor of medicine or osteopathy engaged in active practice in

the State of Montana who objects to the Secretary entering into an agreement with the Montana Foundation for Medical Care, Inc., on the grounds that this organization is not representative of doctors in such area may, on or before September 19, 1974, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box #1588, FDR Station, New York, New York 10022. All such objections must include the physician's address, the location(s) of his office, his signature, and a certification that such physician is engaged in the active practice of medicine or osteopathy (i.e., direct patient care and related clinical activities, administrative duties in a medical facility or other health related institution, and/or medical or osteopathic teaching or research activity).

Pursuant to 42 CFR 101.103, the Secretary has determined that 853 doctors of medicine and osteopathy are engaged in active practice in the State of Montana. In the event that more than 10 percent of such doctors express objections as described in the preceding paragraph, the Secretary will, in accordance with 42 CFR 101.106, conduct a poll of all such doctors of medicine or osteopathy in such area to determine whether the Montana Foundation for Medical Care, Inc., is representative of such doctors in such area.

Dated: August 14, 1974.

DAVID N. WEINMAN,
Acting Director, Office of
Professional Standards Review.

[FR Doc.74-19120 Filed 8-19-74; 8:45 am.]

NEW MEXICO; RESULTS OF POLL OF PHYSICIANS

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 New Mexico Professional Standards Review Organization designating it as the Professional Standards Review Organization for the State of New Mexico, which area is designated a Professional Standards Review Organization area in 42 CFR 101.35.

Such notice was also published in three consecutive issues of *The Albuquerque Journal* on May 29, 30, and 31, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or 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 New Mexico of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in New Mexico who objects to the Secretary entering

into an agreement with the New Mexico Professional Standards Review Organization on the grounds that such organization is not representative of doctors in New Mexico, 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 24, 1974.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in New Mexico, the Secretary has determined pursuant to 42 CFR 101.105, that more than 10 percent of the doctors engaged in the active practice of medicine or osteopathy in New Mexico had expressed timely objection to entering into an agreement with the New Mexico Professional Standards Review Organization.

Therefore, on July 1, 1974, in accordance with 42 CFR 101.106, the Secretary of Health, Education, and Welfare published in the *FEDERAL REGISTER* a notice announcing a poll to be conducted of all doctors of medicine or osteopathy engaged in active practice in New Mexico to determine whether the New Mexico Professional Standards Review Organization is representative of such doctors in the area.

Such notice was also published in "The Albuquerque Journal" on July 1, 1974. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or 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 New Mexico of the contents of the notice.

The notice stated that a ballot was to be mailed to each such doctor on which he was to indicate whether in his opinion the New Mexico Professional Standards Review Organization was or was not representative of the doctors of medicine or osteopathy engaged in active practice in New Mexico. The notice also requested that any licensed doctor of medicine or osteopathy engaged in active practice in New Mexico who had not received a ballot by July 6, 1974, might request in writing a ballot from the Secretary of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York 10022. According to the notice only those ballots postmarked no later than July 31, 1974 and returned in the stamped self-addressed envelope provided to each individual doctor would be considered valid.

A ballot and envelope together with a letter of explanation was mailed to each individual doctor of medicine or osteopathy whom the Secretary determined, pursuant to 42 CFR 101.103, to be engaged in the active practice of medicine or osteopathy in the PSRO area.

The counting of the ballots took place in a proceeding open to the public at the City Council Chambers, City Hall, Washington Avenue, Santa Fe, New Mexico on August 7, 1974.

After tabulating the ballots received under 42 CFR 101.106, the Secretary has determined, pursuant to 42 CFR 101.107, that not more than 50 percent of the doctors responding to the poll indicated by checking the appropriate box on the ballot, that the new Mexico Professional Standards Review Organization was not representative of the doctors in the area and therefore that the Secretary will proceed to enter into an agreement designating it as the conditional Professional Standards Review Organization for such area.

This count will be final, except that the Secretary will conduct a recount if at least 5 doctors in the area so request in writing, postmarked on or before August 30, 1974. Such recount will be conducted in a public proceeding and the result of the recount will be final.

Dated: August 14, 1974.

DAVID N. WEINMAN,
Acting Director, Office of
Professional Standards Review.

[FR Doc.74-19118 Filed 8-19-74; 8:45 am]

OFFICE OF THE SECRETARY

Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare, is amended to add new Chapter 1A, Office of the Secretary, which is being published for the first time in the *FEDERAL REGISTER*. The new chapter reads as follows:

SECTION 1A.00 Mission. The Office of the Secretary provides staff assistance to the Secretary and gives direction and leadership to the programs of the Department.

Sec. 1A.10 Organization. A. The Office of the Secretary consists of the following principal components:

The Secretary
Executive Secretariat
Under Secretary
Office for Civil Rights
Office of Consumer Affairs
Assistant Secretary (Legislation)
Assistant Secretary (Planning and Evaluation)
Assistant Secretary (Public Affairs)
Assistant Secretary for Human Development
General Counsel
Assistant Secretary for Administration and Management
Assistant Secretary, Comptroller
Regional Directors

B. *Order of Succession*—[Reserved]

Sec. 1A.20 Functions. A. The Secretary provides leadership to the Department and, under his direction, the Office of the Secretary provides advice, assistance, and services to the agencies and to the regional and field components of the Department.

B. The functions of officials other than the Secretary given in Section 1A.10A are as described elsewhere in Part 1 of the Statement of Organization, Functions, and Delegations of Authority of the Department.

Sec. 1A.30 Reservations of Authority. In addition to the authority expressly reserved to the Secretary in subsequent

chapters of this part, the following authorities are reserved to the Secretary:

A. In cases of major significance, no new division or comparable organizational unit shall be established, abolished, or transferred, and no divisions or comparable organizational units shall be consolidated without prior approval from the Secretary.

B. Annual or other reports required to be submitted to the President and the Congress shall be submitted by the Secretary unless otherwise provided by law or delegation in which case they shall be submitted through the Secretary.

C. Regulations shall be approved by the Secretary in all instances where authority for issuance has not been specifically delegated.

D. Appointments of officers, employees, and other personnel shall be made by the Secretary in all instances where such authority has not been specifically delegated.

E. Authority delegated by the President to the Secretary shall, except as specifically redelegated, be exercised only by the Secretary.

Dated: August 12, 1974.

CASPER W. WEINBERGER,
Secretary.

[FR Doc.74-19117 Filed 8-19-74; 8:45 am]

Public Health Service

THE ASSISTANT SECRETARY FOR HEALTH

Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare, Office of the Secretary is amended to delete Chapter 1N, Office of the Assistant Secretary for Health, (38 FR 18571, July 12, 1973, as amended), which is renumbered and superseded by new Chapter 15, The Assistant Secretary for Health. The new Chapter reads as follows:

Section 15-A Mission. The Assistant Secretary for Health is responsible for the direction of the Public Health Service, for providing leadership and policy guidance for health-related activities throughout the Department and for maintaining relationships with other governmental and private agencies concerned with health. The Assistant Secretary for Health is the principal advisor and assistant to the Secretary on health policy and all health-related activities in the Department.

Section 15-B Organization. The Assistant Secretary for Health directs the activities of the Public Health Service, which is composed of the following:

Office of the Assistant Secretary for Health
Alcohol, Drug Abuse, and Mental Health Administration
Center for Disease Control
Food and Drug Administration
Health Resources Administration
Health Services Administration
National Institutes of Health
Public Health Service (PHS) Regional Offices

Section 15-C Functions. A. Office of the Assistant Secretary for Health. 1. Assistant Secretary for Health. Provides leadership and guidance on all health and health-related activities, including research and development; education and training; organization financing and delivery of health care services; and problems of public and environmental health. In addition, he is responsible for the direction of nursing home affairs throughout the Department; and exercising specialized responsibilities in the areas of population affairs, international health, and transportation and disposition of certain hazardous materials. He coordinates the health and health-related functions of the Department with those of other Federal agencies and provides advice and assistance on health matters to such agencies as requested.

That part of Chapter 1N beginning with the heading "Executive Secretariat" is incorporated within the new Chapter 15 following Section 15-C.

Dated: August 12, 1974.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc. 74-19116 Filed 8-19-74; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

[E.O. No. 4; Notice 2]

PENN CENTRAL TRANSPORTATION CO.

Emergency Order Regarding Certain Defective Track

On August 1, 1974, the Federal Railroad Administration (FRA) issued Emergency Order No. 4 directing the Penn Central Transportation Co. to terminate all passenger and freight service over certain specified segments of track on the line of the Penn Central between Jeffersonville, Indiana, and Chicago, Illinois (39 FR 27947). The Order further prohibited passenger and freight service over such track until all substandard track conditions were corrected by Penn Central, and inspected and approved by the FRA.

Pursuant to paragraph number 3 to Emergency Order No. 4, the Penn Central Transportation Company has certified to the Federal Railroad Administration that the defective conditions alleged to have existed on all segments of track specified in Appendix B of the Emergency Order (39 FR 27948), except those segments of track number 2, on the Columbus-Chicago Main Line, between mileposts 207 and 252.3 and L6 and T6, have been corrected and that such track complies with the FRA's standards for Class I track as prescribed in 49 CFR 213.

FRA personnel have inspected all such segments of track certified by the Penn Central, and have established that all defective conditions described in Appendix B of Emergency Order No. 4 have been corrected and the track has been

restored to Class I standards as prescribed in 49 CFR 213.

The purpose of this publication is to give notice that Emergency Order No. 4 remains in full force and effect with respect to that segment of number 2 track on the Columbus-Chicago Main Line between mileposts 207 and 252.3 and L6 and T6 only. The provisions of Emergency Order No. 4 have been rescinded with respect to all other segments of track designated in Appendix B of the Order, and the FRA has authorized resumption of passenger and freight service over said track.

Issued in Washington, D.C. on August 14, 1974.

JOHN W. INGRAM,
Administrator.

[FR Doc. 74-19166 Filed 8-19-74; 8:45 am]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-496-A, 50-497-A]

NORTHEAST NUCLEAR ENERGY CO. ET AL.

Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicants' Environmental Report: Time for Submission of Views on Antitrust Matters

Northeast Nuclear Energy Company, acting for itself and as the representative of the other applicants listed below, pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed an application which was docketed on July 12, 1974, for authorization to construct and operate two generating units utilizing two boiling water nuclear reactors. It is proposed that Northeast Nuclear Energy Company will design, construct, and operate these units, but will not participate in ownership interest in the units. The application was tendered on May 2, 1974. Following a preliminary review for completeness, the application was accepted for docketing on June 13, 1974. Dockets Nos. 50-496 and 50-497 have been assigned to the application and these numbers should be referenced in any correspondence relating to the application.

The proposed facilities, designated by the applicants as the Montague Nuclear Power Station, Units 1 & 2 are located on a 1900-acre site in the northern Massachusetts Town of Montague, Franklin County, 1.8 miles east of the Connecticut River. Each unit is designed for initial operation at approximately 3579 megawatts thermal with a net electrical output of approximately 1150 megawatts.

The proposed Montague units are to be jointly owned by a minimum of nine and a maximum of twenty-nine of the below-named applicants. The nine applicants which are committed to become owners of the units and the maximum percentage of ownership of each are as follows: The Connecticut Light and Power Company (39.75%); The Hartford Electric Light Company (21.00%); Western Massachusetts Electric Company (14.25%); New England Power

Company (13.00%); Central Maine Power Company (3.00%); New Bedford Gas and Edison Light Company (4.50%); Montaup Electric Company (2.00%); Central Vermont Public Service Corporation (1.74%); and Fitchburg Gas and Electric Light Company (0.76%). Twenty consumer-owned systems may exercise their respective options to acquire portions of the ownership interests which the aforementioned nine applicants are committed to acquire. Those consumer-owned systems and the maximum ownership interests which they may respectively acquire are: Burlington Electric Department (0.22%); Town of Reading Municipal Light Department (0.29%); City of Chicopee Municipal Lighting Plant (0.26%); City of Holyoke Gas and Electric Department (0.16%); Peabody Electric Department (0.16%); City of Westfield Gas and Electric Light Department (0.16%); Town of Shrewsbury Municipal Light Department (0.12%); Town of Wakefield Municipal Light Department (0.11%); Town of South Hadley Electric Light Department (0.09%); Town of Hudson Light and Power Department (0.08%); Marblehead Municipal Light Department (0.07%); North Attleborough Electric Department (0.07%); Holden Municipal Light Department (0.06%); Town of Littleton Electric Light and Water Department (0.05%); Town of West Boylston Municipal Lighting Plant (0.04%); Ashburnham Municipal Light Plant (0.02%); Town of Boylston Municipal Light Department (0.02%); Paxton Municipal Light Department (0.02%); Sterling Municipal Electric Light Department (0.02%); Templeton Municipal Light Plant (0.02%).

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 October 12, 1974. The request should be filed in connection with Docket Nos. 50-496-A and 50-497-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 Carnegie Library, Avenue A, Turners Falls, Massachusetts 01376.

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 12, 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 Office of State Planning and Management, Leverett Saltonstall Building, 100

Can Bridge Street, Room 909, Boston, Massachusetts 02202, and at the Franklin County Planning Department, 425 Main Street, Greenfield, Massachusetts 01301.

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, notice of the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Maryland, this 31st day of July 1974.

For the Atomic Energy Commission.

WALTER A. PAULSON,
Acting Chief, Light Water Reactors Branch 1-2, Directorate of Licensing.

[FR Doc. 74-18315 Filed 8-12-74; 8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON REGULATORY GUIDES

Notice of Meeting

AUGUST 14, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Regulatory Guides will hold a meeting on September 4, 1974 in Room 1046 at 1717 H Street, NW., Washington, D.C. The meeting will have both open and closed sessions.

The following constitutes that portion of the Subcommittee's agenda for the above meeting which will be open to the public:

Wednesday, September 4, 1974, 9:30 a.m. until about 2 p.m.

The Subcommittee will hear presentations from the Regulatory Staff and will hold discussions with this group pertinent to its review of Revision 1 to Regulatory Guide 1.7, "Control of Combustible Gas Concentrations in Containment Following a Loss-of-Coolant Accident."

In connection with the above agenda item, the Subcommittee may hold one or more Executive Sessions, not open to the public, at approximately 8:30 a.m. and 1:45 p.m. on September 4 to consider matters related to the above review. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee members and internal delibera-

tions for the purpose of formulating recommendations to the ACRS.

After the above portion of the meeting is concluded, the Subcommittee will meet in closed session with the AEC Regulatory Staff and any consultants at about 2 p.m. until the close of business to discuss the following working papers:

1. Revision 2 to Regulatory Guide 1.16, "Reporting of Operating Information"
2. Regulatory Guide 1.XX, "Availability of Electric Power Sources"
3. Revision 1 to Regulatory Guide 1.75, "Physical Independence of Electric Systems"
4. Regulatory Guide 1.XX, "Explosions Postulated to Occur on Transportation Routes Near Nuclear Power Plants"
5. Regulatory Guide 1.XX, "Elevated Temperature Surveillance, Testing and Inservice Inspection for High-Temperature Gas-Cooled Reactors"
6. Regulatory Guide 1.XX, "Interim Licensing Position on Tornado Generated Missiles"

This portion of the meeting may include Executive Sessions both before and after the closed session with the Regulatory Staff.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that other closed sessions will be held to discuss and exchange views on working papers which fall within exemption (5) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views and to avoid undue interference with agency or Subcommittee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting concerning Regulatory Guide 1.7, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding Regulatory Guide 1.7 may do so by mailing 25 copies thereof, postmarked no later than August 27, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such comments shall be based upon documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statement concerning the written statement. Such

requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 11 a.m. and 11:30 a.m. on September 4.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been canceled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on September 3, 1974, to the Office of the Executive Secretary of the Committee (telephone 301-973-5551) between 8:30 a.m. and 5:15 p.m., Eastern Daylight Time.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after September 5, 1974 at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(i) On request, copies of the Minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545 after October 29, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee
Management Officer.

[FR Doc. 74-19075 Filed 8-19-74; 8:45 am]

U.S. NUCLEAR DATA COMMITTEE; BASIC SCIENCE SUBCOMMITTEE

Notice of Meeting

AUGUST 14, 1974.

The Basic Science Subcommittee of the Atomic Energy Commission's U.S.

Nuclear Data Committee (USNDC) will hold a meeting at the Lawrence Berkeley Laboratory, Building 70A, Room 3377, Berkeley, California, on September 22, 1974. The meeting will begin at 9 a.m. and end at 4:45 p.m. The entire meeting will be open to the public. The agenda for the meeting is as follows:

Sunday, September 22, 1974

- 9:00-9:15 a.m.—Chairman's remarks.
- 9:15-10:15 a.m.—Berkeley Isotopes Compilation Project Discussion of current and future roles.
- 10:15-11:15 a.m.—Oak Ridge Nuclear Data Group. Discussion of current and future roles.
- 11:15-12:00 a.m.—Mutual Interaction of Nuclear Data Activities (ORNDG, LBL Isotopes, NBS Photoneuclear CIT/PENN light nuclei).
- 12:00-1:30 p.m.—Lunch.
- 1:30-2:30 p.m.—Data Compilation for Intermediate Energy Research.
- 2:30-3:00 p.m.—Berkeley Particle Data Group. Operations and scope.
- 3:00-3:30 p.m.—Report of IAEA meeting on basic nuclear data. Discussion of international collaborations.
- 3:30-4:00 p.m.—Isotopic Targets—International loan discussion and recommendations.
- 4:00-4:15 p.m.—Basic science developments—status report.
- 4:15-4:45 p.m.—Recommendations to USNDC.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in agenda items listed above, the following requirements shall apply:

(a) Persons wishing to submit written statements on those agenda items may do so by mailing 25 copies thereof, postmarked, if possible, no later than Sept. 16, 1974, to the Chairman, Basic Science Subcommittee, USNDC (Dr. D. Lind), Department of Physics and Astrophysics, University of Colorado, Boulder, Colorado 80302. Minutes of the meeting will be kept open for 30 days for the receipt of written statements for the record.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement, and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of not more than 30 minutes at an appropriate time, chosen by the Chairman, between the hours of 3 p.m. and 4 p.m. on Sept. 22, 1974.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of this Subcommittee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to the Chairman's ruling on requests for the opportunity to

present oral statements, and the time allotted, can be obtained by a prepaid telephone call to the office of the Chairman of the Basic Science Subcommittee (Dr. Lind), telephone: 303-492-0111, extension 7483.

(e) Questions may be asked only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come-first-served basis.

(g) Copies of minutes of public sessions will be made available for copying, in accordance with the Federal Advisory Committee Act, on or after October 30, 1974, at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., upon payment of all charges required by law.

JOHN C. RYAN,
Advisory Committee
Management Officer.

[FR Doc.74-19077 Filed 8-19-74;8:45 am]

[Doc. No. 50-323]

PACIFIC GAS AND ELECTRIC CO.

Diablo Canyon Nuclear Power Plant; Decision of Board and Issuance of Amendment

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulation in Appendix D, section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an initial decision dated August 2, 1974, by the Atomic Safety and Licensing Board in the above captioned proceeding which authorized issuance of an amendment to the construction permit issued to Pacific Gas and Electric Company for construction of the Diablo Canyon Nuclear Power Plant, Unit 2, located in San Luis Obispo, California, is available for public inspection in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the San Luis Obispo City-County Library, 888 Morro Street, San Luis Obispo, California.

The initial decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the initial decision may be reviewed by the Commission.

The initial decision is also being made available at the State of California Office of Intergovernmental Management, 1400 Tenth Street, Room 121, Sacramento, California 95814.

Based upon the record developed in the public hearing in the above captioned matter, the initial decision modified in certain respects the contents of the final environmental statement relating to the construction of the Diablo Canyon Nuclear Power Plant, Unit 2, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, section A.11, the final environmental statement is deemed modified to the extent that the

findings and conclusions relating to environmental matters contained in the initial decision are different from those contained in the final environmental statement (38 FR 14183). As required by section A.11 of Appendix D, a copy of the initial decision, which modifies the final environmental statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Pursuant to the above mentioned initial decision, the Atomic Energy Commission (the Commission) has issued amendment No. 3 to Construction Permit No. CPPR-69 to Pacific Gas and Electric Company for construction of a pressurized water nuclear reactor known as the Diablo Canyon Nuclear Power Plant, Unit 2, which is designed for a rated power of approximately 3411 megawatts thermal with a net electrical output of approximately 1060 megawatts. This amendment adds conditions to the permit for protection of the environment and lifts the suspension imposed on the construction of the second Diablo Midway transmission line.

The Commission has found that the provisions of the amendment comply with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Chapter I and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Copies of the initial decision dated August 2, 1974, amendment No. 3 to Construction Permit No. CPPR-69, and the final environmental statement dated May 1973, are available for public inspection at the above-designated locations in Washington, D.C. and San Luis Obispo, California. Single copies of the initial decision by the Atomic Safety and Licensing Board, the amended construction permit and the final environmental statement may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing, Regulation.

Dated at Bethesda, Md., this 14th day of August 1974.

For the Atomic Energy Commission.

OLAN D. PARR,
Chief, Light Water Reactors
Project Branch 1-3, Directorate
of Licensing.

[FR Doc.74-19078 Filed 8-19-74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket Nos. 26906 and 26848]

ALASKA AIRLINES, INC. AND PAN
AMERICAN WORLD AIRWAYS, INC.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on September 23, 1974, at 10 a.m. (local time), in

Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Administrative Law Judge Thomas P. Sheehan.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Economics will circulate its material on or before September 5, 1974, and the other parties on or before September 13, 1974. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Economics, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., August 15, 1974.

[SEAL] ROSS I. NEWMANN,
Associate Chief
Administrative Law Judge.
[FR Doc.74-19153 Filed 8-19-74;8:45 am]

[Docket No. 26941]

BOSTON-TORONTO NONSTOP ROUTE PROCEEDING

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on September 5, 1974, at 10 a.m. (local time) in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Greer M. Murphy.

The order instituting this proceeding, Order 74-8-55, August 13, 1974, sets forth the issues to be considered, and the Appendix contains a detailed list of the information and evidence to be furnished. In order to facilitate the conduct of the conference, the parties are instructed to submit, on or before August 29, 1974, one copy to each party and four copies to the Judge of any suggested changes or additions to the information request set forth in the Appendix. The submissions of the parties shall be limited to points on which they differ with the Appendix and shall follow the numbering and lettering used therein.

Dated at Washington, D.C., August 14, 1974.

[SEAL] ROSS I. NEWMANN,
Associate Chief
Administrative Law Judge.
[FR Doc.74-19152 Filed 8-19-74;8:45 am]

[Docket No. 25513; Order 74-8-63; Agreements 24563 R-2-R-3; 24564 R-15, R-16, R-30]

INTERNATIONAL AIR TRANSPORT ASSOCIATION Passenger Fares

Issued under delegated authority August 15, 1974.

Agreements have 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 Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted by the Seventh Meetings of the Passenger Agency Committee (PAC) and the Passenger Traffic Procedures Committee (PTPC), held in Montreux, May 5-10, 1974.

The PAC agreement would amend Resolution 203 governing reduced-fare privileges for travel agents by changing the date for submission of applications for a given calendar year from the preceding December 1 to the preceding November 1, and would further provide that any material misrepresentation in such applications shall result in forfeiture of reduced-fare privileges for a period of two years.

The agreement adopted by the PTPC would amend the maximum extension of ticket validity and rerouting from 30 to 45 days in the case of death of the passenger or in the passenger's immediate family, and would extend the definition of "immediate family" to include not only spouse, children, parents, brothers and sisters, but also grandparents, fathers and mothers-in-law, brothers and sisters-in-law, and sons and daughters-in-law. The agreement also proposes editorial changes in a Recommended Practice setting forth the form of application for Ship's Crew Fares.

None of the proposed amendments appear inconsistent with existing Board policy, and accordingly will be approved. Approval of the form of application for Ship's Crew Fares does not, of course, void our outstanding disapproval of these fares to/from U.S. points.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the following resolutions, incorporated in the agreements indicated, are adverse to the public interest or in violation of the Act:

Agreement C.A.B. 24563	IATA resolutions
R-2	107 (PAC) 203 (USA). 207 (PAC) 203 (USA). 307 (PAC) 203 (USA). JT12 (7PAC) 203 (USA). JT23 (7PAC) 203 (USA). JT31 (7PAC) 203 (USA). JT123 (7PAC) 203 (USA).
R-3	107 (PAC) 203 (Except USA). 207 (PAC) 203 (Except USA). 307 (PAC) 203 (Except USA). JT12 (7PAC) 203 (Except USA). JT23 (7PAC) 203 (Except USA). JT31 (7PAC) 203 (Except USA). JT123 (7PAC) 203 (Except USA).

Agreement C.A.B. 24564	IATA resolutions
R-15	107 (PTPC) 277. 207 (PTPC) 277. 307 (PTPC) 277. JT12 (7PTPC) 277b. JT23 (7PTPC) 277. JT31 (7PTPC) 277. JT123 (7PTPC) 277.

Agreement C.A.B. 24564	IATA resolutions
R-16	107 (PTPC) 277b. 207 (PTPC) 277b. 307 (PTPC) 277b. JT12 (7PTPC) 277b. JT23 (7PTPC) 277b. JT31 (7PTPC) 277b. JT123 (7PTPC) 277b.
R-30	107 (PTPC) 1077. 207 (PTPC) 1077. 307 (PTPC) 1077.

Accordingly, it is ordered That:

Agreements C.A.B. 24563, R-2 and R-3, and C.A.B. 24564, R-15, R-16 and R-30, be and hereby are approved.

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.74-19151 Filed 8-19-74;8:45 am]

[Docket No. 26415; Order 74-8-56]

EMPRESA GUATEMALTECA DE AVIACION Use of Trade Name

Issued under delegated authority August 14, 1974.

By application filed February 12, 1974, Empresa Guatemalteca de Aviacion has applied, pursuant to the provisions of Part 215 of the Board's Economic Regulations, for permission to use "Aerolineas de Guatemala" as a trade name in its operations to and from the United States. In support of its application, the carrier states, inter alia, that it is a foreign air carrier and the holder of a foreign air carrier permit; that it wishes to use the trade name Aerolineas de Guatemala in conjunction with operations conducted pursuant to that permit; and that its "research does not reveal any similar name used by any air carrier or foreign air carrier."

No answers in response to the carrier's application have been received.

Section 215 of the Board's Economic Regulations provides that the Board will grant a carrier permission to use a trade name upon a finding that its use is not contrary to the public interest. The proposed trade name does not appear to conflict with that of any existing air carrier or foreign air carrier and there has been no suggestion by any interested party that the public may be confused by the use of the requested trade name. Therefore, it does not appear that the use of the proposed trade name would be incompatible with the public interest. Therefore, pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.13, it is found

¹ See Order 73-7-13, dated June 13, 1973.

that the application meets the requirements of Part 215 of the Board's Economic Regulations and that it is not contrary to the public interest to so permit the use of the trade name in question.

Accordingly, it is ordered That:

1. The application of Empresa Guatemalteca de Aviacion for permission to use the trade name "Aerolineas de Guatemala" be and it hereby is approved; and

2. Copies of this order will be served on all certificated air carriers and on all carriers holding foreign air carrier permits.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50 may file their 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. 74-19150 Filed 8-19-74; 8:45 am]

[Docket No. 25519; Order 74-8-62]

MEMBER CARRIERS OF THE NATIONAL AIR CARRIER ASSOCIATION ET AL.

Transatlantic Passenger Charter Rate Discussions

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 15th day of August, 1974.

By application filed August 12, 1974, the members carriers of the National Air Carrier Association (NACA),¹ Pan American World Airways, Inc. (Pan American), and Trans World Airlines, Inc. (TWA) request the Board to renew for a period of sixty days the authority previously granted by the Board in Order 73-6-79, June 19, 1973, Order 73-10-99, October 26, 1973, and Order 74-5-89, May 17, 1974, to engage in discussions relating to transatlantic passenger charter rates, subject to the same terms and conditions of the previous orders.

In support of their request, the applicants state that discussions pursuant to the existing authorization have been held and although there has been substantial progress toward an agreement, it does not appear that an agreement can be finalized by the August 15 expiry date of the current authorization. Further discussions have been programmed, and for this reason it is necessary to request extension of the Board's permission to engage in charter rate negotiations. In addition, the applicants submit that the

adverse economic circumstances in the North Atlantic market have not abated, and the need for an inter-carrier agreement on minimum charter rates is as great as ever if charters are to be operated at economic levels and in proper relationship to fares in scheduled service.

The Board has determined to grant the request in light of the continuing conferences in IATA to establish scheduled service fares for application beginning November 1, 1974; the importance of the relationship between charter and schedule fares illustrated by the pattern of discussions at Fort Lauderdale and Montreux (both scheduled and charter); the considerable progress at those meetings; our previous approval of such discussions; and the matters raised by the applicants. It is evident that this summer's discussions have produced substantial progress toward resolution of the difficulties inherent in arriving at a minimum charter rate agreement, and we believe this momentum should be maintained without any lapse in the outstanding permission to discuss. The instant extension of our authorization is consistent with the Board's policy of considering all feasible alternatives for placing North Atlantic services on an economic basis.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 404, 412 and 414 thereof, it is ordered That:

All U.S. and foreign-flag carriers holding certificate or permit authority to provide passenger charter services on the North Atlantic may engage in discussions, for a period not to exceed 60 days from the date of this order, on the subject of rules, practices, procedures, and minimum rate levels applicable to transatlantic passenger charter service, and the relationship of charter rates to fares in scheduled service, subject to conditions previously imposed in Order 74-5-89, May 17, 1974.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 74-19148 Filed 8-19-74; 8:45 am]

[Docket Nos. 26874, 25474; Order 74-8-58]

WESTERN AIR LINES, INC.

Hawaii Fares Investigation; Order Dismissing Complaint

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 14th day of August 1974.

By tariff revisions¹ marked to become effective August 15, 1974, Western Air Lines, Inc. (Western) proposes to extend a modified version of its "Hawaii Triangle" fares for 18 months. The Board previously suspended a proposal to extend the present triangle fares for one

year through May 1975,² but permitted the carrier an extension to August 15, 1974 in view of the volume of reservations already made for the summer. Western has reevaluated its fares on the basis of the Board's suspension order and has made the instant proposal on the basis of that review.

Western's revised Hawaiian triangle fare tariff incorporates several changes from its current tariff. The changes in both fare level and tariff provisions are characterized by Western as being fully responsive to the objections raised by the Board in its earlier order of suspension. With the adjustments in fare level which have already been made and the revisions as proposed by Western, the triangle fare will reflect a discount from applicable normal coach fares ranging from 20 percent (with stopovers permitted in Honolulu and Anchorage) to 27 percent (stopovers at all intermediate points).

The triangle coach fares would be increased by approximately \$25.00 over the present fares. It is intended that the fares would be the same as the local or joint round-trip coach fares between the point of origin or turn-around within the lower 48 states, and Anchorage, plus \$25.00, after applying the applicable taxes to the itineraries involved. The first-class triangle fares would be canceled. Free stopovers would be limited to two, except that three stopovers would be allowed without charge in the case of passengers originating at, or including in their itinerary, an interior mainland point which is of such distance from Honolulu or Anchorage as to justify an additional free stopover. For example, passengers originating in Atlanta or Houston who would wish to break their trips at Los Angeles or San Francisco could do so without charge, in addition to stopping over at Anchorage and Honolulu. Stopovers beyond those described above would be permitted at a charge of \$10.00 each. The maximum return limit under the revised tariff would be 120 days, and travel blackouts would be imposed the week before and after Easter Sunday and the two weeks preceding and following Christmas.

In its justification, which includes the results of a two-week on-board passenger survey conducted by the carrier in June, Western purports to show that the triangle fares are responsible for significant generation of travel between Alaska and the lower 48 states and Hawaii; that with the proposed changes they satisfactorily meet the Board's profit impact test under the DPFI standards; that the yield of 4.50 cents per revenue passenger-mile over the Anchorage-Honolulu segment exceeds the fully allocated operating cost per mile of 4.04 cents for that segment; and that continuation of the fares (as revised) is essential to the operation of reasonable frequency in Anchorage-Honolulu service.

¹ Revisions to Airline Tariff Publishers, Inc., Agent, Tariff C.A.B. No. 143.

² Order 74-5-129, May 28, 1974.

¹ Capitol International Airways, Inc., Overseas National Airways, Inc., Saturn Airways, Inc., Trans International Airlines, Inc., World Airways, Inc.

Alaska has filed a complaint,* requesting that the Board suspend and investigate the proposed fares. Alaska contends that Western's justification is insufficient to warrant extension of the Hawaii triangle fare into its seventh year. Alaska alleges that the 12-day survey upon which Western relies for its generation/diversion ratio is deficient in that it is too limited, does not in fact give a true indication of the number of passengers generated, and involves questions which were biased to elicit a favorable response. Alaska also contends that "about 45 percent of the people being surveyed were beneficiaries of the travel bargain being surveyed," that the survey "does not discover the percentage of those who would have stayed home except for the triangle fare."

Alaska has submitted its own estimated generation/diversion ratio, based upon a theoretical application of the Board's coefficient of elasticity of -0.7. Assuming the reverse of that factor in determining the impact of fare reductions, Alaska applies a +0.7 coefficient to Western's proposed discount and derives a generation factor of 13.7 percent. This compares with Western's estimate of a required 25.8 percent generation factor.

Alaska argues that, assuming that most if not all the triangle-fare passengers would have flown between Anchorage and southwestern U.S. points in any event and that the only extra fare which Western collects is the \$25.00 for the Hawaii trip, the carrier would not even recover its incremental passenger expense. It also challenges Western's per mile cost of 4.04 cents over the Anchorage-Honolulu segment as being too low since it reflects 50-state experience, and notes that this cost figure is 20 percent below the 5.18 cents per mile line haul charge determined in Phase 9 of the DPFI for segments of like distance. Finally, Alaska charges that the modifications Western proposes to correct the deficiencies in its suspended fares are de minimis.

Western has answered, alleging that Alaska's contentions regarding its passenger survey are irrelevant because "Western has never contended that the Hawaii Triangle fare stimulated people to travel instead of remaining at home. The Hawaii Triangle fares were designed to stimulate traffic to Alaska by passengers traveling to Hawaii or to Hawaii by passengers traveling to Alaska." The carrier further contends that the survey does, in fact, establish that at least 40 percent of the Hawaii triangle-fare traffic is generated traffic, and that 80 percent of the historic triangle-fare traffic would not have traveled via Hawaii in one direction if the fares were not in existence.

*The complaint, filed July 15, 1974, accompanied by a motion for leave to file a late-filed document, was due July 8, 1974. The motion noted that the tariff filing was in fact a posted tariff filed June 27, 1974 but no posting date was indicated on the document. We will grant the motion.

Upon consideration of the complaint and the answer thereto, and all other relevant matters, the Board finds that the complaint does not set forth sufficient facts to warrant suspension. The triangle fares are automatically included in the Hawaii Fares Investigation, Docket 25474.

The carrier has responded to the Board's order of suspension (Order 74-5-129, May 28, 1974) by making several modifications to its triangle fares which, in our view, reflect significant improvement over its present fares—increasing fares by about \$25.00 (five to seven percent), limiting free stopover privileges, imposing blackout periods around major holidays, placing a limit of 120 days on return travel, and eliminating availability in first-class service. The carrier has also conducted an inflight survey to determine the generation/diversion ratio of the triangle fares, and has concluded that they are 40 percent generative—well above the 25.8 percent generation needed to meet the Board's profit-impact test.

Alaska's complaint against the tariff deals principally with the validity of the passenger survey conducted by Western to determine the generation ratio of its Hawaii triangle fares and with Western's estimated operating costs over the segment.* Alaska criticizes Western's survey as being too limited, and phrased in such a way as to produce biased responses. However, as noted earlier, the survey shows a generation ratio substantially above that necessary to satisfy the profit-impact test. Accordingly, even allowing for some bias in the responses, it seems reasonable pending investigation to accept the conclusion that the triangle fare had stimulated traffic to Alaska (or Hawaii depending upon the passenger's itinerary) in sufficient volume to produce a profit for the carrier.

Alaska also takes issue with Western's asserted fully allocated cost of 4.04 cents per revenue passenger-mile over the Anchorage-Honolulu segment. Since Western's figure includes no return and tax elements, it cannot be accurately described as a fully allocated cost figure, and for this and other reasons is not comparable to the cost elements determined on an industry average basis in Phase 9 of the DPFI. But we need not resolve the other questions raised by this aspect of the pleadings in view of our conclusion, supra, as to the profit impact of the fares. Although there is a substantial question whether a discount fare used by so large a percentage of the traffic over a particular segment can be justified over any prolonged period solely on the basis of the profit-impact test, we prefer to await the outcome of the Hawaii Fares Investigation to determine whether a fully allocated costs test should be imposed, and, if so, what Western's fully allocated costs over this segment are.

Accordingly, pursuant to the Federal

*In its prior complaint Alaska had also contended that Western's fare resulted in diversion from its service in the Anchorage-Seattle market. The carrier did not continue that argument in its present filing.

Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof.

It is ordered That:

1. The complaint in Docket 26874 is dismissed;
2. Alaska's motion to file a late-filed document is granted; and
3. Copies of this order be served upon Alaska Airlines, Inc., and Western Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 74-19149 Filed 8-19-74; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS CERTAIN COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THAILAND

Entry or Withdrawal From Warehouse for Consumption

AUGUST 15, 1974.

On March 29, 1974, there was published in the FEDERAL REGISTER (39 FR 11622) a letter dated March 25, 1974, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, establishing levels of restraint applicable to certain specified categories of cotton textiles and cotton textile products produced or manufactured in Thailand and exported to the United States during the twelve-month period beginning April 1, 1974.

Pursuant to paragraph 14 of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand, it has been agreed that the individual limits of 19,845 dozen and 17,420 dozen, established, respectively, for Categories 46 and 47, shall be combined into a single level of 37,265 dozen for the two categories for the agreement year which began on April 1, 1974.

Accordingly, there is published below a letter of August 15, 1974, from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs combining the levels of restraint applicable to cotton textile products in Categories 46 and 47, produced or manufactured in Thailand, and exported to the United States during the twelve-month period which began on April 1, 1974.

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

COMMITTEE FOR THE IMPLEMENTATION OF
TEXTILE AGREEMENTS

AUGUST 15, 1974.

COMMISSIONER OF CUSTOMS
DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20229

DEAR MR. COMMISSIONER: On March 25, 1974, the Chairman, Committee for the Im-

plementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning April 1, 1974 of cotton textiles and cotton textile products in certain specified categories produced or manufactured in Thailand in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.¹

Pursuant to paragraph 14 of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, you are directed, effective as soon as possible, to combine the levels of restraint established for cotton textile products in Categories 46 and 47 in the directive of March 25, 1974 to 37,265 dozen for the twelve-month period which began on April 1, 1974.²

The actions taken with respect to the Government of Thailand and with respect to imports of cotton textiles and cotton textile products from Thailand 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.74-19134 Filed 8-19-74; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 253-2]

VARIANCE PROCEDURES IN EFFLUENT GUIDELINES AND STANDARDS

Interpretation and Request for Public Comment; Correction

FR Doc. 74-18305, published at pages 28926-27 in the issue dated Monday, August 12, 1974, solicited public comment on a variance provision contained in EPA regulations establishing effluent limits for industrial discharges. In the notice, reference was made to legal opinion rendered by the Agency. That opinion was, however, incorrectly omitted from the August 12, 1974, notice and is reprinted below.

Dated: August 13, 1974.

ALAN G. KIRK II,
Assistant Administrator for Enforcement and General Counsel.

¹The term "adjustment" refers to those provisions of the Bilateral Cotton Textile Agreement of March 16, 1972 between the Governments of the United States and Thailand which provide, in part, that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carry-over of shortfalls in certain categories to the next agreement year; and for administrative arrangements.

²This level has not been adjusted to reflect any entries made on or after April 1, 1974.

Memorandum

To: All Regional Administrators

From: Assistant Administrator for Enforcement and General Counsel (EG-329)

Subject: Effluent Guidelines—Adjustment of Effluent Limitations in NPDES Permits

APRIL 25, 1974

The effluent guidelines now being issued contain, in those sections defining best practicable control technology currently available, a provision authorizing adjustment of effluent limitations in individual permits where certain factors are found to be "fundamentally different for the [discharging] facility compared to those [factors] specified in the Development Document." The full text of that provision is attached to this memorandum.

We have been asked whether this provision allows issuance of NPDES permits which deviate from the guidelines as a result of economic factors.

The answer is no. The provision is limited to adjustments based on "factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger." The reference to "other such factors" must be read in light of the previous factors listed; the intent here was to include factors of a technical and engineering nature, rather than to broaden the scope of the provision to include economic factors.

Any reading of the provision to include a consideration of economic factors would violate the FWPCA. In section 301(c) of the Act, Congress specified a particular procedure for considering economic factors on a case-by-case basis in the course of NPDES permit issuance. The section 301(c) procedure is limited in three respects: 1) it applies only to the "best available" requirement for 1983, 2) any modified effluent limitation must "represent the maximum use of technology within the economic capability of the owner or operator," and 3) the modified effluent limitation must "result in reasonable further progress toward the elimination of the discharge of pollutants." Congress clearly intended this limited procedure to be the only procedure available for an economic variance; otherwise, the limitations in section 301(c) would be meaningless. Indeed, the Conference Report confirms the Congressional intent that the section 301(c) procedure be the exclusive procedure for an economic variance. In its discussion of effluent limitations guidelines under section 304, the Conference Committee stated:

Except as provided in section 301(c) of this Act, the intent of the Conference is that effluent limitations applicable to individual point sources within a given category or class be as uniform as possible.

Thus the law compels a reading of the effluent guidelines to exclude economic factors from the provision for individual adjustment of effluent limitations.

ALAN G. KIRK II.

[FR Doc.74-19068 Filed 8-19-74; 8:45 am]

[FRL 247-2]

FUEL VENTING OF TURBINE ENGINE AIRCRAFT

Grant of Exemption

In accordance with section 87.101 of the Agency's regulations governing Temporary Exemptions from Aircraft Emission Standards (40 CFR 87, as revised; 38 FR 35000 dated December 21, 1973), notice is hereby given of the granting of a temporary exemption from fuel venting requirements of 40 CFR 87.11(a).

This exemption shall be extended to all operators of Grumman Gulfstream II aircraft, effective August 1, 1974 through June 30, 1975.

The granting of this exemption is necessary because of the difficulties encountered by the airframe and power plant manufacturers in the development of an effective modification to ensure compliance with the fuel venting standard. Such a modification has been developed; however, the lead time required to produce sufficient parts to retrofit the fleet is significant.

Dated: August 13, 1974.

JOHN QUARLES,
Acting Administrator.

[FR Doc.74-19069 Filed 8-19-74; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-7638 et al.]

PUBLIC SERVICE CO. OF INDIANA, INC.

Notice of Settlement Conference

AUGUST 14, 1974.

A public conference will be held in Conference Room 5200, commencing at 10:00 a.m., e.d.t., on September 16, 1974, pursuant to § 1.18 of the Commission's rules of practice and procedure. The Conference was requested by Counsel for Public Service Company of Indiana by letter dated July 26, 1974.

That letter states in part as follows:

We respectfully suggest that the Commission call a settlement conference to resolve the questions left open by the remand of the record from the D.C. Circuit in *City of Huntingtonburg, Indiana v. FPC*, Nos. 72-1890, 72-1893, for clarification and for further findings, such conference to be held the last week in August or the first week in September.

This suggestion is offered in the firm belief that the parties to the Hoosier interconnection agreement are not interested in preserving any position that is in any way incompatible with the Court's opinion. We think that there can be a simple resolution of those questions without further litigation in a manner that will fully satisfy the interests of all parties to the Hoosier Interconnection Agreement, the petitioners in the Court cases, the Rural Electrification Administration, the Indiana Public Service Commission, and the Court. Also that such a resolution is greatly in the public interest in enabling the uninterrupted continuation of the operation of the Interconnection Agreement that has been so successful in the two years since the Commission's order of May 26, 1972.

We suggest that counsel for all parties to the Commission and Court proceedings be invited to attend the conference. Also, counsel or representatives of the Rural Electrification Administration and the Indiana Public Service Commission, and that, in any event, the views of those agencies be sought.

Any person desiring to attend the conference may do so. The conference will be attended and moderated by Commission staff personnel. Upon conclusion of the conference, the results thereof will be reported to the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19088 Filed 8-19-74; 8:45 am]

[Docket No. CP75-31]

ARKANSAS LOUISIANA GAS CO.

Notice of Application

AUGUST 13, 1974.

Take notice that on August 5, 1974, Arkansas Louisiana Gas Company (Applicant), P.O. Box 1734, Shreveport, Louisiana 71151, filed in Docket No. CP75-31 an application pursuant to sections 7(b) and (c) of the Natural Gas Act and § 157.7(g) of the regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval of the abandonment, for a 12-month period commencing on the date of Commission authorization, and the operation of field gas compression and related metering and appurtenant facilities, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in the construction and abandonment of facilities which will not result in changing Applicant's system salable capacity or service from that authorized prior to the date of filing the instant application.

Applicant states that the total cost of the proposed construction, abandonment, removal and relocation shall not exceed \$3 million, nor will the cost of any single project exceed \$500,000. Applicant further states that the proposed capital expenditure will be made from cash generated from normal internal sources and from short-term bank loans and other short-term borrowings utilized in the normal operation of Applicant's total business.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 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.74-19089 Filed 8-19-74; 8:45 am]

[Docket No. CP75-32]

ARKANSAS LOUISIANA GAS CO.

Notice of Application

AUGUST 13, 1974.

Take notice that on August 5, 1974, Arkansas Louisiana Gas Company (Applicant), Post Office Box 1734, Shreveport, Louisiana 71151, filed in Docket No. CP75-32 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(b) of the regulations thereunder (18 CFR 157.7(b)), for a certificate of public convenience and necessity authorizing the construction, during the calendar year 1975, and operation of facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be purchased from producers thereof, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system additional supplies of natural gas in areas generally co-extensive with said system:

The total cost of the facilities proposed herein is \$7,000,000 and the total cost for any single project will not exceed \$1,000,000.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 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.74-19090 Filed 8-19-74; 8:45 am]

[Docket No. E-8865]

CLEVELAND ELECTRIC ILLUMINATING CO.

Notice of Surplus Power Agreement

AUGUST 12, 1974.

Take notice that The Cleveland Electric Illuminating Company (CEI) on June 21, 1974, tendered for filing an Agreement entitled "Surplus Power Agreement, Eastlake Unit No. 5" between CEI and The Toledo Edison Company (TE), dated June 10, 1974. The Agreement provides for the sale by TE to CEI, from time to time and by mutual agreement, of operating capacity and energy out of the entitlement of TE in the Eastlake No. 5 generating unit (the "unit"). TE's entitlement in the Unit is by Interim Agreement dated as of July 25, 1972, wherein CEI agreed to supply to TE, 95 MW of capacity and energy from the Unit. The Interim Agreement is on file as CEI's Rate Schedule FPC No. 9, and as TE's Rate Schedule FPC No. 22.

The rates provided for in the Agreement are cost formula rates (i.e., out-of-pocket cost with equal division of savings) which CEI states are the same as the rates contained in CEI's Agreement with Duquesne Light Company dated May 7, 1973, filed May 16, 1973; and that the rates are essentially similar in principle to the rates for Economy Energy provided in TE's and CEI's agreements with Ohio Power Company and others.

CEI states that no facilities are to be added or changed to supply this service; and that no comparison of sales, services and revenues is offered because the Agreement covers a new class of service and no estimates of transactions and revenues can be predicted with any reasonable degree of accuracy. CEI requests that the schedule be permitted to become effective as of June 10, 1974, in order to avoid the operation of some of its oil-fired capacity and to maximize economic benefits to both parties.

(No proposed notice for publication in the FEDERAL REGISTER, pursuant to § 35.8 (a) of the Commission's regulations under the Federal Power Act, is included in the filing).

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 August 23, 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.74-19098 Filed 8-19-74; 8:45 am]

[Docket No. E-7715]

COMMUNITY PUBLIC SERVICE CO.

Notice of Application

AUGUST 13, 1974.

Take notice that on August 2, 1974, Community Public Service Company (Applicant) filed Amendment No. 4 to its application in Docket No. E-7715 seeking an order pursuant to section 204 of the Federal Power Act, amending the order previously issued to increase the presently authorized \$18,000,000 in short-term notes and commercial paper to an aggregate principal amount not to exceed \$24,000,000 outstanding at any one time and for an extension of the final issuance date of such securities from December 31, 1974 to December 31, 1975.

Community is incorporated in the State of Texas and is domiciled in the State of New Mexico with its principal place of business office at Fort Worth, Texas. Community is engaged primarily in the generation, purchase, distribution, and sale of electric energy and the purchase, distribution and sale of natural gas. It provides electricity and natural gas service to a total of 131 communities in Texas and New Mexico, including 86 incorporated municipalities.

Community proposes to issue notes to commercial banks and notes in the form of commercial paper to commercial paper dealers and directly to investors for their own accounts. The notes and commercial paper, which will have maturity dates of less than 12 months, but not later than December 31, 1975, are not to exceed \$24,000,000 outstanding at any one time.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 1974, file with the Federal Power Commission, Washington, D.C., 20426, petitions 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 Com-

mission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19091 Filed 8-19-74; 8:45 am]

[Docket No. E-8947]

DELMARVA POWER & LIGHT CO.

Notice of Tariff Change

AUGUST 12, 1974.

Take notice that Delmarva Power & Light Company, Delmarva Power & Light Company of Maryland and Delmarva Power & Light Company of Virginia, on August 1, 1974 tendered for filing proposed changes in FPC Electric Tariff Volume Nos. 4 and 5 of Delmarva Power & Light Company, FPC Electric Tariff Volume Nos. 4 and 5 of Delmarva Power & Light Company of Maryland, FPC Electric Tariff Volume No. 2 of Delmarva Power & Light Company of Virginia and Rate Schedule FPC No. 35 of Delmarva Power & Light Company. The proposed changes effective October 1, 1974, would increase revenues from jurisdictional sales and service by \$4,188,340 based on the 12 month period ending September 30, 1975. The Company is also seeking, to the extent necessary, permission to initiate normalization of Federal Income Taxes on January 1, 1974 for depreciation on property acquired after December 31, 1973.

Applicant states that the increased revenues are necessary to offset increased operating expenses and to provide sufficient earnings to permit the Company to obtain necessary financing, at a reasonable cost, to continue its construction program and meet its obligation to provide its customers with adequate and dependable electric service. The Company has cited immediate need for revenue, and has urged the Commission suspend its proposed rates no more than one day.

Copies of the filing were served upon all jurisdictional customers of Delmarva Power & Light Company and its subsidiaries.

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 August 23, 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.74-19102 Filed 8-19-74; 8:45 am]

[Docket No. CP75-28]

EL PASO NATURAL GAS CO.

Notice of Application

AUGUST 12, 1974.

Take notice that on August 2, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP75-28 an application pursuant to section 7(c) of the Natural Gas Act, as implemented by § 157.7(c) of the regulations thereunder (18 CFR 157.7(c)), for a certificate of public convenience and necessity authorizing the construction, during the twelve-month period commencing on the date of Commission authorization, and operation of certain natural gas sales and transportation facilities to enable Applicant to make sales of natural gas to customers and to make miscellaneous rearrangements of existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this budget-type application is to augment Applicant's ability to act with reasonable dispatch in its efforts to provide adequate and reliable gas service to its customers by miscellaneous rearrangements of existing facilities. Applicant states that the total cost of the rearrangement and construction of facilities proposed herein will not exceed \$300,000, and such costs will be financed with working funds. Applicant further states that the proposed construction and operation will not result in any change in Applicant's service or in the volumes of gas authorized to be sold or delivered by Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 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 be-

Heves 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.74-19101 Filed 8-19-74; 8:45 am]

[Docket No. CP75-29]

EL PASO NATURAL GAS CO.

Notice of Application

AUGUST 13, 1974.

Take notice that on August 2, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed an application in Docket No. CP75-29 pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain tap facilities and the sale and delivery of gas to Pioneer Natural Gas Company (Pioneer) for resale to one right-of-way grantor on Applicant's interstate system, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to install a tap, at a total estimated cost, including overhead, contingency and filing fee, of \$1,150, in order to accommodate a request for gas service which Applicant has received from one right-of-way grantor who has exercised a prior right to request such gas service. Gas will be sold and delivered by Applicant to Pioneer for resale and delivery to said right-of-way grantor for irrigation purposes at a delivery point situated at milepost 19-4 on Applicant's 30-inch Permian-San Juan Pipeline in Yoakum County, Texas.

Applicant further states that, during the first full year of operation of the proposed facilities, the estimated total annual gas requirements to serve the said tap will be 7,066 Mcf and through 1977 the estimated peak day delivery will be 38 Mcf.

Any person desiring to be heard or to make any protest with reference to said application should, on or before September 3, 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 authorization 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.74-19096 Filed 8-19-74; 8:45 am]

[Docket No. E-8911]

GULF POWER CO.

Proposed Increase in Rates; Hearing and Procedures

AUGUST 13, 1974.

On July 16, 1974, Gulf Power Company tendered for filing in the above docket certain original and revised sheets¹ to its FPC Electric Tariff, First Revised Volume No. 1. These tariff sheets provide for an increase in rates for jurisdictional sales and services which would result in an increase in revenues received by Gulf Power of \$3,056,946 annually, based on the 12 month period ending December 31, 1975. Gulf Power also proposes to institute an "Environmental Protection Adjustment Clause"—"zero" the full adjustment clause at November, 1974 fuel costs, and effect other changes in certain of the tariff terms and conditions. The proposed effective date stated on the tariff sheets is August 15, 1974, thirty days after filing with the Commission. However, Gulf Power requests that the tariff sheets be suspended until January 1, 1975, in accordance with the provisions of the settlement approved in Docket No. E-7686.

Gulf Power states that the foregoing tariff changes are being filed in order to provide a fair and reasonable return on investment in facilities used to provide jurisdictional services.

Notice of Gulf Power's filing was issued on July 29, 1974, providing for protests or petitions to intervene to be filed on or before August 12, 1974. As of August 6, 1974, no protests or petitions to intervene had been received. Any petitions to intervene which may be filed will be considered by separate order.

Our review of Gulf Power's filing indicates that certain issues have been raised which require development in an evidentiary hearing. The proposed rates and other terms and provisions of service have not been shown to be just and reasonable, and may be unjust, unreasonable,

¹ Original Sheet No. 11-A; First Revised Sheet Nos. 8, 9, 11, 14, 15, 19, 20, and 21.

able, unduly discriminatory, preferential, or otherwise unlawful, we shall therefore accept for filing and suspend the proposed tariff sheets, and set the matter for hearing.

The Commission finds:

It is necessary and proper in the public interest and in carrying out the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the rates and other terms and provisions of service proposed herein by Gulf Power Company, and that such rates, terms, and provisions be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Federal Power Act, particularly sections 205, 206, 308, and 309 thereof, and the Commission's rules and regulations, a public hearing shall be held commencing on January 21, 1975, in a hearing room of the Federal Power Commission, Washington, D.C., concerning the lawfulness of the rates, charges, classifications and services contained in Gulf Power's FPC Electric Tariff, as proposed to be amended herein.

(B) Pending hearing and decision thereon, Gulf Power's proposed tariff sheets are hereby suspended and the use thereof deferred until January 1, 1975.

(C) On or before October 25, 1974, the Commission staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of any intervenors shall be served on or before November 27, 1974. Any rebuttal evidence by Gulf Power shall be served on or before December 27, 1974.

(D) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (see delegation of authority, 18 CFR 3.5(d)) shall preside at the 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 Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19097 Filed 8-19-74; 8:45 am]

[Docket No. E-8943]

IDAHO POWER CO.

Agreement for Supply of Generating Plant Capacity

AUGUST 12, 1974.

Take notice that the Idaho Power Company (Idaho) on July 30, 1974, tendered for filing a fully executed agreement for supply of generating plant capacity between Idaho Power Company and Pacific Power and Light Company.

The transmitted contract is identified as Service Schedule P-1 of the Interconnection Agreement dated April 21, 1965, which has been assigned Rate Schedule FPC No. 44. Service under this contract

will commence on September 16, 1974 and continue until March 31, 1975. Under the contract surplus firm capacity and energy up to 30 megawatts of average energy per month at a normal rate of delivery not to exceed 100 megawatts in any one hour period will be provided by Idaho Power Company to Pacific Power and Light Company.

The rate to be paid by Pacific for such power is set forth in section 4 of the contract. An estimate of revenue under this contract is shown on the attached Exhibit A. The energy charge is based on incremental fuel costs and the charge for readiness to supply was arrived at through negotiation for the sale of this short-term power. This rate will have no effect on existing customers under other rate schedules or contracts within the jurisdiction of the Federal Power 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 §§ 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 August 26, 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. 74-19100 Filed 8-19-74; 8:45 am]

[Docket No. CP75-26]

MICHIGAN WISCONSIN PIPE LINE CO.
Notice of Application

AUGUST 12, 1974.

Take notice that on July 31, 1974, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP75-26 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to perform an onshore transportation service for Natural Gas Pipeline Company of America (Natural), all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant proposes to transport for Natural at a rate of 1.89 cents per Mcf 2,000 Mcf of natural gas per day on a firm basis and such additional volumes as Natural may tender for transportation on a best efforts basis. The gas would be purchased from Chevron Oil Company (Chevron) in block 28, West Cameron Area, offshore Louisiana and transported by Applicant pursuant to an agreement between Natural and Appli-

cant dated May 3, 1974, which provides that Natural will deliver the gas to Applicant at a point on Applicant's existing 6-inch line in section 5, Township 15 South, Range 8 West, Cameron Parish, Louisiana, and Applicant will redeliver gas to Natural at the existing point of interconnection of the facilities of Natural and Applicant near Lake Arthur, Cameron Parish, Louisiana.

Applicant states that Natural has pending in Docket No. CP74-283 an application for authority to construct and operate the facilities required to enable Natural to deliver the Chevron gas to Applicant for transportation and that Chevron has pending in Docket No. CI74-425 an application for authority to sell such gas to Natural. Applicant further states that no new facilities are required to be constructed for the proposed service.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 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. 74-19099 Filed 8-19-74; 8:45 am]

[Docket No. E-8945]

MIDDLE SOUTH SERVICES, INC.
Notice of Agreement Filing

AUGUST 12, 1974.

Take notice that on August 1, 1974, Middle South Services, Inc. (Middle

South) submitted for filing on behalf of Mississippi Power & Light Company (Mississippi) an agreement between Mississippi and Tennessee Valley Authority (TVA). Middle South states that the agreement requires Mississippi to sell a minimum of 50,000 kw of capacity to TVA during the period of June 30, 1974, through September 28, 1974, and that energy is to be repaid in kind by TVA during a 19-week period beginning November 10, 1974.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 28, 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. 74-19104 Filed 8-19-74; 8:45 am]

[Docket No. E-8547]

MISSOURI EDISON CO.

Extension of Time and Postponement of
Prehearing Conference and Hearing

AUGUST 13, 1974.

On August 6, 1974, Commission Staff Counsel filed a motion for an indefinite postponement of the procedural dates in the above-designated matter, pending disposition of settlement agreements filed in Union Electric Company, Docket No. E-8215, Union Electric Company, Docket No. E-7571, and Missouri Power and Light, Docket No. E-7572. Counsel states that he has contacted the interested parties in this proceeding and there is no opposition to the proposed extension.

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

Staff service of evidence, September 10, 1974.
Rebuttal evidence of company, October 2, 1974.

Prehearing conference, October 22, 1974
(10:00 a.m. e.d.t.).

Hearing, November 19, 1974 (10:00 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-19092 Filed 8-19-74; 8:45 am]

[Docket No. CP75-25]

NORTHERN NATURAL GAS CO.
Notice of Application

AUGUST 13, 1974.

Take notice that on July 30, 1974, Northern Natural Gas Company (Appli-

cant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP75-25 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to provide peaking service to its customers from November 27, 1974, through February 26, 1975, to realign certain other firm services by community, and to sell and deliver natural gas to Northern Illinois Gas Company (NI-Gas) pursuant to a special delivery arrangement, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that as a result of special arrangements with Michigan Wisconsin Pipeline Company, Great Lakes Gas Transmission Company and NI-Gas, Applicant will have available approximately 80,000 Mcf per day of additional delivery capability. Accordingly, Applicant proposes to provide its utility customers with 80,000 Mcf per day of additional wintertime peaking service demand, for the 1974-75 heating season only, pursuant to the terms and conditions of Applicant's Rate Schedule PS-2.¹ Because customer requests for peaking service demand have exceeded the available 80,000 Mcf of gas per day, Applicant states that it has allocated said gas to its customers pursuant to the provisions of paragraph 17.4 of the general terms and conditions of Applicant's FPC Gas Tariff, as such paragraph is proposed in the pending proceeding in Docket No. RP71-107 (Phase II) and RP72-127. Applicant states that the proposed service will assist the utilities in serving the residential and small volume high priority market.

Applicant requests authority to realign, by community, firm natural gas services commencing October 27, 1974, for three of its utility customers² in order to permit maximum utilization of the peaking service demand proposed herein together with existing firm entitlements to meet most effectively the requirements of the high priority markets. Applicant states that the realignments of firm services as proposed herein will not result in any increase or decrease of the presently authorized total firm services of the respective utility companies.

Applicant also requests authority to sell and deliver natural gas to NI-Gas under the terms of a special delivery arrangement, dated June 17, 1974, that will permit Applicant to reduce its deliveries to NI-Gas by up to 3,600,000 Mcf of 1,000 Btu gas during the 1974-75 heating season at a daily rate of up to 60,000 Mcf. In turn, Applicant proposes

to deliver up to 10,800,000 Mcf of 1,000 Btu gas to NI-Gas during the summer of 1975; 7,200,000 Mcf of which will be considered as over-run sale gas. The application indicates that billing for said special deliveries of gas will be made pursuant to the terms of Applicant's FPC Gas Tariff, Third Revised Volume No. 1, Rate Schedule PL-1. Applicant states that the effectuation of the "special delivery" arrangement between Applicant and NI-Gas will enable Applicant to alleviate substantially its supply problems during the 1974-75 heating season and will assist NI-Gas in filling its storage during the summer of 1975 while connecting summertime offpeak gas supplies to wintertime high-priority utilization.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 3, 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 section 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.74-19095 Filed 8-19-74; 8:45 am]

[Docket No. E8955]

NORTHWESTERN PUBLIC SERVICE CO.

Notice of Application

AUGUST 13, 1974.

Take notice that on August 5, 1974, Northwestern Public Service Company (Applicant) filed an application seeking an order pursuant to section 204 of the

Federal Power Act authorizing the issuance of promissory notes to evidence short-term borrowings as needed for its business from time to time from the present through September 1, 1975, provided that the aggregate principal amount of such notes outstanding at any one time shall not exceed \$22,000,000.

Applicant is incorporated under the laws of the State of Delaware and is qualified to do business as a foreign corporation in the States of South Dakota and North Dakota, and as a domesticated corporation in the State of Nebraska. The notes proposed to be issued pursuant to this Application will be short-term promissory notes which will be issued to commercial banks. Notes for the new short-term borrowings shall bear interest at the prime commercial rate of the lending bank, or principal lending bank, as it is in effect from time to time during the terms of such notes. Notes evidencing renewals or extensions of maturity of short-term borrowings shall bear interest at a rate of not to exceed $\frac{1}{4}$ of one percent above such prime commercial rate as it is in effect from time to time during such renewal or extended terms. The initial term, and each renewal or extended term, of the notes shall not exceed 360 days (although successive renewals or extensions may occur), subject to the limitation that no initial or renewal or extended term of any note shall extend beyond September 1, 1976.

The net proceeds from the notes will be used, together with other funds of the Applicant, for construction, extension and improvement of facilities. Applicant's construction program for the period ending December 31, 1975 is tentatively estimated at \$17,160,000 of which approximately \$11,260,000 is for expenditures in connection with construction of a large electric generating plant near Big Stone City, South Dakota, which is jointly owned by Applicant and two other utilities; \$890,000 for other generating facilities; \$1,375,000 is for major electric transmission lines and substations; \$2,470,000 for routine extensions and additions to electric systems; \$800,000 for routine extensions and additions to natural gas distribution systems; and \$365,000 for miscellaneous and general items.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 9, 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. The

¹ Applicant states that the availability of this service is conditioned upon the installation by December 1, 1974, of certain gathering system compressor facilities which are currently being constructed pursuant to authority granted in Docket Nos. CP74-196 and CP74-31.

² Iowa Public Service Company, Lake Superior District Power Company, and Wisconsin Gas Company.

application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19093 Filed 8-19-74;8:45 am]

[Docket No. ID-1739]

PETER J. McTAGUE

Notice of Initial Application

AUGUST 13, 1974.

Take notice that on August 5, 1974, Peter J. McTague (Applicant) filed an initial application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

President and Director, Green Mountain Power Corporation, Public Utility.
Director, Vermont Yankee Nuclear Power Corporation, Public Utility.
Director, Vermont Electric Power Company, Incorporated, Public Utility.

Green Mountain's principal business is the generation and purchase of electric energy and its transmission, distribution and sale for light, power, heat and other purposes, principally in north, central Vermont.

Vermont Yankee owns and operates a nuclear power plant at Vernon, Vermont. Power generated by this plant is sold to various electric utilities located within and without Vermont.

Vermont Electric operates a transmission system which interconnects with, and Vermont Electric purchases bulk power for resale to, electric utilities in the State of Vermont.

Any person desiring to be heard or to make any protest with reference to said application should on or before September 6, 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. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19094 Filed 8-19-74;8:45 am]

[Docket No. CP74-304]

SECRETARY OF THE ARMY AND CITIES SERVICE GAS CO.

Notice of Amendment to Application

AUGUST 12, 1974.

Take notice that on July 31, 1974, the Secretary of the Army (Applicant), The Pentagon, Room 3E18, Washington, D.C.

20310, filed in Docket No. CP74-304 an amendment to his application filed in said docket pursuant to section 7(a) of the Natural Gas Act by submitting revised volumes of natural gas required for Ft. Leavenworth, Kansas, for the fiscal years 1974 through 1976, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

In this docket, Applicant seeks an order of the Commission directing Cities Service Gas Company (Respondent) to sell and deliver volumes of natural gas to Applicant at its Ft. Leavenworth facilities. In the original application Applicant indicated the estimated annual consumption of natural gas at Ft. Leavenworth to be as follows:

Fiscal:	Thousand cubic feet
1974	121,131
1975	117,799
1976	113,873

Applicant states that the annual consumption figures shown on the original application reflect only the interruptible gas proposed to be purchased by Applicant from Respondent. Applicant further states that the correct annual consumption volumes are as follows:

Fiscal:	Thousand cubic feet
1974	876,183
1975	867,775
1976	804,588

Any person desiring to be heard or to make any protest with reference with said amendment should on or before September 3, 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 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. Any person who has heretofore filed a protest or petition to intervene need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-19103 Filed 8-19-74;8:45 am]

[Docket No. E-8953]

SUPERIOR WATER, LIGHT AND POWER CO. Proposed Changes in Rates and Charges

AUGUST 12, 1974.

Take notice that Superior Water, Light and Power Company (SWL&P) on August 2, 1974, tendered for filing proposed changes in its FPC Electric Rate Schedule No. 12. The proposed changes effective on September 1, 1974, would increase revenues from jurisdictional sales and service by approximately \$148,482, based on the 12 month period ending July 31, 1974.

Applicant states the proposed rate changes and rate charges are designed to increase the revenue from Dahlberg Light and Power Company, Superior Water, Light and Power Company's only jurisdictional customer sufficiently to recover the proportionate share of the increase in the cost of purchased power from supplier and to raise the rate of return on the investment necessary to serve jurisdictional customer to an acceptable level.

Copies of the filing were served upon SWL&P's jurisdictional customer and Public Service Commission of Wisconsin.

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 August 23, 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.74-19105 Filed 8-19-74;8:45 am]

FEDERAL RESERVE SYSTEM FIRST BANC GROUP OF OHIO, INC.

Acquisition of Bank

First Banc Group of Ohio, Inc., Columbus, Ohio, 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 First National Bank of Toledo, Toledo, Ohio. 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 Cleveland. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than September 8, 1974.

Board of Governors of the Federal Reserve System, August 12, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-19109 Filed 8-19-74;8:45 am]

INDIANA NATIONAL CORP.

Proposed Acquisition of Credit Insurers of America

Indiana National Corporation, Indianapolis, Indiana, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 25.4(b)(2) of the Board's Regulation

Y, for permission to acquire voting shares of Credit Insurers of America, Indianapolis, Indiana. Notice of the application was published on (1) June 5, 1974, in the Indianapolis Star-News, a newspaper circulated in Indianapolis, Indiana, (2) June 6, 1974, in The Birmingham News, a newspaper circulated in Birmingham, Alabama, and (3) on June 9, 1974, in the Coral Gable Times, a newspaper circulated in Coral Gables, Florida.

Applicant states that the proposed subsidiary would engage in the activities of making or acquiring for its own account as well as for ultimate sale to interested financial institutions loans and other extensions of credit primarily in the form of floor plan loans and retail installment contracts for the purchase of mobile homes and recreational vehicles commonly referred to as "Dealer Paper" and service such loans and other extensions of credit for any interested financial institution. Such servicing will include developing for the account of such financial institution customers for floor plan loans and one or more sources from which Dealer Paper may be purchased. Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than September 5, 1974.

Board of Governors of the Federal Reserve System, August 8, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-19110 Filed 8-19-74; 8:45 am]

OLD KENT FINANCIAL CORP.

Order Approving Reconsideration

Old Kent Financial Corporation, Grand Rapids, Michigan, has requested reconsideration of the Order of January 25, 1974 (39 FR 5374), whereby the Board of Governors denied the appli-

cation of Old Kent Financial Corporation for prior approval of the acquisition of all of the voting shares of National Lumberman's Bank and Trust Co., Muskegon, Michigan, pursuant to section 3(a)(3) of the Banking Holding Company Act of 1956, as amended (12 U.S.C. 1842(a)(3)).

The request for reconsideration is filed pursuant to section 262.3(g)(5) of the Board's Rules of Procedure, which provides that the Board will not grant any request for reconsideration "unless the request presents relevant facts that, for good cause shown, were not previously presented to the Board, or unless it otherwise appears to the Board that reconsideration would be appropriate". The Board finds that the request for reconsideration presents relevant facts or issues which appear appropriate in the public interest for the Board to consider. Accordingly, the request for reconsideration is hereby approved.

In order to facilitate such consideration, comments and views regarding the proposed acquisition may be filed with the Board not later than September 6, 1974. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application, as supplemented by Applicant's request for reconsideration, may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

By order of the Board of Governors,
effective August 9, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-19108 Filed 8-19-74; 8:45 am]

GENERAL SERVICES

ADMINISTRATION

[FPMR Temp. Reg. F-229]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in a telephone rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d)(40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Ohio Public Utilities Commission in a proceeding (Docket No. 74-383-Y) involving the application of the Ohio Bell Tele-

¹ Voting for this action: Governors Brimmer, Sheehan, Bucher, and Wallich. Absent and not voting: Chairman Burns and Governors Mitchell and Holland.

phone Company for a telephone rate increase.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ARTHUR F. SAMPSON,
Administrator of
General Services.

AUGUST 12, 1974.

[FR Doc.74-19138 Filed 8-19-74; 8:45 am]

[FPMR Temp. Reg. F-229]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in an electric rate increase proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d)(40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the California Public Utilities Commission in a rate proceeding involving electric service supplied by the Southern California Edison Company (Application No. 54946).

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

AUGUST 12, 1974.

ARTHUR F. SAMPSON,
Administrator of
General Services.

[FR Doc.74-19137 Filed 8-19-74; 8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74-49]

ESTABLISHMENT OF SUBCOMMITTEE OF NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL (RTAC), COMMITTEE ON AERONAUTICAL PROPULSION

Determination

Pursuant to section 9(a)(2) of the Federal Advisory Committee Act (Pub.

L. 92-463), and after consultation with the Office of Management and Budget, the NASA Administrator has determined that the establishment of an Ad Hoc Panel on Jet Engine Hydrocarbon Fuels, as a subcommittee of the RTAC Committee on Aeronautical Propulsion, is in the public interest in connection with the performance of duties imposed upon NASA by law.

The functions of this ad hoc panel will include the review and evaluation of the jet engine hydrocarbon fuels research and technology program under way and planned in NASA in terms of its relevance, adequacy and timing with respect to future military and civil aviation requirements. The ad hoc panel will provide advice and recommendations on the objectives, approach, content and technical balance of this program and its relationship to complementary activities in other Government agencies and the civil sector.

Dated: August 14, 1974.

BOYD C. MYERS II,
Assistant Associate Administrator
for Organization and
Management, National Aeronautics and Space Administration.

[FR Doc. 74-19073 Filed 8-19-74; 8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on August 15, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529).

NEW FORMS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Turf-Grass Survey—Florida 1974, Form ----, Single Time, Lowry, Turf-Grass Users & Producers.

DEPARTMENT OF COMMERCE

Bureau of the Census: Coverage Check of New Mobile Home Dealers, Form C-MH-5, Occasional, Wann, Mobile Home Dealers.

Bureau of Domestic Commerce: Metal Coil Processing Equipment, Form DIB-921, Single Time, Weiner, Producers of coil processing equipment.

National Bureau of Standards: Taxpayer Service Study Questionnaire, Form ----, Single Time, Lowry, Federal taxpayers.

National Oceanic & Atmospheric Administration: Spiny Lobster Landings from the Bahamas Region—Lobster Log Interview, Forms NOAA 88-906, NOAA 88-906A, Monthly, Lowry, Fishermen & Fishery Products Wholesalers.

DEPARTMENT OF HEALTH, EDUCATION & WELFARE

Health Services Administration: Recordkeeping Standards for Emergency Medical Services Grantees, Form HSAOPEL 0726, Occasional, Caywood, Personnel employed with hospitals & ambulance services associated with EMS grants.

National Institute of Education: Operation Guidance: Career Development Data Binder (CDDB), Form NIE 63, Occasional, Planchon, Selected high schools in 10-12 states.

National Institutes of Health: Congenital Defects Study, Form OSH-NIH-CH-21, Single Time, Hall, Women who have recently given birth.

REVISIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service:

Prices Paid by Farmers for Apparel & Dry Goods, Form ----, Quarterly, Raynsford, Clothing & Dry Goods Stores.

Prices Paid by Farmers for Equipment, Supplies & Marketing Containers: Form ----, Quarterly, Raynsford, Farm Equipment Stores.

DEPARTMENT OF COMMERCE

Bureau of the Census:

Farm Machinery and Equipment, Form MA-35A, Annual, Weiner, Manufacturing establishment.

Metal Cans, Form M34D, Monthly, Weiner, Manufacturing establishments.

Survey of Government Employment, Forms E-1-E-7 & LR 1-3, Annual, Ellett, State & local government, universities, colleges.

Bureau of International Commerce:

China Trade Act, Forms DIB-491P-499P, Annual, Evinger, China Trade Act corporations.

Marketing Data Form, Form DIB-466P, Weekly, Caywood, Manufacturers & Exporters.

DEPARTMENT OF THE INTERIOR

U.S. Fish & Wildlife Service: Hunter Questionnaire, Lead/Steel Shot, Form 3-285, 3-273, Annual, Lowry, Waterfowl Hunters.

VETERANS ADMINISTRATION

Claim for Death Benefits: (SGLI & VGLI), Form 29-8283, Occasional, Caywood, Claimants.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Prices Paid by Farmers for Household Furnishings, Form ----, Quarterly, Raynsford, Furniture Stores.

ATOMIC ENERGY COMMISSION

Request by Access Permit Holder to Visit AEC Office or Contractor: Form AEC-403, Occasional, Evinger, Access Permit Holders.

VELMA N. BALDWIN,
Assistant to the Director
for Administration.

[FR Doc. 74-19297 Filed 8-19-74; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

ASSOCIATED MORTGAGE INVESTORS

Suspension of Trading

AUGUST 13, 1974.

The common stock of Associated Mortgage Investors being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Associated Mortgage Investors 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 12:00 noon (e.d.t.) on August 13, 1974 through midnight (e.d.t.) on August 22, 1974.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc. 74-19144 Filed 8-19-74; 8:45 am]

[70-5532; Rel. No. 18531]

GULF POWER COMPANY

Proposed Agreement With Counties for Construction of Pollution Control Equipment Financed by Sale of Revenue Bonds; Sale to Counties of Existing Pollution Control Facilities; Exception From Competitive Bidding

AUGUST 13, 1974.

Notice is hereby given that Gulf Power Company ("Gulf"), 75 North Pace Boulevard, Pensacola, Florida 32520, an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b), 9(a), and 12(d) of the Act and Rule 50(a) (5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to said application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Gulf owns electric generating plants located in Escambia, Bay and Jackson Counties, Florida ("Counties"). In order to comply with environmental control standards with respect to air and water quality, Gulf has and will undertake to construct certain facilities ("Projects") at these plants solely for this purpose. The total cost of the Projects is presently estimated not to exceed \$23.3 million.

To finance the Projects, Gulf proposes to enter into Installment Sales Agree-

ments ("Agreements") with the Counties which will provide for the acquisition, construction and equipping of the Projects by the Counties, and the issuance by the Counties, pursuant to indentures ("Indentures") to be entered into between the Counties and an indenture trustee ("Trustee"), of its pollution control revenue bonds ("Pollution Bonds"), in an amount not to exceed \$23.3 million. Of such aggregate amount, \$8,000,000 will be issued by Escambia County, \$12,000,000 by Bay County and \$3,300,000 by Jackson County. The proceeds of the sale of Pollution Bonds will be deposited by the Counties with the Trustee and will be applied to the payment of the cost of construction (as defined in the Agreements) of the Projects.

It is further proposed, and the Agreements provide, that the Projects will be sold to Gulf, the purchase price to be paid in semi-annual installments over a period of 30 years. The purchase price shall be in an amount sufficient to pay the principal and interest on the Pollution Bonds as such amounts become due and payable. Gulf may prepay the purchase price (a) in whole or in part, at Gulf's option, at any time after ten years from the date of issuance of the Pollution Bonds, subject to payment of a premium equal to 3 percent of the principal amount in the eleventh year and declining thereafter by $\frac{1}{2}$ of 1 percent, and (b) in whole, at Gulf's option in certain other specified instances, without premium.

In order to obtain the benefit of a rating for the Pollution Bonds equivalent to the rating enjoyed by the first mortgage bonds outstanding under Gulf's bond indenture ("Mortgage"), Gulf proposes to issue a series of such first mortgage bonds ("Collateral Bonds") under the Mortgage, pursuant to a supplemental indenture ("Supplemental Mortgage"). The Collateral Bonds, to be issued in a principal amount (not exceeding \$23,300,000) equal to the principal amount of the Pollution Bonds, will be deposited with the Trustee as security for Gulf's obligations under the Agreements. The Collateral Bonds will have a stated interest rate equal to the interest rate per annum to be borne by the Pollution Bonds, will mature on the maturity date of such Pollution Bonds, and will be non-transferable. The Supplemental Mortgage will provide, however, that until the Trustee shall have demanded mandatory redemption of the Collateral Bonds, no interest in respect of the Collateral Bonds shall be payable; and that upon acceleration of Pollution Bonds then outstanding by the Trustee, he may demand the mandatory redemption of the Collateral Bonds at a price equal to the principal amount thereof plus accrued interest, if any, to the date fixed for redemption.

The Indentures will provide that, upon deposit of funds with or direction to the Trustee by Gulf to apply available funds, or upon delivery of outstanding Pollution Bonds, sufficient to pay or redeem all or

any part of the Pollution Bonds, the Trustee will be obligated to deliver to Gulf Collateral Bonds in an aggregate principal amount equal to that amount of Pollution Bonds for the payment or redemption of which such funds have been deposited or applied or which shall have been so delivered.

It is stated that the Pollution Bonds are expected to be marketed pursuant to an arrangement between the Counties and a group of underwriters represented by Kidder Peabody & Co. Incorporated. In accordance with the laws of the State of Florida, the interest rate thereon will be fixed by the Counties, and the terms and sale of the Pollution Bonds must be satisfactory to Gulf, although Gulf will not be a party to the underwriting arrangement. The terms of the Pollution Bonds contain sinking fund provisions, which, in the aggregate, will retire at least twenty-five percent of the original issue by its final maturity date. Gulf further states that it is expected that the interest payable on the Pollution Bonds will be exempt, by ruling of the Internal Revenue Service, from federal income taxation. It is not possible to ascertain in advance precisely the interest rate which may be obtained in connection with the issuance of the Pollution Bonds, but Gulf is advised that tax-exempt bonds of like quality and tenor have historically carried an annual interest rate approximately one and one-half to two and one-half percent lower than comparable taxable long-term corporate bonds.

In order to comply with provisions of Florida law authorizing the Counties to issue its revenue bonds for the purposes heretofore described, Gulf will be obligated to convey to the Counties such existing pollution control facilities as are now owned by Gulf, subject to the Mortgage. The Agreements provide that Gulf will receive, out of the proceeds of the Pollution Bonds, an amount equal to Gulf's original cost for such existing facilities, which, upon conveyance to the Counties, will become a part of the Projects which Gulf proposes to purchase as provided in the Agreements.

For financial and accounting reporting purposes, the indebtedness of Gulf under the Collateral Bonds will be capitalized. A statement of the fees, commissions and expenses paid or incurred, or to be paid or incurred, in connection with the proposed transactions will be supplied by amendment. It is stated that the Florida Public Service Commission has jurisdiction over, and will have expressly authorized, the issuance of Gulf's Collateral Bonds and the assumption by Gulf of its obligations under the Agreements. Gulf submits that the issuance and delivery of its Collateral Bonds to the Counties should be exempted from the competitive bidding requirements of Rule 50 by reason of clause (a) (5) thereof inasmuch as they are to be issued and delivered solely to secure Gulf's obligations to the Counties and no public offering by Gulf is to be made. No other

State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 6, 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 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] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.74-19145 Filed 8-19-74; 8:45 am]

[File No. 500-1]

LEADER INTERNATIONAL INDUSTRIES INC.

Suspension of Trading

AUGUST 13, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Leader International Industries Inc. 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 12:00 noon (e.d.t.) on August 13, 1974 through midnight (e.d.t.) on August 22, 1974.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.74-19146 Filed 8-19-74; 8:45 am]

SEC REPORT COORDINATING GROUP
(ADVISORY)

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, 86 Stat. 770, the Securities and Exchange Commission announces a public advisory committee meeting.

The Commission's Report Coordinating Group (Advisory), will hold meetings on September 12 and 13, 1974 at 120 South LaSalle Street, Tenth Floor, Chicago, Illinois. The meetings will commence at 10:00 a.m. local time each day and will be for the purpose of discussing a uniform financial and operational report and the development of simplified trading forms, assessment forms and registration forms.

The Group's meetings are open to the public. Any interested person may attend and appear before or file statements with the advisory committee. Said statements, if in written form, may be filed before or after the meeting. Oral statements shall be made at the time and in the manner permitted by the Report Coordinating Group.

The Report Coordinating Group was formed to assist the Commission in developing a coherent, industry-wide, coordinated reporting system. In carrying out this objective, the Report Coordinating Group is to review all reports, forms, and similar materials required of broker-dealers by the Commission, the self-regulatory community and others. The Group is expected to advise the Commission on such matters as eliminating unnecessary duplication in reporting, reducing reporting requirements where feasible, and developing a uniform financial and operational report (Securities Exchange Act Release No. 10612).

Information concerning the meetings, including the procedures for submitting statements to the Group, may be obtained by contacting: Mr. Daniel J. Piliero II, Secretary, SEC Report Coordinating Group, Securities and Exchange Commission, Washington, D.C. 20549.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

AUGUST 12, 1974.

[FR Doc.74-19142 Filed 8-19-74; 8:45 am]

[File No. 500-1]

TRANSOGRAM CO. INC.

Suspension of Trading

AUGUST 13, 1974.

The common stock of Transogram Co. Inc. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Transogram Co. Inc. 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 re-

quired 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 12:00 noon (e.d.t.) on August 13, 1974 through midnight (e.d.t.) on August 22, 1974.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,
Assistant Secretary.

[FR Doc.74-19143 Filed 8-19-74; 8:45 am]

SMALL BUSINESS ADMINISTRATION

CLARKSBURG DISTRICT ADVISORY
COUNCIL

Notice of Meeting

Members of the Clarksburg District Advisory Council will meet at 9:00 a.m., e.d.t., Friday, September 20, 1974, at the Uptowner Inn in Parkersburg, West Virginia, to discuss such business as may be presented by members and the staff of the Small Business Administration.

Dated: August 16, 1974.

JOHN JAMESON,
Director, Office of Advisory Councils,
Small Business Administration.

[FR Doc.74-19230 Filed 8-19-74; 8:45 am]

NEWARK DISTRICT ADVISORY COUNCIL

Notice of Meeting

The Small Business Administration Newark District Advisory Council will meet at 9:30 a.m. (e.d.t.) on Tuesday, August 20, 1974, in the Small Business Administration's Conference Room on the 16th floor of the Federal Building, 970 Broad Street, Newark, New Jersey, to discuss such business as may be presented by members and the staff of the Small Business Administration.

Dated: August 16, 1974.

JOHN JAMESON,
Director, Office of Advisory Councils,
Small Business Administration.

[FR Doc.74-19229 Filed 8-19-74; 8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

MIGRANT AND OTHER SEASONAL
FARMWORKER PROGRAMS

Fiscal Year 1975 Allocations

Pursuant to 29 CFR 97.211, the Manpower Administration announces the allocation of funds for use in each state during fiscal year 1975 for migrant and other seasonal farmworker programs authorized by section 303 of the Comprehensive Employment and Training Act of 1973 (CETA). The allocations, which are announced for planning purposes only, are subject to Congressional action on the fiscal year 1975 appropriation for

the Department of Labor, Manpower Administration, CETA. The following list represents the allocations during Fiscal Year 1975:

State:	\$ Amount
Alabama	810,000
Alaska	8,000
Arizona	989,200
Arkansas	517,500
California	7,299,300
Colorado	946,800
Connecticut	241,400
Delaware	86,000
District of Columbia	13,500
Florida	3,309,000
Georgia	503,800
Hawaii	272,000
Idaho	461,300
Illinois	729,000
Indiana	703,800
Iowa	230,100
Kansas	371,500
Kentucky	606,700
Louisiana	428,200
Maine	89,000
Maryland	117,200
Massachusetts	223,200
Michigan	1,027,800
Minnesota	127,200
Mississippi	900,000
Missouri	511,200
Montana	333,000
Nebraska	106,500
Nevada	83,000
New Hampshire	23,000
New Jersey	459,000
New Mexico	900,000
New York	585,000
North Carolina	4,122,800
North Dakota	209,500
Ohio	561,500
Oklahoma	502,200
Oregon	794,500
Pennsylvania	441,000
Puerto Rico	1,869,800
Rhode Island	17,000
South Carolina	807,800
South Dakota	228,800
Tennessee	710,400
Texas	5,272,000
Utah	460,000
Vermont	2,500
Virginia	231,000
Washington	1,448,000
West Virginia	12,000
Wisconsin	495,000
Wyoming	32,000
Total	42,208,000

Dated: August 9, 1974, Washington, D.C.

BEN BURDETSKY,
Acting Assistant Secretary
for Manpower.

[FR Doc.74-19121 Filed 8-19-74; 8:45 am]

INTERSTATE COMMERCE
COMMISSIONIRREGULAR-ROUTE MOTOR COMMON
CARRIERS OF PROPERTY

Elimination of Gateways

AUGUST 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 August 30, 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-4978 (Sub-No. E1), filed June 4, 1974. Applicant: ANDERSON TRUCKING CO. OF ASHEVILLE, INC., P.O. Box 1152, Apoka, Fla. 32702. Applicant's representative: John R. Sims, Jr., 1707 H St. NW., Suite 600, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned citrus fruit products* from Tampa, Fla., to Greenwood, Peru, Tipton, and Indianapolis, Ind. (Tellico Plains, Tenn.)*. (2) *Canned goods* from Greenwood, Peru, Tipton, and Indianapolis, Ind., to points in Georgia, North Carolina, South Carolina, and Florida (Newport, Tellico Plains, Jefferson City, Sevierville, and Dandridge, Tenn.)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC-5470 (Sub-No. E1), (correction), filed May 10, 1974, published in the FEDERAL REGISTER June 5, 1974. Applicant: TAJON, INC., R.D. #5, P.O. Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) *Alloys and ores*, in dump vehicles, (a) from Charleston, S.C., to points in Massachusetts, New Hampshire, Rhode Island, and Vermont, (b) from Alloy, W. Va., to points in Massachusetts, New Hampshire, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Birdsboro, Pa., in 3(a) and Erie, Pa., in 3(b) above. The purpose of this correction is to clarify the destination States in 3(a) and to correct the origin State in 3(b). The remainder of the letter-notice remains as previously published.

No. MC-17868 (Sub-No. E27), filed June 3, 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 Louisiana, on the one hand, and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway of Wilmington, Del., and Harrisburg, Pa.

No. MC-17868 (Sub-No. E33), filed June 3, 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 Garrett, Allegany, Washington, and Montgomery Counties, Md., on the one hand, and, on the other, points in New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and those points in New York in and east of New York City and Westchester, Orange, Rockland, Sullivan, Delaware, Chenango, Madison, Oneida, Lewis, and St. Lawrence Counties. The purpose of this filing is to eliminate the gateway of Harrisburg, Pa., and Wilmington, Del.

No. MC-29079 (Sub-No. E2), (CORRECTION), filed May 21, 1974, published in the FEDERAL REGISTER July 23, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th & H St. NW., Washington, D.C. 20005. 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 commodities requiring the use of special equipment), between points in the Chicago, Ill., commercial zone, Crete Steger, South Chicago Heights, Chicago Heights, Glenwood, Matteson, and Flossmoor, Ill., on the one hand, and, on the other, points in New York on and west of U.S. Highway 62, points in Pennsylvania on and west of U.S. Highway 219, and points in West Virginia on and north of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of Chicago, Ill., Portage and Kokomo, Ind., Toledo and Columbiana, Ohio. The purpose of this correction is to correct the gateway in Ohio.

No. MC-29079 (Sub-No. E3), (CORRECTION), filed May 21, 1974, published in the FEDERAL REGISTER July 23, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th & H St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dies, and die parts, die checking fixtures, die models, hand jigs, tools, patterns, and templates*, when moving in connection with dies, (12) from St. Louis, Mo., to Akron, Cleveland, Jefferson, Lorain, Maple Heights, Niles, and Youngstown, Ohio. The purpose of this filing is to eliminate the gateways of Portage, Ind., and Toledo, Ohio. The purpose of this partial correction is to clarify the destination points in (12) above. The remainder of the letter-notice remains as previously published.

No. MC-74321 (Sub-No. E8) (CORRECTION), filed June 3, 1974, published in the FEDERAL REGISTER July 8, 1974. Applicant: B. F. WALKER, P.O. Box 17B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, materials, supplies, and equipment* incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum * * * (73) 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 136 to junction Indiana Highway 32, thence along Indiana Highway 32 to the Indiana-Ohio State line, on the one hand, and, on the other, points in that part of Kansas on, north, and west of a line beginning at the Kansas-Colorado State line, thence along Kansas Highway 96 to junction U.S. Highway 283, thence along U.S. Highway 283 to the Kansas-Nebraska State line (points in Missouri and Oklahoma)*; * * * The purpose of this filing is to eliminate the gateway indicated by the asterisk above. The purpose of this correction is to reflect the correct U.S. Highway as 136 rather than 36. The remainder of the letter-notice remains as previously published.

No. MC-75840 (Sub-No. E3), filed May 6, 1974. Applicant: MALONE FREIGHT LINES, INC., P.O. Box 11103, Birmingham, Ala. 35222. Applicant's representative: Guy H. Postell, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, Class 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, and livestock), between Florence, Ala., and points in Alabama within 25 miles thereof, on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and the District of Columbia, and those in that part of New York on and south of a line beginning at Oswego, N.Y., and extending along U.S. Highway 104 to Mexico, N.Y., thence along New York Highway 69 to Rome, N.Y., thence along New York Highway 49 to Utica, N.Y., thence along New York Highway 5 to Schenectady, N.Y., thence along New York Highway 7 to Troy, N.Y., and thence along New York Highway 2 to the New York-Massachusetts State line, South Carolina, North Carolina, and New Orleans, La. The purpose of this filing is to eliminate the gateway of Birmingham, Ala., or points within 65 miles thereof.

No. MC-75840 (Sub-No. E6), filed May 6, 1974. Applicant: MALONE FREIGHT LINES, INC., P.O. Box 11103, Birmingham, Ala. 35222. Applicant's representative: Guy H. Postell, 3384 Peachtree Rd.

NE, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, Class A & B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, and livestock), between Memphis, Tenn., on the one hand, and, on the other, Birmingham, Ala., and points within 65 miles thereof, and Montgomery Ala. The purpose of this filing is to eliminate the gateways of points in Mississippi north of U.S. Highway 82 and east of U.S. Highway 51.

No. MC-95540 (Sub-No. E361), filed May 15, 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: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Detroit, Mich., to points in New Mexico. The purpose of this filing is to eliminate the gateway of points in Alabama.

No. MC-95540 (Sub-No. E363), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga. 30342. 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 Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Detroit, Mich., to points in Texas on and south of a line beginning at Madero, on the Rio Grande River and extending along an unnumbered Texas highway to its junction with Texas Highway 336; thence along Texas Highway 336 to McAllen, thence along U.S. Highway 83 to Harlingen, thence along U.S. Highway 83 to its junction with Texas Highway 100; thence along Texas Highway 100 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Moultrie, Ga.

No. MC-95540 (Sub-No. E364), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen dairy products*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in vehicles equipped with mechanical refrigeration, from Walton, N.Y. to points in Texas. The purpose of this filing is to eliminate the gateway of the plant site

and warehouse sites of the Commercial Cold Storage, Inc., located at or near Doraville, Ga.

No. MC-95540 (Sub-No. E371), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California, to points in Kentucky. The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC-95540 (Sub-No. E397), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen fruits and vegetables* from points in Texas on and east of a line beginning at the Texas-Louisiana State line and extending along Interstate Highway 10 to Houston, thence along U.S. Highway 59 to Victoria, thence along U.S. Highway 77 to the Rio Grande, to Louisville, Ky. The purpose of this filing is to eliminate the gateway of points in Florida.

No. MC-95540 (Sub-No. E398), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in Georgia on and east of U.S. Highway 301 (except points in Georgia on U.S. Highway 1), to points in Montana on and west of a line beginning at the Montana-Wyoming State line, and extending along U.S. Highway 301 to its junction with Interstate Highway 90, thence along Interstate Highway 90 to Billings, thence along Montana Highway 3 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to Harlowtown, thence along U.S. Highway 191 to its junction with Montana Secondary Highway 236, thence along Montana Secondary Highway 236 to its junction with U.S. Highway 87, thence along U.S. Highway 87 to its junction with U.S. Highway 2, thence along U.S. Highway 2 to Harve, thence along Montana Secondary Highway 234 to its junction with Montana Secondary Highway 232, thence along Montana Secondary Highway 232 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateways of Jacksonville, Fla., and Gulfport, Miss.

No. MC-95540 (Sub-No. E706), filed June 3, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212-5299 Roswell Rd. NE., Atlanta, Ga.

30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, points in California on, west, and south of a line beginning at San Mateo and extending along California Highway 92 to its junction with Interstate Highway 580; thence along Interstate Highway 580 to its junction with California Highway 120; thence along California Highway 120 to its junction with California Highway 99; thence along California Highway 99 to Tulare; thence along California Highway 137 to its junction with California Highway 155; thence along California Highway 155 to its junction with California Highway 178; thence along California Highway 178 to its junction with U.S. Highway 395; thence along U.S. Highway 395 to its junction with California Highway 190; thence along California Highway 190 to Amargosa; thence along California Highway 127 to Shoshone; thence along California Highway 178 to the California-Nevada State line, points in Pennsylvania on and east of line beginning at the Pennsylvania-Maryland State line and extending along Pennsylvania Highway 15 to Harrisburg, thence along Interstate Highway 81 to Scranton, thence along U.S. Highway 6 to its junction with Pennsylvania Highway 171 thence along Pennsylvania Highway 171 to its junction with Pennsylvania Highway 370, thence along Pennsylvania Highway 370 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC-100666 (Sub-No. E61), filed April 28, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Poles, posts, and pilings*, (a) from points in Louisiana and Mississippi to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and the District of Columbia (points in Mississippi and Columbus, Miss.); and (b) from points in Louisiana to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee (except Memphis), Virginia, and West Virginia (points in Mississippi)*; (2) *creosoted poles, creosoted posts, and creosoted piling*, (a) from points in Louisiana over 250 miles from Texarkana, Tex., to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas within 250 miles of Texarkana (points in Louisiana within 250 miles of Texarkana, Tex.)*; (b) from points in Mississippi to points in Arizona, New Mexico, and Texas (Texarkana, Tex., points in Louisiana, and points in Texas)*; (c) from points in Mississippi on and south of Interstate Highway 20 to points in Oklahoma and Kansas (points in Louisiana within 250 miles of Texarkana, Tex.)*; (d) from points in Mississippi on and east of a

line from the Alabama-Mississippi State line along Mississippi Highway 12 to the junction of U.S. Highway 51, thence along U.S. Highway 51 to the junction of U.S. Highway 49, thence along U.S. Highway 98, thence along U.S. Highway 98 to the Alabama-Mississippi State line to points in Arkansas on and south of a line from the Arkansas-Mississippi State line along Arkansas Highway 8 to the junction of U.S. Highway 167, thence along U.S. Highway 167 to the Arkansas-Louisiana State line (points in Louisiana within 250 miles of Texarkana, Tex.) *; and (e) from points in Mississippi on and south of a line from the Louisiana-Mississippi State line along Interstate Highway 20 to the junction of U.S. Highway 49, thence along U.S. Highway 49 to the junction of U.S. Highway 98, thence along U.S. Highway 98 to the Alabama-Mississippi State line to points in Arkansas (points in Louisiana within 250 miles of Texarkana, Tex.) *; and (3) *creosoted poles, creosoted posts, and creosoted pilings*, from points in Louisiana in excess of 250 miles from Texarkana, Tex., and points in Mississippi in and south of Monroe, Chickasaw, Calhoun, Yalobusha, Tallahatchie, and Coahoma Counties to points in Colorado (points in Louisiana within 250 miles of Texarkana, and Duke, Okla., and points within 1 mile thereof) *. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC-107403 (Sub-No. E110), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (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 Paulsboro, Pettys Island, Eagle Point, Bayonne, Carteret, Jersey City, Linden, Camden, Edgewater, Dundee, and Bayway, N.J., and points in New Jersey on and east of a line beginning at the Pennsylvania-New Jersey State line, and extending along U.S. Highway 1 to the Raritan River to the New York-New Jersey State line, to points in Indiana, Illinois, Kentucky, Ohio, Michigan, Wisconsin, Alabama, and Tennessee. The purpose of this filing is to eliminate the gateway of Allegheny County, Pa., East Liverpool, Ohio, and Congo, W. Va.

No. MC-107403 (Sub-No. E373), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except oils and greases), in bulk, in tank vehicles, from points in Ohio, within 150 miles of Monongahela, Pa., to points in Wisconsin. The purpose of this filing is to eliminate the gateways of Dover, Ohio, and Fort Wayne, Ind.

No. MC-107403 (Sub-No. E374), filed May 29, 1974. Applicant: MATLACK,

INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Ohio, within 150 miles of Monongahela, Pa., to points in Nebraska, and Minnesota. The purpose of this filing is to eliminate the gateways of Dover, Ohio, and Mapleton, Ill.

No. MC-107515 (Sub-No. E13), filed May 29, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettelbaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, and frozen edible meat products*, from Hereford, Tex., to points in Connecticut, Delaware, Massachusetts, those parts of Maryland and Virginia on and east of U.S. Highway 15, that part of Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line, thence along U.S. Highway 15 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Pennsylvania-New York State line and that part of New York on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 6 to junction Interstate Highway 87, thence along Interstate Highway 17, to the International Boundary line between the United States and Canada, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Rocky Mount, N.C.

No. MC-110525 (Sub-No. E574), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and coal tar products*, in bulk, in tank vehicles, from points in that part of Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 219 to Edensburg, thence along U.S. Highway 22 to Duncansville, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line, to points in that part of Ohio on and south of Interstate Highway 70 and on and east of U.S. Highway 23. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC-110525 (Sub-No. E575), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Pennsylvania to points in Oklahoma. The purpose of this filing is

to eliminate the gateway of S. Charleston, W. Va.

No. MC-110525 (Sub-No. E576), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Pennsylvania to points in Oregon. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E577), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Pennsylvania on and east of U.S. Highway 219 to points in South Carolina. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E578), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Pennsylvania on and west of U.S. Highway 219 to points in South Carolina. The purpose of this filing is to eliminate the gateway of Morgantown, W. Va.

No. MC-110525 (Sub-No. E579), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Pennsylvania to points in South Dakota. The purpose of this filing is to eliminate the gateways of Pittsburgh, Pa., Addyston, Ohio.

No. MC-110525 (Sub-No. E594), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island, to points in Delaware. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC-110525 (Sub-No. E596), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box

200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Rhode Island to points in Florida. The purpose of this filing is to eliminate the gateways of Newark, N.J., Greensboro, N.C., and Augusta, Ga.

No. MC-110525 (Sub-No. E597), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Rhode Island to points in Georgia. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Charlotte, N.C.

No. MC-110525 (Sub-No. E598), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Idaho. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E599), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Alabama. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-110525 (Sub-No. E600), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and coal tar products*, in bulk, in tank vehicles, from points in Rhode Island to points in Indiana. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Pittsburgh, Pa.

No. MC-110525 (Sub-No. E601), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Liquid Chemicals as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677 (except bituminous products and materials), from points in Rhode Island to points in Iowa. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Morgantown and Natrium, W. Va.

No. MC-110525 (Sub-No. E602), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Kansas. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E603), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and coal tar products*, in bulk, in tank vehicles, from points in Rhode Island to points in Kentucky. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Pittsburgh, Pa.

No. MC-110525 (Sub-No. E604), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except derivatives of petroleum or bituminous materials), in bulk, in tank vehicles, from points in Rhode Island to points in Louisiana. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Greensboro, N.C.

No. MC-110525 (Sub-No. E605), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Maryland. The purpose of this filing is to eliminate the gateway of Carteret, N.J.

No. MC-110525 (Sub-No. E606), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Michigan. The purpose of this

filing is to eliminate the gateways of Newark, N.J., Kobuta, Pa., and Painesville, Ohio.

No. MC-110525 (Sub-No. E607), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Rhode Island to points in Minnesota. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Bridgeville, Pa.

No. MC-110525 (Sub-No. E608), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Rhode Island to points in Mississippi. The purpose of this filing is to eliminate the gateways of Newark, N.J., and Institute, W. Va.

No. MC-110525 (Sub-No. E609), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Missouri. The purpose of this filing is to eliminate the gateways of Newark, N.J., and South Fayette Township, Pa.

No. MC-110525 (Sub-No. E610), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Montana. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E611), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Nebraska. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E612), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in Nevada. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E613), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in New Mexico. The purpose of this filing is to eliminate the gateways of Newark, N.J., Pittsburgh, Pa., and Addyston, Ohio.

No. MC-110525 (Sub-No. E614), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Rhode Island to points in North Carolina. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-110525 (Sub-No. E629), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such as naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in that part of South Carolina on and south of a line beginning at the Georgia-South Carolina State line, thence along Interstate Highway 20 to Columbia, thence along U.S. Highway 378 to the Atlantic Ocean, to points in that part of Alabama on and west of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E630), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of South Caro-

lina on and south of a line beginning at the South Carolina-Georgia State line, thence along Interstate Highway 20 to Columbia, thence along U.S. Highway 378 to the Atlantic Ocean, to points in that part of Alabama on and east of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of Augusta, Ga.

No. MC-110525 (Sub-No. E631), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677 (except bituminous products and materials, hydrofluosilic acid, such as naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, liquid alum, and liquefied petroleum gases), in bulk in tank vehicles, from points in South Carolina to points in Arizona. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Houston, Tex.

No. MC-110525 (Sub-No. E632), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such as naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in South Carolina to points in Arkansas. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E633), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677 (except bituminous products and materials, hydrofluosilic acid, such as naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, liquid alum, and liquefied petroleum gases), in bulk, in tank vehicles, from points in South Carolina to points in California. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Houston, Tex.

No. MC-110525 (Sub-No. E634), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The*

Maxwell Co., Extension-Addyston, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Colorado. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E635), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, (except bituminous products and materials), in bulk, in tank vehicles, from points in South Carolina to points in Connecticut. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC-110525 (Sub-No. E636), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in South Carolina to points in Delaware. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC-110525 (Sub-No. E639), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Idaho. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E640), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in South Carolina to points in that part of Illinois on and north of a line beginning at the Illinois-Indiana State line, thence along Illinois Highway 15 to Fayetteville, thence along U.S. Highway 460 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateways of Copperhill, Tenn., and Louisville, Ky.

No. MC-110525 (Sub-No. E657), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J.

O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials) in bulk, in tank vehicles, from points in South Carolina to points in New Jersey. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC-110525 (Sub-No. E658), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in South Carolina to points in New Mexico. The purpose of this filing is to eliminate the gateways of Atlanta, Ga., and Beaumont, Tex.

No. MC-110525 (Sub-No. E659), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles from points in South Carolina to points in New York. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC-110525 (Sub-No. E660), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in North Dakota. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E661), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Ohio. The purpose of this filing is to eliminate the gateway of S. Charleston, W. Va.

No. MC-110525 (Sub-No. E662), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same

as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Oregon. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E663), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials) in bulk, in tank vehicles, from points in South Carolina to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of Hopewell, Va.

No. MC-110525 (Sub-No. E664), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials) in bulk, in tank vehicles, from points in South Carolina to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Hopewell, Va., and Newark, N.J.

No. MC-110525 (Sub-No. E665), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in South Dakota. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E666), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in South Carolina to points in that part of Tennessee on and west of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC-110525 (Sub-No. E667), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, phosphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in South Carolina to points in Texas. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E668), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Utah. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E669), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in South Carolina to points in Washington. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E690), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S. Highway 27, to points in that part of North Dakota on and west of U.S. Highway 281. The purpose of this filing is to eliminate the gateways of S. Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E692), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S. Highway 27, to points in Oregon. The purpose of this filing is to eliminate the gateways of S. Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E694), filed May 20, 1974. Applicant: CHEMICAL

LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S. Highway 27, to points in Rhode Island. The purpose of this filing is to eliminate the gateways of Hopewell, Va., and Newark, N.J.

No. MC-110525 (Sub-No. E695), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee east of U.S. Highway 27, to points in South Dakota. The purpose of this filing is to eliminate the gateways of Copperhill, Tenn., and Addyston, Ohio.

No. MC-110525 (Sub-No. E696), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S. Highway 27, to points in Texas. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E697), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee east of U.S. Highway 27, to points in that part of Utah west of U.S. Highway 89. The purpose of this filing is to eliminate the gateways of Copperhill, Tenn., and Addyston, Ohio.

No. MC-110525 (Sub-No. E698), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, liquid oxygen, liquid hydrogen, and liquid nitrogen), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S.

Highway 27, to points in that part of Vermont on and north of U.S. Highway 4. The purpose of this filing is to eliminate the gateways of S. Charleston, W. Va., and Syracuse, N.Y.

No. MC-110525 (Sub-No. E699), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of Tennessee on and east of U.S. Highway 27 to points in Washington. The purpose of this filing is to eliminate the gateways of S. Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E702), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Texas (except Fort Worth, Velasco, and points in Harris and Jefferson Counties), to points in Delaware. The purpose of this filing is to eliminate the gateway of Institute, W. Va.

No. MC-110525 (Sub-No. E779), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials, hydrofluosilic acid, such naval stores as are chemicals, crude tall oil, sulphate, black liquor skimmings, and liquid alum), in bulk, in tank vehicles, from points in that part of Virginia on and north of a line beginning at the West Virginia-Kentucky State line, thence along Interstate Highway 64 to Charleston, thence along Interstate Highway 77 to the West Virginia-Virginia State line, to points in Mississippi. The purpose of this filing is to eliminate the gateway of Atlanta, Ga.

No. MC-110525 (Sub-No. E782), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in Nebraska. The purpose of this filing is to eliminate the gateway of South Charleston, W. Va.

No. MC-110525 (Sub-No. E783), filed May 20, 1974. Applicant: CHEMICAL

LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in Nevada. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E786), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in New Mexico. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E788), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in North Dakota. The purpose of this filing is to eliminate the gateways of South Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E789), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and east of U.S. Highway 19 to points in that part of Ohio on and west of U.S. Highway 23. The purpose of this filing is to eliminate the gateway of South Charleston, W. Va.

No. MC-110525 (Sub-No. E790), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in Oklahoma. The purpose of this filing is to eliminate the gateways of Charleston, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E791), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box

200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in Oregon. The purpose of this filing is to eliminate the gateways of Pt. Pleasant, W. Va., and Addyston, Ohio.

No. MC-110525 (Sub-No. E792), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and south of U.S. Highway 33 to points in that part of Pennsylvania on and east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of Morgantown, W. Va.

No. MC-110525 (Sub-No. E793), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in that part of West Virginia on and south of U.S. Highway 33 to points in that part of Pennsylvania on and north of Interstate Highway 80. The purpose of this filing is to eliminate the gateway of Morgantown, W. Va.

No. MC-110525 (Sub-No. E797), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular route transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in West Virginia to points in that part of Tennessee on and west of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC-110525 (Sub-No. E805), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in Florida. The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and Augusta, Ga.

No. MC-110525 (Sub-No. E806), filed May 20, 1974. Applicant: CHEMICAL

LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Delaware to points in that part of Tennessee on and west of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of Greensboro, N.C.

No. MC-110525 (Sub-No. E810), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except bituminous products and materials), in bulk, in tank vehicles, from points in Maryland to points in Florida. The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and Augusta, Ga.

No. MC-111545 (Sub-No. E142) (Correction), filed May 30, 1974, published in the FEDERAL REGISTER July 19, 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 commodities which are transported on trailers, and restricted against 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. The purpose of this correction is to reflect the complete restriction.

No. MC-111545 (Sub-No. E217), filed May 19, 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 Oklahoma, on the one hand, and, on the other, points in Vermont. The purpose of this filing is to eliminate the gateway of Ringgold, Ga.

No. MC-111545 (Sub-No. E220), filed May 19, 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, trans-

porting: *Commodities* (except knitting machines), the transportation of which, because of size or weight, requires the use of special equipment, from points in Virginia to points in that part of Arkansas on and west of U.S. Highway 71. The purpose of this filing is to eliminate the gateways of (1) points in North Carolina within 175 miles of Chattanooga, Tenn., (2) Ringgold, Ga., and (3) Eagletown or Westville, Okla.

No. MC-111545 (Sub-No. E221), filed May 19, 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, from points in Vermont to points in that part of Colorado on and west of a line beginning at the Colorado-Utah State line, thence along U.S. Highway 50 to Montrose, thence along U.S. Highway 550 to the Colorado-New Mexico State line. The purpose of this filing is to eliminate the gateways of (1) Ringgold, Ga., and (2) Boise City or Miami, Okla.

No. MC-111545 (Sub-No. E222), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Minnesota, on the one hand, and, on the other, points in Ohio and Tennessee. The purpose of this filing is to eliminate the gateway of Davenport, Iowa.

No. MC-111545 (Sub-No. E223), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Kentucky, on the one hand, and, on the other, points in Utah, restricted against the transportation of commodities to be used in, or in connection with, main or trunk pipelines. The purpose of this filing is to eliminate the gateway of Keokuk, Iowa, and Kansas City, Mo.

No. MC-111545 (Sub-No. E225), filed May 19, 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*, the transportation of

which, because of size or weight, requires the use of special equipment, between points in Lower Peninsula of Michigan, on the one hand, and, on the other, points in Texas. The purpose of this filing is to eliminate the gateways of Keokuk, Iowa, and Hannibal, Mo.

No. MC-111545 (Sub-No. E226), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in the Lower Peninsula of Michigan, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways of Keokuk, Iowa, and Moberly, Mo.

No. MC-111545 (Sub-No. E227), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, from points in the Lower Peninsula of Michigan to points in New Mexico. The purpose of this filing is to eliminate the gateways of Keokuk, Iowa, and Kansas City, Mo.

No. MC-111545 (Sub-No. E238), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in North Carolina, on the one hand, and, on the other, points in Utah, restricted against the transportation of commodities to be used in, or in connection with, main or trunk pipelines. The purpose of this filing is to eliminate the gateway of Kansas City, Mo.

No. MC-111545 (Sub-No. E239), filed May 19, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in Ohio, on the one hand, and, on the other, points in Oklahoma, restricted against the transportation of heavy machinery, contractor's equipment, materials and supplies, and used buildings. The purpose of this filing is to eliminate the gateways of Joplin, Mo., and Keokuk, Iowa.

No. MC-111545 (Sub-No. E240), filed May 19, 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 Georgia, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of points in those parts of Georgia within 50 miles of Atlanta, Cartersville, or Marietta, Ga.

No. MC-111545 (Sub-No. E446), filed June 4, 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*, the transportation of which, because of size or weight, requires the use of special equipment, (1) between points in that part of Texas on, east, and north of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 271 to Paris, thence along Texas Highway 19 to Athens, thence along U.S. Highway 175 to Jacksonville, thence along U.S. Highway 79 to the Texas-Louisiana State line, on the one hand, and, on the other, points in Utah; and (2) between points in that part of Texas on and east of U.S. Highway 75 on the one hand, and, on the other, points in that part of Utah on, north, and west of a line beginning at the Utah-Idaho State line, thence along U.S. Highway 91 to Salt Lake City, thence along U.S. Highway 40 to the Utah-Nevada State line; restricted in (1) and (2) above against the transportation of commodities to be used in, or in connection with, main or trunk pipelines. The purpose of this filing is to eliminate the gateway of Eve, Mo.

No. MC-111545 (Sub-No. E454), filed June 4, 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*, the transportation of which, because of size or weight, requires the use of special equipment, between points in that part of Kentucky on and south of a line beginning at the Kentucky-Tennessee State line, thence along Kentucky Highway 139 to Cadiz, thence along U.S. Highway 68 to Edmonton, thence along Kentucky Highway 80 to Hyden, thence along U.S. Highway 421 to the Kentucky-Virginia State line, on the one hand, and, on the other, points in that part of New York on and east of a line beginning at the New York-New Jersey State line, thence along U.S. Highway 209 to Kingston, thence along Inter-

state Highway 87 to Albany, thence along Interstate Highway 90 to Schenectady, thence along U.S. Highway 50 to Glens Falls, thence along Interstate Highway 87 to the International Boundary line between the United States and Canada, points in that part of Pennsylvania on, east, and south of a line beginning at the Pennsylvania-Maryland State line, thence along U.S. Highway 223 to Lancaster, thence along Pennsylvania Highway 72 to Borderville, thence along Interstate Highway 81 to junction U.S. Highway 209, thence along U.S. Highway 209 to Stroudsburg, thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line, and points in Connecticut and Delaware. The purpose of this filing is to eliminate the gateway of Burnsville, N.C.

No. MC-110545 (Sub-No. E482), 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: (1) *Heat exchangers or equalizers* for air, gas, or liquids (2) *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids, and (3) *parts, attachments, and accessories* for use in the installation and operation of those commodities specified in (1) and (2) above, from the plant and warehouse facilities of the Trane Company in Montgomery County, Tenn., to points in Colorado, Kansas, and New Mexico, restricted to the transportation of commodities which, because of size or weight, require the use of special equipment. The purpose of this filing is to eliminate the gateway of Joplin, Mo.

No. MC-113828 (Sub-No. E37), filed June 4, 1974. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, D.C. 20014. Applicant's representative: Michael A. Grimm (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (except petro acids, and chemicals, and asphalt, and asphalt products), in bulk, in tank vehicles, restricted to traffic having a prior movement by rail, from Greensboro, N.C., to points in Maryland, Delaware, and the District of Columbia, (2) Philadelphia, Pa., and (3) those in West Virginia. The purpose of this filing is to eliminate the gateway of Richmond and St. Mary's County in (1) above, Richmond and St. Mary's County and the District of Columbia in (2) above, and Friendship, N.C., and Montvale, Va., in (3) above.

No. MC-113828 (Sub-No. E39), filed June 4, 1974. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, D.C. 20014. Applicant's representative: Michael A. Grimm (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Cider, vinegar, and vinegar stock, in bulk, from points in Virginia, West Virginia, and Pennsylvania (except Pittsburgh, and points in Erie County, Pa.), to points in Massachusetts, Connecticut, Rhode Island, and New York (except points west of Interstate Highway 81 where the origin of the shipment is a point in Virginia, West Virginia or Pennsylvania west of Interstate Highway 81). The purpose of this filing is to eliminate the gateway of Mercer County, N.J.

No. MC-116063 (Sub-No. E7), filed May 13, 1974. Applicant: WESTERN COMMERCIAL TRANSPORT, INC., P.O. Box 270, Fort Worth, Texas 76101. Applicant's representative: W. H. Cole (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal fats and vegetable oils*, in bulk, in tank vehicles, (a) from points in Arkansas on and south of Interstate Highway 40, to points in New Mexico, and (b) from Memphis, Tenn., to points in Arizona, and New Mexico, and points in Texas on and west of U.S. Highway 75 from the Oklahoma-Texas State line to Dallas, Texas, thence over Interstate Highway 35 to the United States-Mexico International Boundary line; and (2) *Animal fats*, in bulk, in tank vehicles, (a) from points in Arkansas (except points in south of Little River, Hempstead, Nevada, Ouachita, Calhoun, Bradley, Drew, and Desha Counties) to points in Texas, on and south of U.S. Highway 80 between Dallas and El Paso, and on and west of Interstate Highway 35 between Dallas and Laredo, (b) from points in Colorado to points in Texas on and east of U.S. Highway 75, (c) from points in Louisiana to points in Colorado, (d) from points in Louisiana on and south of U.S. Highway 84 to points in Kansas, (e) from points in Mississippi to points in Colorado and New Mexico, and points in Texas on and west of U.S. Highway 75 from the Oklahoma-Texas State line to Dallas and on and north of U.S. Highway 80 between Dallas and El Paso, and (f) from points in Nebraska on and east of U.S. Highway 183 to points in Texas on and east of Interstate Highway 35. The purpose of this filing is to eliminate the gateway of Sherman, Tex.

No. MC-116763 (Sub-No. E16), filed June 1, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen prepared foodstuffs* (except meat, meat products, and meat by-products, and commodities in bulk), not moving under refrigeration, from the plant site and warehouse facilities of J. M. Smucker Company at Memphis, Tenn., to points in North Carolina, restricted to the transportation of traffic originating at the plant site of J. M. Smucker, Inc., at Memphis, Tenn. The purpose of this filing is to eliminate the gateway of Jonesboro, Tenn.

No. MC-116763 (Sub-No. E20), filed June 1, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feed* (except in bulk), from the plant site and storage facilities of the Campbell Soup Company at Paris, Tex., to points in Indiana, Michigan, and Ohio. The purpose of this filing is to eliminate the gateway of points in Mississippi.

No. MC-116763 (Sub-No. E21), filed June 1, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Telephone directories*, from the plantsite and warehouse facilities of the R. R. Donnelley & Sons Company at Dwight, Ill., to points in that part of Alabama south of U.S. Highway 80, points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateway of Butler County, Ohio.

No. MC-116763 (Sub-No. E22), filed May 17, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are used, distributed, or dealt in by automotive, vehicular, or engine supply outlets, manufacturers, or distributors* (except (a) commodities, the transportation of which, because of size or weight, requires the use of special equipment, (b) paper and paper products, (c) automobiles, trucks, and buses, as described in the report in Descriptions of Motor Carrier Certificates, 61 M.C.C. 209 and 766, (d) passenger or property carrying golf buggies or commercial adaptations thereof, and (e) commodities in bulk), (a) from points in Texas on, north, and east of a line beginning at Corpus Christi, and extending along U.S. Highway 181 to Beeville, thence along U.S. Highway 59 to Houston, thence along Interstate Highway 10 to the Texas-Louisiana State line; and (b) from points in Louisiana on, south, and east of a line beginning at the Texas-Louisiana State line, and extending along Interstate Highway 10 to the junction of U.S. Highway 165, thence along U.S. Highway 165, to Kinder, thence along U.S. Highway 190 to Baton Rouge, thence along U.S. Highway 61 to the Louisiana-Mississippi State line, to Versailles, Ohio. The purpose of this filing is to eliminate the gateway of points in Florida.

No. MC-116763 (Sub-No. E23), filed May 18, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay tile* (except

in bulk), from Lakeland, Fla., to points in West Virginia on, west, and north of a line beginning at the Kentucky-West Virginia State line near Williamson, and extending along U.S. Highway 52 to the junction of U.S. Highway 119, thence along U.S. Highway 119 to Spencer, thence along U.S. Highways 33 and 119 to Weston, thence along U.S. Highway 19 to Morgantown, thence along U.S. Highway 119 to the West Virginia-Pennsylvania State line; and from points in Pennsylvania on, west, and north of a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 119 to the junction of Pennsylvania Highway 31 near Mt. Pleasant, thence along Pennsylvania Highway 31 to the junction of Pennsylvania Highway 711 near Donegal, thence along Pennsylvania Highway 711 to Ligonier, thence along Pennsylvania Highway 271 to the Junction of U.S. Highway 22, thence along U.S. Highway 22 to Cresson, thence along Pennsylvania Highway 53 to Philipsburg, thence along U.S. Highway 322, to the junction of Pennsylvania Highway 26; thence along Pennsylvania Highway 26 to the junction of Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to the junction of U.S. Highway 220, thence along U.S. Highway 220 to Larry Creek, thence along Pennsylvania Highway 287 to Wellsboro, thence along U.S. Highway 6 to Mansfield, thence along U.S. Highway 15 to the Pennsylvania-New York State line; and to points in that part of New York bounded in the west of Interstate Highway 81 and on the south by a line beginning at the junction of Interstate Highway 81 and New York Highway 221 near Marathon, and extending along New York Highway 221 to Willet, thence along New York Highway 26 to the junction of New York Highway 23, thence along New York Highway 23 to Norwich, thence along New York Highway 12 to Sangerfield, thence along U.S. Highway 20 to the junction of New York Highway 10, thence along New York Highway 10 to Palatine Branch, thence along New York Highway 5 to Amsterdam, thence along New York Highway 67 to Ballston Spa, thence along New York Highway 50 to Saratoga, thence along U.S. Highway 9 to Glens Falls, thence along U.S. Highway 4 to the New York-Vermont State line. The purpose of this filing is to eliminate the gateway of Lawrenceburg, Ky.

No. MC-116763 (Sub-No. E24), filed June 4, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tire tubes, rubber retreading materials, and plastic tire materials* (except such commodities in bulk), from points in Wisconsin and that part of Michigan north of Interstate Highway 96 (except Muskegon, Mich.), to points in Florida, restricted against the transportation of commodities, the transportation of which because of size or weight requires the

use of special equipment. The purpose of this filing is to eliminate the gateway of Greenville or Bryan, Ohio.

No. MC-116763 (Sub-No. E25), filed May 17, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay tile, and commodities used in the manufacturing, installation, and distribution of clay tile* (except in bulk), from points in West Virginia on, west, and north of a line beginning at the Kentucky-West Virginia State line near Williamson and extending along U.S. Highway 52 to the junction of U.S. Highway 119, thence in a northerly direction along U.S. Highway 119 to Spencer, thence along U.S. Highways 33 and 119 to Weston, thence along U.S. Highway 19 to Morgantown, thence along U.S. Highway 119 to the West Virginia-Pennsylvania State line; and from points in Pennsylvania on, west, and north of a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 119 to the junction of Pennsylvania Highway 31 near Mt. Pleasant, thence in an easterly direction along Pennsylvania Highway 31 to the junction of Pennsylvania Highway 711 near Donegal, thence along Pennsylvania Highway 711 to Ligonier, thence along Pennsylvania Highway 271 to the junction of U.S. Highway 22, thence along U.S. Highway 22 to Cresson, thence along Pennsylvania Highway 53 to Philipsburg, thence along U.S. Highway 322 to the junction of Pennsylvania Highway 26, thence along Pennsylvania Highway 26 to the junction of Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to the junction of U.S. Highway 220, thence along U.S. Highway 220 to Larry Creek, thence along Pennsylvania Highway 287 to Wellsboro, thence along U.S. Highway 6 to Mansfield, thence along U.S. Highway 15 to the Pennsylvania-New York State line; and from points in that part of New York bounded on the west by Interstate Highway 81 and on the south by a line beginning at the junctions of Interstate Highway 81 and New York Highway 221 near Marathon, and extending along New York Highway 221 to Willet, thence along New York Highway 26 to the junction of New York Highway 23, thence along New York Highway 23 to Norwich, thence along New York Highway 12 to Sangerfield, thence along U.S. Highway 20 to the junction of New York Highway 10, thence along New York Highway 10 to Palatine Branch, thence along New York Highway 5 to Amsterdam, thence along New York Highway 67 to Ballston Spa, thence along New York Highway 50 to Saratoga, thence along U.S. Highway 9 to Glens Falls, thence along U.S. Highway 4 to the New York-Vermont State line, to Lakeland, Fla. The purpose of this filing is to eliminate the gateway of Lawrenceburg, Ky.

No. MC-116763 (Sub-No. E26), filed May 14, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prepared or preserved citrus products, not canned and not frozen, from Bradenton, Fla., to points in Pennsylvania on, west, and north of a line beginning at the Pennsylvania-West Virginia State line, and extending along Pennsylvania Highway 281 to the junction of U.S. Highway 219, thence along U.S. Highway 219 to Summerhill, thence along Pennsylvania Highway 53 to Cresson, thence along U.S. Highway 22 to Water Street, thence along Pennsylvania Highway 45 to Pine Grove Mills, thence along Pennsylvania Highway 26 to junction of U.S. Highway 220, thence along U.S. Highway 220 to Montoursville, thence along Pennsylvania Highway 87 to the junction of U.S. Highway 6, thence along U.S. Highway 6 to Meshoppen, thence in a northerly direction along Pennsylvania Highway 267 to junction of Pennsylvania Highway 706, thence along Pennsylvania Highway 706 to New Milford, thence along U.S. Highway 11 to the Pennsylvania-New York State line; and to points in New York on, west, and north of a line beginning at the New York-Pennsylvania State line, near Hale Eddy, and extending along New York Highway 17 to junction of New York Highway 8, thence along New York Highway 8 to Sidney, thence along New York Highway 7 to junction of Interstate Highway 87, thence along Interstate Highway 87, to Lake George, thence along New York Highway 9N to the shore of Lake Champlain. The purpose of this filing is to eliminate the gateway of Covington, Ky.*

No. MC-116763 (Sub-No. E27), filed May 16, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay, in containers, from the plantsite of Waverly Mineral Products Co., located approximately 3 miles from Ochlocknee, Ga., and the plantsite of Superior Pet Products, Inc., at Quincy, Fla., to points in Kansas and Nebraska. The purpose of this filing is to eliminate the gateway of Paris, Tenn.*

No. MC-116763 (Sub-No. E28), filed May 16, 1974. Applicant: CARL SUBLER TRUCKING, INC., P.O. Box 81, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, and supplements therefore* (except such commodities in bulk), from Woburn, Mass., to points in Florida (except points west of U.S. Highway 231), restricted to the transportation of traffic originating at the plant-

site or storage facilities of the Usen Products Company in Woburn, Mass. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC-117119 (Sub-No. E163), filed June 3, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food-stuffs, from Chesapeake City, Md., to Jackson, Tenn. The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, and Blytheville, Ark.*

No. MC-117119 (Sub-No. E166), filed June 3, 1974. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Food-stuffs, from points in the Lower Peninsula of Michigan to Jackson, Tenn. The purpose of this filing is to eliminate the gateway of Blytheville, Ark.*

No. MC-117416 (Sub-No. E6), filed June 4, 1974. Applicant: NEWMAN & PEMBERTON, 2007 University Ave. NW., Knoxville, Tenn. 37921. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Canned goods, (1) from Indianapolis, Ind., to points in Florida, Georgia, South Carolina, North Carolina, points in Scott, Wise, Dickerson, Russell, Washington, Grayson, Smythe, Wythe, Carroll, Patrick, Henry, Pittsylvania, Halifax, Mecklenburg, Brunswick, Lee, Greenville, South Hampton, Isles of Wight, and Nansemond Counties, Va., and Norfolk, Va., points in Alabama on or south of U.S. Highway 80; points in Jones, Wayne, Forrest, Perry, Greene, Stone, George, Jackson, Harrison, Hancock, Pearl, and Lamar Counties, Miss., and those points in that part of Louisiana on or south to a line beginning at the Mississippi-Louisiana State line, at or near Bogalusa, thence along Louisiana Highway 10 to Franklinton, thence along Louisiana Highway 16 to junction U.S. Highway 190, thence along U.S. Highway 167 to junction Louisiana Highway 82, at or near Abbeyville, thence south on Louisiana Highway 82 to junction Louisiana Highway 333, thence along south on Louisiana Highway 333 to the Gulf of Mexico; (2) from Peru, Ind., to points in Florida, Georgia, North Carolina, and South Carolina, points in Lee, Scott, Wise, Dickerson, Russell, Washington, Patrick, Grayson, Smythe, Wythe, Carroll, Henry, Pittsylvania, Halifax, Mecklenburg, Brunswick, Greenville, South Hampton, Isles of Wight, and Nansemond Counties, Va., and Norfolk, Va., those in that part of Alabama on and south of U.S. Highway 80, those points in Mississippi on, south,*

or east of a line beginning at the Alabama-Mississippi State line, thence along Interstate Highway 59 to junction U.S. Highway 98, thence west on U.S. Highway 98 to junction Louisiana Highway 48 at or near Macomb, Miss.

Thence along Louisiana Highway 48 to the Mississippi-Louisiana State line, and those points in that part of Louisiana on or south of a line beginning at the Mississippi-Louisiana State line, thence along Louisiana Highway 10 to Franklinton, thence along Louisiana Highway 16 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction U.S. Highway 167, thence along U.S. Highway 167 to junction Louisiana Highway 82 at or near Abbeyville, thence south on Louisiana Highway 82 to junction Louisiana Highway 333, thence south on Louisiana Highway 333 to the Gulf of Mexico; (3) from Wabash, Ind., to points in Florida, Georgia, South Carolina, and North Carolina, points in Scott and Washington Counties, Va., points in that part of Alabama on and south of U.S. Highway 80, and those points in Mississippi and Louisiana on, south, and east of a line beginning at the Mississippi-Alabama State line, thence along Interstate Highway 59 to junction U.S. Highway 98, thence along U.S. Highway 98 to junction Interstate Highway 55, thence along Interstate Highway 55 to junction U.S. Highway 190.

Thence along U.S. Highway 190 to junction Interstate Highway 167, thence along Interstate Highway 167 to junction Interstate Highway 10, thence west on Interstate Highway 10 to the Texas-Louisiana State line, from Martinsville, Ind., to points in Florida, Georgia, South Carolina, and North Carolina, those points in Virginia located on or south of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 460 to junction U.S. Highway 360, thence east on U.S. Highway 360 to Richmond, Va., thence north on U.S. Highway 301 to the Potomac River, those points in Alabama on or south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 80 to Montgomery, thence along Interstate Highway 65 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Interstate Highway 43, thence along Interstate Highway 43 to junction Alabama Highway 56, thence along Alabama Highway 56 to the Mississippi-Alabama State line, points in George, Jackson, Stone, Harrison, and Hancock Counties, Miss., and those points in Louisiana on or south of a line beginning at the Mississippi-Louisiana State line, thence along U.S. Highway 59 to New Orleans, thence west on U.S. Highway 90 to junction Louisiana Highway 317, at or near Centerville, La., thence south on State Road 317 to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Newport or Knoxville or Tellico Plains, Tenn.

No. MC-119443 (Sub-No. E8), filed May 30, 1974. Applicant: P. E. KRAMME, INC., Main Street, Monroeville, N.J. 08343. Applicant's representative: Gerald A. Kramme (same as above). Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate, liquid chocolate coating, liquid chocolate liquor, liquid confectioner's coating and liquid cocoa butter*, in bulk, in tank vehicles, (a) from Fulton, N.Y., to New York, N.Y. (Newark, N.J.) *; (b) to points in Louisiana (Dover, Del.) *; (c) to points in North Carolina and that part of Maryland on and east of a line beginning at the Maryland-Pennsylvania State line, thence along Interstate Highway 70 to junction U.S. Highway 522, thence along U.S. Highway 522 to the Maryland-West Virginia State line (Lititz, Pa.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-119443 (Sub-No. E10), filed May 30, 1974. Applicant: P. E. KRAMME, INC., Main St., Monroeville, N.J. 08343. Applicant's representative: Gerald A. Kramme (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chocolate, liquid chocolate coating, liquid chocolate liquor, and liquid cocoa butter*, in bulk, in tank vehicles, from Elizabethtown, Pa., to New York, N.Y. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC-123067 (Sub-No. E1), filed June 4, 1974. Applicant: M/M TANK LINES, INC., P.O. Box 30006, Washington, D.C. 20014. Applicant's representative: Michael A. Grimm (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt*, in bulk, in tank vehicles, from Morehead City, N.C., to points in that part of Tennessee on and east of U.S. Highway 27 and to points in Barbour, Braxton, Fayette, Gilmer, Greenbrier, Lewis, Mercer, Monroe, Nichols, McDowell, Pocahontas, Raleigh, Randolph, Summers, Tucker, Upshur, Webster, and Wyoming Counties, W. Va. The purpose of this filing is to eliminate the gateway of Roanoke, Va.

No. MC-124692 (Sub-No. E1), filed May 13, 1971, published in the FEDERAL REGISTER July 29, 1974. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, Mont. 59801. Applicant's representative: Gene P. Johnson, 425 Gate City Bldg., Fargo, North Dakota 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard building materials*, from Missoula, Mont., to points in Minnesota. The purpose of this filing is to eliminate the gateway of points in Big Horn County, Wyo. The purpose of this correction is to reflect the correct "E" number—previously published as E1.

No. MC-128383 (Sub-No. E64), filed June 4, 1974. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Rd., Sharon Hill, Pa. 12079. Applicant's representative: Gerald K. Gimmel, 303 N. Frederick Ave., Gaithersburg, Md. 20760. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by

the Commission, commodities in bulk, and those requiring special equipment), between Philadelphia International Airport at Philadelphia, Pa., on the one hand, and, on the other, Richmond, Norfolk, Portsmouth, Virginia Beach, Chesapeake, Newport News, Hampton, Salem, and Roanoke, Va., and points in Hanover, Henrico, Chesterfield, Isle of Wight, Nansemond, York, Roanoke, Franklin, Montgomery, Craig, Bedford, and Botsourt Counties, Va., restricted to the transportation of shipments, having a prior or subsequent movement by air. The purpose of this filing is to eliminate the gateway of Friendship International Airport in Anne Arundel County, Md.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 74-19157 Filed 8-19-74; 8:45 am.]

[No. AB-6 (Sub-No. 12)]

BURLINGTON NORTHERN, INC., ABANDONMENT BETWEEN MONTICELLO AND CLEARWATER, IN WRIGHT, SHERBURNE, AND STEARNS COUNTIES, MINNESOTA

Upon consideration of the record in the above-entitled proceeding and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in newspapers of general circulation in Wright, Sherburne, and Stearns Counties, Minn., within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 5th day of August 1974.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,
Secretary.

INTERSTATE COMMERCE COMMISSION
Notice

[No. AB-6 (Sub-No. 12)]

BURLINGTON NORTHERN, INC., ABANDONMENT BETWEEN MONTICELLO AND CLEARWATER, IN WRIGHT, SHERBURNE, AND STEARNS COUNTIES, MINNESOTA

The Interstate Commerce Commission hereby gives notice that by order dated

August 5, 1974, it has been determined that the proposed abandonment by Burlington Northern, Inc., of its line of railroad between Monticello and Clearwater, in Wright, Sherburne, and Stearns County, Minn., a distance of 11.6 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed abandonment are not considered significant because (1) no local stations or shippers will lose direct rail service as a result of this abandonment, (2) bridge traffic which heretofore moved over the line will be diverted to an alternate and parallel route of the Burlington Northern, and (3) there are no development plans in the area which will be affected by the proposed abandonment.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before September 4, 1974.

[FR Doc.74-19160 Filed 8-19-74; 8:45 am]

[No. AB-5 (Sub-No. 142)]

**PENN CENTRAL TRANSPORTATION CO.
Abandonment of Service**

AUGUST 15, 1974.

In the matter of George P. Baker, Richard C. Bond, Jervis Langdon, Jr., and Willard Wirtz, trustees of the property of Penn Central Transportation Company, Debtor, abandonment LE&P Branch, between East 71st Street, Cuyahoga Heights and Warner Road, Garfield Heights, Cuyahoga County, Ohio.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, That no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 USC §§ 4321, et seq., and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Cuyahoga County, Ohio, within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office

of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 8th day of August, 1974.

By the Commission, Commissioner Tuggle.

[SEAL]

ROBERT L. OSWALD,
Secretary.

INTERSTATE COMMERCE COMMISSION

Notice

[No. AB-5 (Sub-No. 142)]

GEORGE P. BAKER, RICHARD C. BOND, JERVIS LANGDON, JR., AND WILLARD WIRTZ, TRUSTEES OF THE PROPERTY OF PENN CENTRAL TRANSPORTATION COMPANY, DEBTOR, ABANDONMENT LE&P BRANCH, BETWEEN EAST 71ST STREET, CUYAHOGA HEIGHTS, AND WARNER ROAD, GARFIELD HEIGHTS, CUYAHOGA COUNTY, OHIO

The Interstate Commerce Commission hereby gives notice that by order dated August 8, 1974, it has been determined that the proposed abandonment by the trustees of Penn Central Transportation Company of its LE&P branch between East 71st Street, Cuyahoga Heights, and Warner Road, Garfield Heights, all in Cuyahoga County, Ohio, a distance of 0.6 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that inasmuch as no traffic has been handled on this line since 1968, and all bridge traffic which was formerly handled on this line has been diverted to the Cleveland to Pittsburgh mainline, abandonment will not significantly affect the area's transportation scheme. The Cleveland Electric Illuminating Company is interested in purchasing the right-of-way and using it as a power line transmission corridor. Finally, the branch line includes a steel truss bridge which is in extremely poor condition and represents a potential public safety hazard. This bridge will be salvaged and removed by a scrap company.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone [202] 343-2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C. 20423, on or before September 4, 1974.

[FR Doc.74-19159 Filed 8-19-74; 8:45 am]

[No. AB-12 (Sub-No. 3)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT PORTION JEFFERSON STREET BRANCH, PORTLAND, MULTNOMAH COUNTY, OREGON

AUGUST 15, 1974.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, That no environmental impact statement need be issued in this

proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 USC §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Multnomah County, Oreg., within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the Federal Register.

Dated at Washington, D.C., this 8th day of August 1974.

By the Commission, Commissioner Tuggle.

[SEAL]

ROBERT L. OSWALD,
Secretary.

INTERSTATE COMMERCE COMMISSION

Notice

[No. AB-12 (Sub-No. 3)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT PORTION JEFFERSON STREET BRANCH, PORTLAND, MULTNOMAH COUNTY, OREGON

The Interstate Commerce Commission hereby gives notice that by order dated August 8, 1974, it has been determined that the proposed abandonment by the Southern Pacific Transportation Company of the Jefferson Street branch, in Portland, Multnomah County, Oreg., a distance of 0.457 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded among other things, that the abandonment, if approved, will facilitate the development of a major redevelopment project for the South Portland area. The abandonment is, therefore, compatible with local land use plans. Inasmuch as all of the shippers which had been dependent on this service have either relocated or issued options to sell, the abandonment will not significantly affect the rail transportation profile in Portland. Finally, the Tri-County Metropolitan Transportation District of Oregon and the developers of a major redevelopment project in the area are presently negotiating whereby the present right-of-way or an equivalent corridor in the vicinity will be preserved for an eventual urban mass transportation corridor.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested parties may comment on this matter by the submission of representations

to the Interstate Commerce Commission, Washington, D.C., 20423, on or before September 4, 1974.

[FR Doc.74-19161 Filed 8-19-74;8:45 am]

[Notice No. 574]

ASSIGNMENT OF HEARINGS

AUGUST 15, 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 August 20, 1974.

NO. 36002, Increased Rates and Fares, New London Freight Lines, Inc., now assigned August 26, 1974, at Washington, D.C., is postponed indefinitely.

NO. 35997, Aurora Cooperative Elevator Company (Referral)—Burlington Northern, Inc., and NO. 35997 Sub 1, Aurora Cooperative Elevator Company (Original)—Burlington Northern, Inc., now assigned pre-hearing conference September 25, 1974, postponed to September 30, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-19156 Filed 8-19-74;8:45 am]

[Notice 8]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Bralley-Willett Tank Lines, Inc., No. MC-2368, Sub-36	No. MC-2368, Sub-38	Nov. 14, 1973
McKown Transportation Co., No. MC-3018, Sub-26	No. MC-3018, Sub-27	Nov. 23, 1973
Brader Hauling Service, Inc., No. MC-11722, Sub-31	No. MC-11722, Sub-33	Do.
Piqua Transfer & Storage Co., No. MC-14123, Sub-6	No. MC-14123, Sub-7	Nov. 13, 1973
J. V. McNicholas Transfer Co., No. MC-14552, Sub-44	No. MC-14552, Sub-46	Nov. 26, 1973
Joseph F. Whelan Co., Inc., No. MC-30383, Sub-12	No. MC-30383, Sub-13	Nov. 13, 1973

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-19162 Filed 8-19-74;8:45 am]

[Notice 118]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 14, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Com-

mission, Washington, D.C. and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 88706 (Sub-No. 2 TA), filed August 6, 1974. Applicant: C. L. ROSS, INC., P.O. Box 606, Milton-Freewater, Ore. 97862. Applicant's representative: Henry M. Kidwell, 2420 W. Court Street, Pasco, Wash. 99301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, lumber, and plywood*, from points in Washington and Oregon, to points in North Dakota, South Dakota, and Minnesota for 180 days. SUPPORTING SHIPPER: Kleer Kut Lumber Co., Building One, Bay One, E. Ainsworth Street, Pasco, Wash. 99301. SEND PROTESTS TO: District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 105632 (Sub-No. 30 TA), filed August 9, 1974. Applicant: SOUTHERN REGION MOTOR TRANSPORT INC., 966 Bankhead Avenue NW., Atlanta, Ga. 30318. Applicant's representative: William H. Teasley, P.O. Box 1808, Washington, D.C. 20013. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *General commodities (except explosives and commodities in bulk, in tank vehicles) between Macon, Bibb County, Ga. and Cochran, Bleckley County, Ga., with service restricted to*

the movement of trailers having a prior or subsequent rail haul, for 180 days. SUPPORTING SHIPPER: Lithonia Lighting, A Division of National Service Industries, Inc., P.O. Box A, Conyers, Ga. 30207. SEND PROTESTS TO: W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Ave. NW., Washington, D.C. 20423.

No. MC 106775 (Sub-No. 36 TA), filed August 6, 1974. Applicant: ATLAS TRUCK LINE, INC., 15015 E. Freeway, P.O. Box 9848, Houston, Tex. 77015. Applicant's representative: Leroy Hallman of Phinney, Hallman, Pulley, & Coke, 4555 First National Bank Building, Dallas, Tex. 75202. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Cement asbestos pipe and fittings and couplings*, from the plantsite of Cement Asbestos Products Co. at or near Ragland, Ala., to San Antonio and Houston, Tex. for 180 days. SUPPORTING SHIPPER: Cement Asbestos Products Co., 2144 Highland Avenue, Birmingham, Ala. 35205. SEND PROTESTS TO: John F. Mensing, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 8610, Houston, Tex. 77002.

No. MC 108207 (Sub-No. 400 TA), filed August 6, 1974. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Cheese and commodities dealt in by retail gift shops or retail curio shops, when moving in mixed loads with cheese*, from Monroe, Wisconsin, to points in Missouri, Arkansas, Arizona, California, New Mexico, and Memphis, Tennessee, for 180 days. SUPPORTING SHIPPER: Swiss Colony Stores, Inc., 1112 7th Avenue, Monroe, Wis. 53566. SEND PROTESTS TO: District Supervisor Gerald T. Holland, Interstate Commerce Commission, Bureau of Operations, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 111729 (Sub-No. 458 TA), filed August 6, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delaney (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Radiopharmaceuticals, diagnostic test kits, medical instruments, biochemicals, equipment and supplies*, between Orangeburg, N.Y., on the one hand, and, on the other, points in Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Pennsylvania, Delaware, Rhode Island, Virginia, West Virginia, and the District of Columbia, for 90 days. SUPPORTING SHIPPER: Schwarz/Mann, Division of Becton Dickinson & Co., Mountain View Avenue, Orangeburg, New York. SEND PROTESTS TO: Anthony D. Giaino, District

Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York 10007.

No. MC 114533 (Sub-No. 305 TA), filed August 2, 1974. Applicant: BANKERS DISPATCH CORPORATION, 4970 S. Archer Ave., Chicago, Ill. 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over routes, transporting: *Audit media and other business records*, between Oakbrook, Ill., on the one hand, and, on the other, Battle Creek, Kalamazoo, Grand Rapids, and Holland, Mich. and Kokomo, South Bend, Hammond, and Portage, and Valparaiso, Ind., for 180 days. SUPPORTING SHIPPER: Mr. R. J. Leitzen, Corporate Controller, West Management, Inc., 900 Jorie Blvd., Oak Brook, Ill. 60521. SEND PROTESTS TO: Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 116073 (Sub-No. 301 TA), filed August 5, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorehead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from the plantsite of Continental Homes, Loveland, Colo., to points in Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Utah, and Wyoming; and (2) *Buildings*, complete or in sections, transported on wheeled undercarriages, in initial movements, from the plantsite of Continental Homes, Loveland, Colo., to points in Kansas, Nebraska, Nevada, North Dakota, Oklahoma, South Dakota, and Utah, for 180 days. SUPPORTING SHIPPER: Continental Manufacturing Company, P.O. Box 269, Loveland, Colo. 80537. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N.D. 58102.

No. MC 116254 (Sub-No. 145 TA), filed July 25, 1974. Applicant: CHEM-HAULERS, INC., P.O. Box 245, Sheffield, Ala. 35660. Applicant's representative: Douglas O. Logue (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid*, in bulk, from Rome, Ga., to Gadsden, Ala., for 180 days. SUPPORTING SHIPPER: Republic Steel Corporation, Southern District Traffic Manager, Gadsden, Ala. 35901. SEND PROTESTS TO: Clifford W. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1616—2121 Building, Birmingham, Ala. 35203.

No. MC 119767 (Sub-No. 319 TA), filed August 5, 1974. Applicant: BEAVER TRANSPORT CO., a Corporation, P.O. Box 186, Pleasant Prairie, Wis. 53158.

Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen potatoes and potato products*, in vehicles equipped with mechanical refrigeration, from Plover, Wis., to points in Iowa, Kansas, Missouri, Nebraska, Ohio, and Tennessee, for 180 days. SUPPORTING SHIPPER: American Potato Co., 555 California Street, San Francisco, Calif. 94104 (H. E. Link, Corporate Traffic Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 119767 (Sub-No. 320 TA), filed August 5, 1974. Applicant: BEAVER TRANSPORT CO., a Corporation, P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and dairy by-products*, in vehicles equipped with mechanical refrigeration, from Beaver Dam, Marathon and Wausau, Wis., to points in Ohio on and east of a line beginning at Sandusky, Ohio and extending south along Ohio Highway 4 to Marion, Ohio, thence along U.S. Highway 23 to Portsmouth, Ohio, for 180 days. SUPPORTING SHIPPER: Kraft Foods Div. of Kraftco, Corp., 447 E. Grand Avenue, Chicago, Ill. (Ken Bell, Regional Traffic Manager). SEND PROTESTS TO: District Supervisor John Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 123407 (Sub-No. 191 TA), filed August 5, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, from Tulsa, Okla., to points in the United States (except Alaska and Hawaii), for 180 days. SUPPORTING SHIPPER: Ford Motor Company, Tulsa Glass Plant, Box 555, Tulsa, Okla. 74102. SEND PROTESTS TO: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Ft. Wayne, Ind. 46802.

No. MC 124328 (Sub-No. 65 TA) (Amendment), filed July 18, 1974, published in the FEDERAL REGISTER issue of August 7, 1974, and republished as amended this issue. Applicant: BRINK'S INCORPORATED, 234 E. 24th Street, Chicago, Ill. 60616. Applicant's representative: J. G. O'Keefe, O'Hare Plaza, 5725 E. River Road, Chicago, Ill. 60631.

NOTE.—The purpose of this republication is to add one more supporting shipper to the application. The supporting shipper is: Automotive Products Division of Universal Oil Products Company, 2454 Dempster Street,

Des Plaines, Ill. 60016 (H. John Witt, Materials Manager). The rest of the application will remain as previously published in the FEDERAL REGISTER.

No. MC 128030 (Sub-No. 77 TA), filed August 6, 1974. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, (1) from Cincinnati, Ohio, to Terre Haute, Ind.; (2) from Evansville, Ind., to Cartersville, Lawrenceville, and Streator, Ill.; (3) from LaCrosse and Sheboygan, Wis., to Chicago, and Lawrenceville, Ill. and Terre Haute, Ind.; and (4) from Newport, Ky., to Cartersville, Chicago, Danville, and Jerseyville, Ill.; Lafayette, Ind.; Lawrenceville, Ill.; Lebanon, Ind.; Paris, Ill.; Streator and Taylorville, Ill.; Terre Haute, Ind.; and Vincennes, Ind., for 180 days. SUPPORTING SHIPPERS: There are approximately 15 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 S. Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 128030 (Sub-No. 78 TA), filed August 5, 1974. Applicant: THE STOUT TRUCKING CO., INC., P.O. Box 177, Urbana, Ill. 61801. Applicant's representative: R. C. Stout (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Kansas City, Mo.; Longview, Tex.; and Memphis, Tenn. to Loda, Ill. and Streator, Ill., for 180 days. SUPPORTING SHIPPERS: Mr. John W. Healey, Secretary, Healy Distributing Co., Loda, Ill. 60948 and Mr. D. P. Donelson, VP, Illinois Fruit and Produce Corp., 200 N. Iowa, Streator, Ill. SEND PROTESTS TO: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128490 (Sub-No. 9 TA), filed August 5, 1974. Applicant: ROBERT J. ERICKSON, doing business as BOB ERICKSON TRUCKING, Rush City, Minn. 55069. Applicant's representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fire protection sprinkler systems and materials, equipment and supplies* used in the installation thereof, from Rush City, Minn., to points in South Dakota, North Dakota, Nebraska, Wisconsin, Iowa, Illinois, Kansas, Michigan, Missouri, and Radford, Va.; and (2) *Returned shipments* of the

above-described commodities from the above-specified destination points to Rush City, Minn., for 180 days. **SUPPORTING SHIPPER:** United Sprinkler Division of Waycross, 1700 65th Avenue, North, Minneapolis, Minn. 55430. **SEND PROTESTS TO:** Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building & U.S. Court House, 110 South 4th Street, Minneapolis, Minn. 55401.

No. MC 128815 (Sub-No. 3 TA), filed August 7, 1974. Applicant: CLARKE'S TRUCKING COMPANY, 1623 Juniper Street, Junction City, Ore. 97448. Applicant's representative: David C. White, 2400 SW. Fourth Avenue, Portland, Ore. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, from points in Benton, Douglas, Lane, Linn, and Marion Counties, Ore., to Longview, Wash., for 180 days. **SUPPORTING SHIPPER:** Land Management Services, Inc., P.O. Box 10065, Eugene, Ore. 97401. **SEND PROTESTS TO:** District Supervisor Odoms, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Ore. 97204.

No. MC 134401 (Sub-No. 9 TA), filed August 1, 1974. Applicant: SHERWOOD W. HUME, doing business as HUME EQUIPMENT COMPANY, 734 Main Street East, R.R. #1, Milton, Ontario, Canada L9T 2X5. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Harvester combines and attachments, and parts* when moving in mixed loads with such articles, from all ports of entry on the United States-Canada Boundary in the states of Michigan and New York, to points in the United States in the state of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, Wisconsin, Maryland, and Delaware, for 180 days.

NOTE:—Applicant states that it will not tack and/or interline.

RESTRICTION: Restricted to the transportation of shipments for Massey-Ferguson Industries Limited. **SUPPORTING SHIPPER:** Massey-Ferguson Industries Limited, 915 King Street W., Toronto, Ontario, Canada. **SEND PROTESTS TO:** George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 612 Federal Building, 111 West Huron Street, Buffalo, N.Y. 14202.

No. MC-136485 (Sub-No. 4TA), filed August 9, 1974. Applicant: WALDORF TRANSPORTATION CO., INC., Route 4, Box 108, Waldorf, Md. 20601. Applicant's representative: Daniel B. Johnson, 1123 Munsey Building, 1329 E Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fence, fence fittings and accessories, and materials, supplies, and equipment* used in the manufacture of

fence accessories, and reinforcing wire mesh, and materials, supplies, and equipment used in the manufacture of reinforcing wire mesh (except in bulk, in tank vehicles), (A) between Toledo, Ohio; Rock Hill, S.C.; and Bladensburg, Md.; and (B) between Toledo, Ohio; Rock Hill, S.C.; and Bladensburg, Md., on the one hand, and, on the other, points in Louisiana, Arkansas, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Michigan, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. **RESTRICTION:** The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts with the National Fence Manufacturing Company, Inc., Bladensburg, Md. **SUPPORTING SHIPPER:** National Fence Manufacturing Co., Inc., 4301 46th Street, Bladensburg, Md. 20710. **SEND PROTESTS TO:** W. C. Hersman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Ave. NW., Washington, D.C. 20423.

No. MC-136636 (Sub-No. 4 TA), filed August 5, 1974. Applicant: M. H. MESSBRING, doing business as MIKE'S TRUCKING, R.R. 2, Bourbonnais, Ill. 60914. Applicant's representative: Paul F. Sullivan, 711 Washington Building, 15th and New York Avenue NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feedlot flooring*, from Girard, Ohio, to points in Illinois, Wisconsin, and Indiana, for 180 days. **SUPPORTING SHIPPER:** Mr. Richard B. Reynolds, President, Pal, Inc., P.O. Box 75, Sioux Falls, S. Dak. 57101. **SEND PROTESTS TO:** Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC-138164 (Sub-No. 5 TA), filed August 6, 1974. Applicant: CAN-AM MARINE TRANSIT LTD., P.O. Box 790, Hudson, Quebec, Canada JOP 1H0. Applicant's representative: J. P. Vermette, 250 Napoleon-Provost Street, Repentigny, Quebec, Canada J6A 1H5. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sailboats*, from ports of entry on the International Boundary line between the United States and Canada in North Dakota, Minnesota, Michigan, New York, Vermont and Maine, to points in North Dakota, South Dakota, Nebraska, Kansas, Colorado, Oklahoma, Texas, Missouri, Iowa, Arkansas, and Louisiana, restricted to traffic having an immediate prior movement in foreign commerce originating in the Province of Quebec, Canada, for 180 days. **SUPPORTING SHIPPER:** Performance Sailcraft Inc., 91 Hymus Blvd., Pointe Claire,

Quebec, Canada. **SEND PROTESTS TO:** District Supervisor Paul D. Collins, Interstate Commerce Commission, Bureau of Operations, P.O. Box 548, Montpelier, Vt. 05602.

No. MC 138395 (Sub-No. 6 TA), filed August 9, 1974. Applicant: DOUGLAS H. WEST, P.O. Box 1274, Salisbury, Maryland 21801. Applicant's representative: Charles E. Creager, 133 Overhill Drive, P.O. Box 1417, Hagerstown, Maryland 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals* from Salisbury, Md., to Fairless Hill, Coatesville, and Modena, Pennsylvania, including their commercial zones, for 180 days. **SUPPORTING SHIPPER:** H. D. Metal Company, Inc. Boundary Supervisor Interstate Commerce Commission, Salisbury, Md. 21801. **SEND PROTESTS TO:** W. C. Hersman, District mission Bureau of Operations 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 138580 (Sub-No. 3 TA), filed August 6, 1974. Applicant: E. & P. WHITMER BROS. INC., R.D. No. 3, Sunbury, Pa. 17801. Applicant's representative: Lloyd R. Persun, 1801 North Front Street, P.O. Box 729, Harrisburg, Pa. 17108. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients* (except in bulk, in tank vehicles and except liquid fertilizer in tank vehicles), from the plant site of Agrico Chemical Company in Baltimore, Md., to points in that part of Pennsylvania, on, north, and east of a line beginning at the junction of U.S. Highway 219 and the Pennsylvania-New York state line (north of Bradford, Pa.), and extending southward along U.S. Highway 219 to the junction with U.S. Highway 322 at Luthersburg, Pa., thence continuing along U.S. Highway 322 to the junction with combined U.S. Highway 22 and Interstate Highway 78, thence eastward along combined U.S. Highway 22 and Interstate Highway 78 to the Pennsylvania-New Jersey state line at Easton, Pa., for 180 days. **SUPPORTING SHIPPER:** Green Leaf Fertilizer Company, Inc., R.D. No. 3, Danville, Pa. **SEND PROTESTS TO:** Robert P. Amerine, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 278 Federal Building, P.O. Box 869, Harrisburg, Pa. 17108.

No. MC 139884 (Sub-No. 1 TA), filed August 7, 1974. Applicant: KLIMA, INC., 10650 SW. Wilsonville Road, Wilsonville, Ore. 97070. Applicant's representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy, chewing gum and bakery goods*, from points in Massachusetts, Pennsylvania, New Jersey, Iowa, and Illinois, to Portland, Ore. and Seattle, Wash. and their commercial zones, for 180 days. **SUPPORTING SHIPPER:** Northwest Brokerage Company, 660 South Othello Street, Seattle, Wash.

98108. SEND PROTESTS TO: District Supervisor A. E. Odoms, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 140083 TA, filed August 7, 1974. Applicant: FLORENCE N. SOBEL, doing business as GENTRY FORWARDING CO., 194 County Avenue, Secaucus, N.J. 07094. Applicant's representative: Lawrence E. Lindeman, Suite 1032, Pennsylvania Building, Pennsylvania Avenue & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trailers, other than those designed to be drawn by passenger automobiles, containers, and trailer chassis, in drive-away service, restricted to the transportation of shipments originating at or destined to the facilities of the Strick Corp., between Berwick, Pa.; Fairless Hills, Pa.; North Bergen, N.J.; Middletown, N.Y.; Charlotte, N.C.; and Bancroft, W. Va., on the one hand, and, on the other, points in Pennsylvania, New Jersey, New York, Maryland, Virginia, Delaware, Connecticut, Rhode Island, Massachusetts, Ohio, West Virginia, North Carolina, and the District of Columbia, for 180 days. SUP-PORTING SHIPPER: Strick Corporation, U.S. Highway No. 1, Fairless Hills, Pa. 19030. SEND PROTESTS TO: District Supervisor Robert E. Johnston, Interstate Commerce Commission, Bureau of Operations, 9 Clinton Street, Newark, N.J. 07102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-19163 Filed 8-19-74; 8:45 am]

[Notice 142]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

AUGUST 20, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate

Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before September 9, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75189. By order of August 9, 1974, the Motor Carrier Board approved the transfer to Dederick Welding & Machine, Inc., 7154 Route 212, Saugerties, N.Y. 12477, of the operating rights in Certificate No. MC-119666 issued October 4, 1960, to Bernard J. Dederick and Helen F. Dederick, a partnership, doing business as Dederick's Machine & Welding Shop, same address, Saugerties, N.Y., authorizing the transportation of wrecked and disabled motor vehicles, in truckaway service, by use of wrecker equipment, between points in Vermont, Connecticut, Massachusetts, Rhode Island, New Jersey, and Pennsylvania, on the one hand, and, on the other, points in New York.

No. MC-FC-75213. By order of August 9, 1974, the Motor Carrier Board approved the transfer to John M. Stalter, doing business as Lansing Standard and Wrecker Service, Lansing, Kans., of the operating rights in Certificate No. MC-112892 issued December 18, 1951, to Ernest M. Wendel, doing business as Wendel's Garage, Lansing, Kans., authorizing the transportation of wrecked or disabled motor vehicles between points in Missouri within 150 miles of Lansing, Kans., on the one hand, and, on the other, points in Kansas within 150 miles

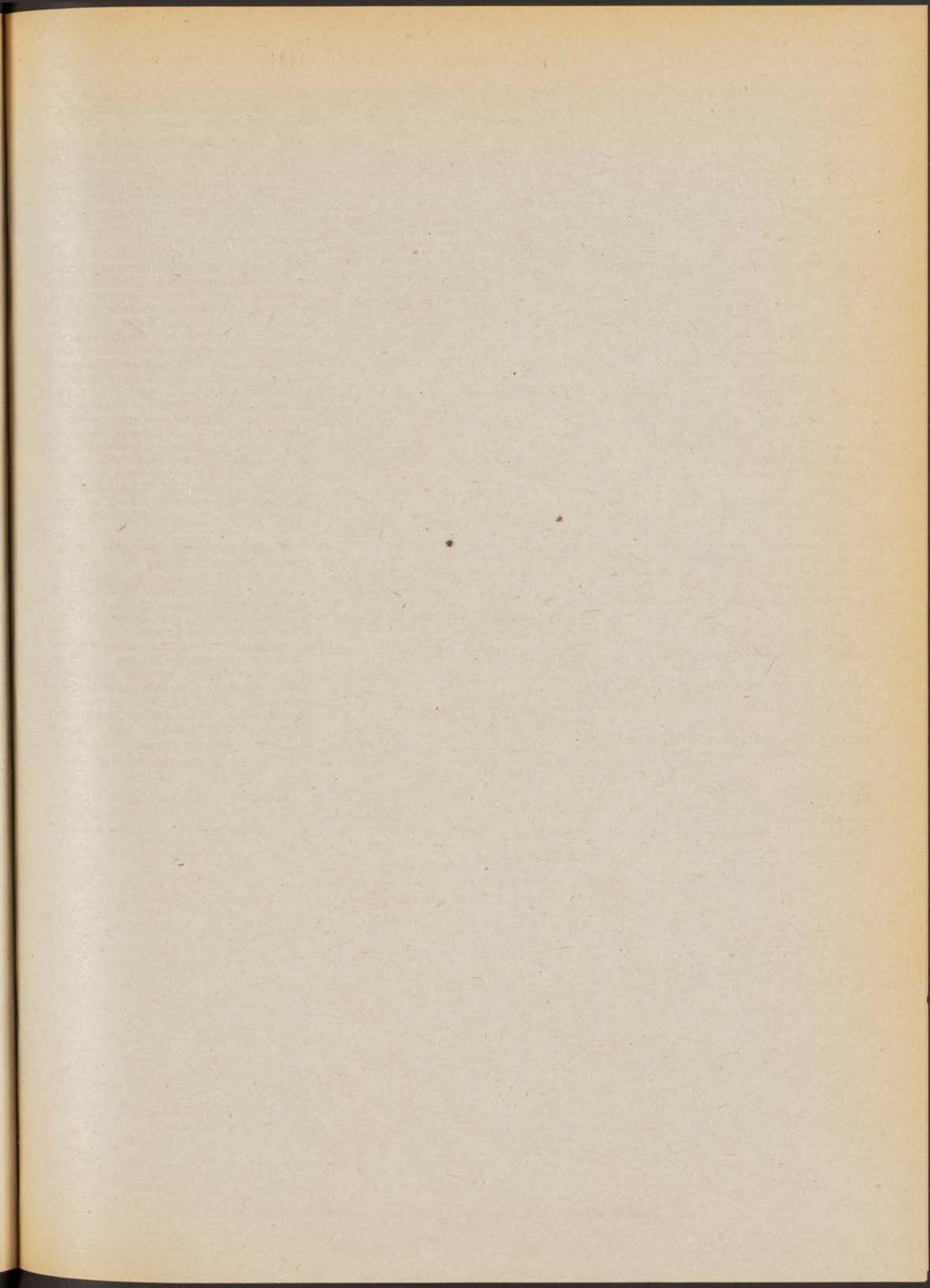
of Lansing, Kans. John L. White, Box 147, Holiday Plaza, Lansing, Kans. 66043, attorney for applicants.

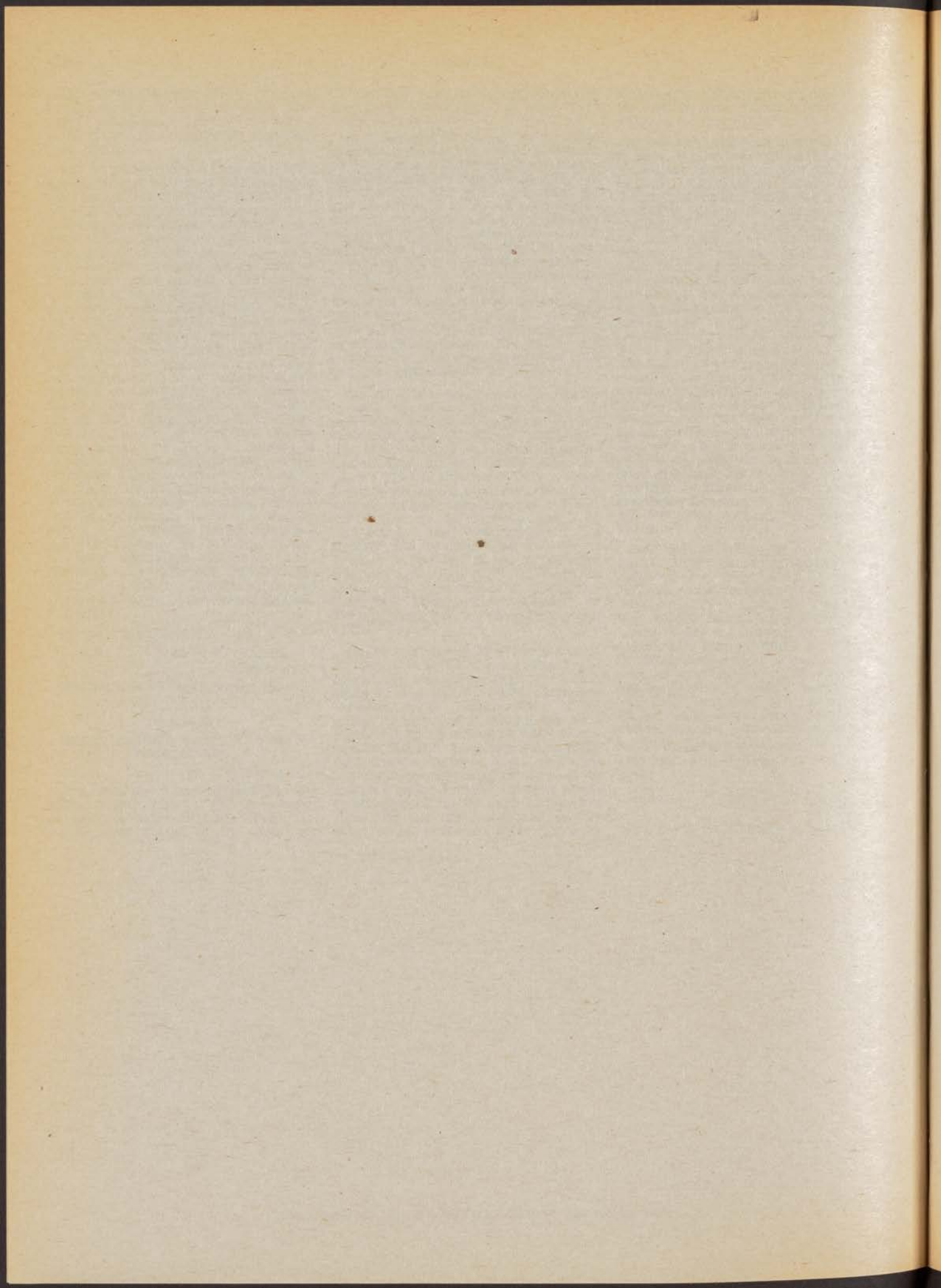
No. MC-FC-75226. By order of August 9, 1974, the Motor Carrier Board approved the transfer to Les Darr Trucking, Inc., Kelso, Wash., of Certificates Nos. MC-52914 and MC-52914 Sub 3 issued by the Commission January 3, 1964, and April 2, 1969, respectively, to Fitchett Truck Lines, Inc., Kelso, Wash., authorizing the transportation of heavy machinery and contractors' equipment and livestock between points in specified counties in Oregon on the one hand, and, on the other, points in Idaho and Washington, and lumber from points in specified counties in Washington to points in specified counties in Oregon and Idaho; and household goods between points in specified counties in Oregon, on the one hand, and, on the other, points in specified counties in Oregon and Washington, and lumber mill products, forest products, agricultural commodities, seed, and machinery between points in specified counties in Oregon on the one hand, and, on the other, points in specified counties in Washington, respectively. Lawrence V. Smart, Jr., Esq., 419 NW. 23rd Avenue, Portland, Oreg. 97210.

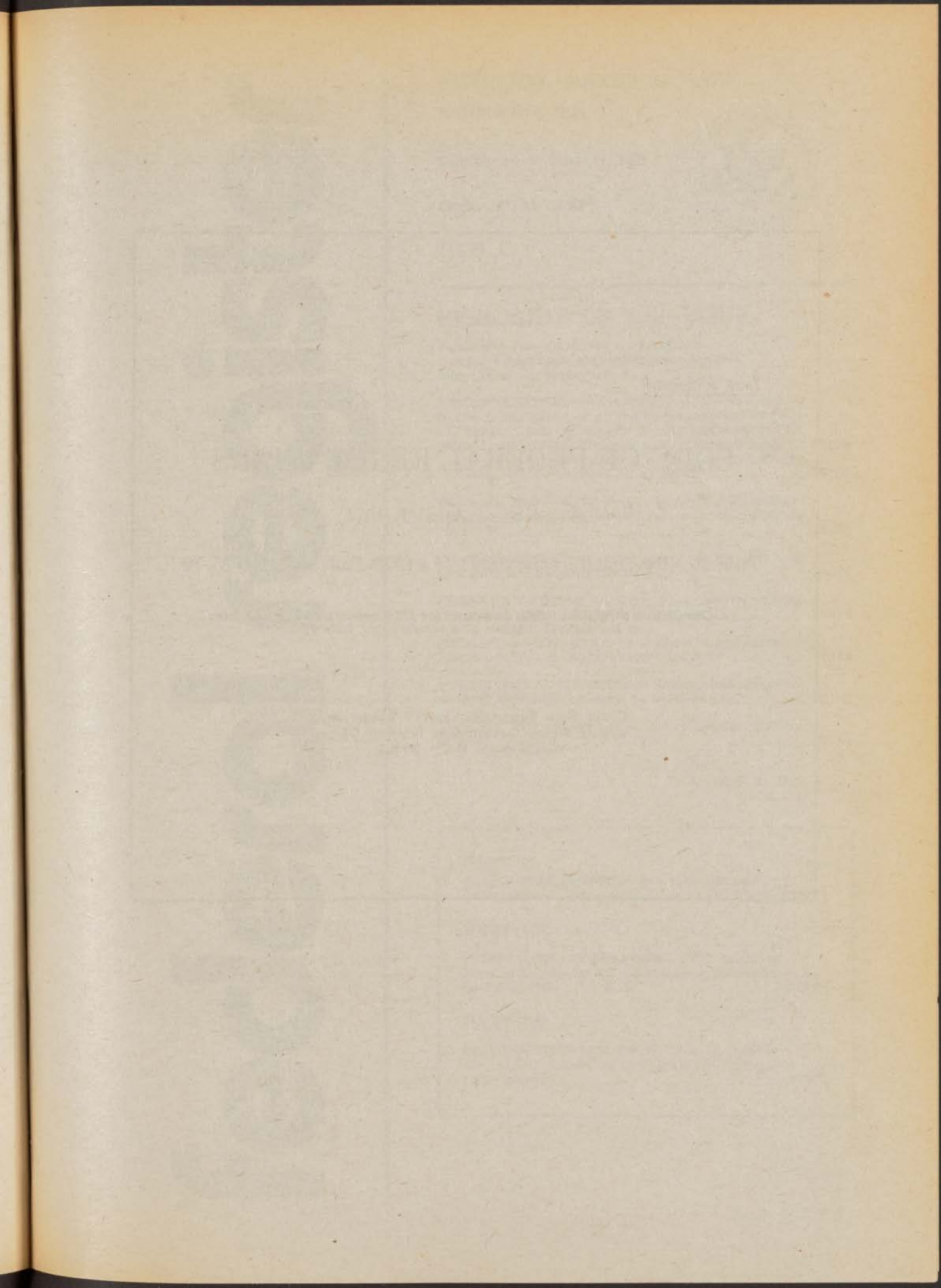
No. MC-FC-75229. By order of August 9, 1974, the Motor Carrier Board approved the transfer to Richard E. Junkans, doing business as Richard E. Junkans Milk Transports, Clear Lake, Wis., of Certificate No. MC-86674 Sub 2 issued by the Commission May 4, 1955, to Ralph C. Wilson, Clear Lake, Wis., authorizing the transportation of whole milk, cream, condensed milk and cream, and ice cream mix, in bulk, from Menomonie and Clear Lake, Wis., to points in Pennsylvania, Texas, Illinois, Iowa, Minnesota, Missouri, Arkansas, and Colorado. Mr. F. H. Kroeger registered practitioner, 1745 University Avenue, St. Paul, Minn. 55104.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-19164 Filed 8-19-74; 8:45 am]







Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of April 1, 1974)

Title 26—Internal Revenue Part 1 (§ 1.1201—End) ----- \$5. 70

*[A Cumulative checklist of CFR issuances for 1974 appears in the first issue
of the Federal Register each month under Title 1]*

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402