

federal register

THURSDAY, OCTOBER 16, 1975



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PROPOSED RULES:

200	48142
231	48526
240	45203, 45448, 48142
241	48526
249	46118
275	46118

18 CFR

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19 CFR

10	47761
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PROPOSED RULES:

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141	45825
142	45825
143	45825
159	45825

20 CFR

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405	46309
416	47487, 47761

PROPOSED RULES:

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PROPOSED RULES:

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PROPOSED RULES:

1	45442, 45828, 45832, 45838, 45845, 46314, 47138, 48361, 48514
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29 CFR

94	47722
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PROPOSED RULES:

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PROPOSED RULES:

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PROPOSED RULES:

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35 CFR

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36 CFR

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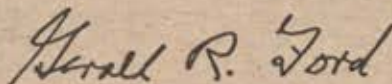
Title 3—The President

Executive Order 11885

October 15, 1975

Amending Executive Order No. 11861,¹ as Amended, Placing Certain Positions in Levels IV and V of the Executive Schedule

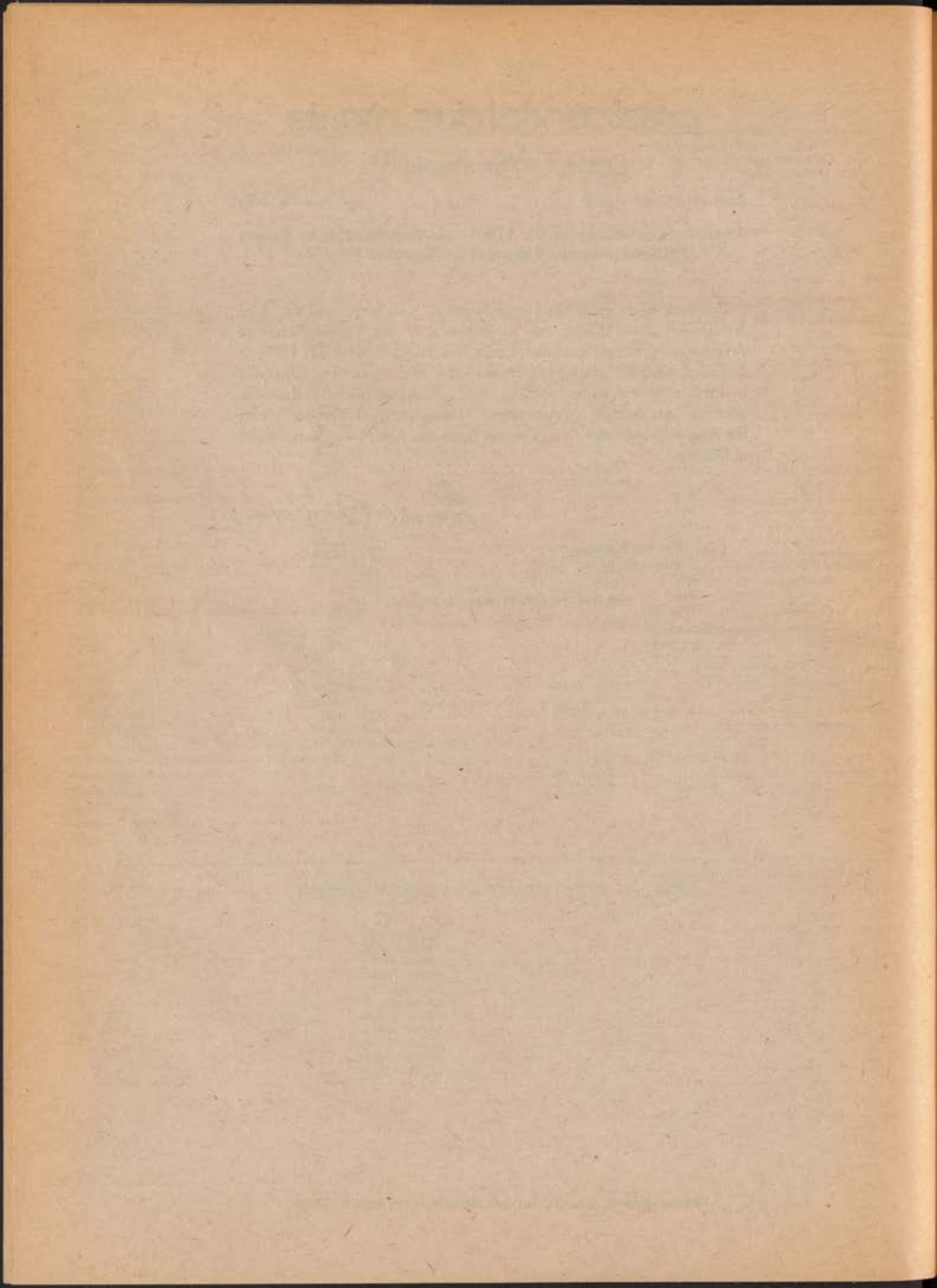
By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, and as President of the United States of America, section 2 of Executive Order No. 11861 of May 21, 1975, as amended, placing certain positions in level V of the Executive Schedule, is further amended by deleting "(1) Principal Deputy Assistant Secretary of Defense (Comptroller), Department of Defense." and inserting in lieu thereof "(1) Defense Representative, Iran, Department of Defense."



THE WHITE HOUSE,
October 15, 1975.

[FR Doc.75-28073 Filed 10-15-75;10:13 am]

¹ 40 FR 22531.



rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 6—IMPORT QUOTAS AND FEES

Price Determination for Certain Cheese

The subpart, Section 22 Import Quotas, is amended to change the price, determined by the Secretary of Agriculture in accordance with headnote 3(a)(v) of Part 3 of the Appendix to the Tariff Schedules of the United States, which is used as a basis for establishing import restrictions under Section 22 on certain cheese. The change from 86 to 92 cents per pound is required since one of the factors used in determining such price (the Commodity Credit Corporation purchase price for Cheddar cheese under the milk price support program) has been increased.

The subpart, Section 22 Import Quotas, of Part 6, Subtitle A of Title 7, is amended as follows:

1. Section 6.16, under the heading "Price Determination for Certain Quotas", is amended to read as follows:

§ 6.16 Price Determination.

The price referred to in items 950.10B through 950.10E of Part 3 of the Appendix to the Tariff Schedules, determined by the Secretary of Agriculture in accordance with headnote 3(a)(v) of said Part 3, is 92 cents per pound. This price shall continue in effect until changed by amendment of this section.

2. Group V of Appendix 1, under the heading "Licensing Regulations", is amended by changing the description appearing immediately below "Group V" to read as follows:

Cheese described below, if shipped otherwise than in pursuance to a purchase, or if having a purchase price ^a under 92 cents per pound.

The foregoing amendment shall be effective October 18, 1975. In accordance with headnote 3(a)(v) of Part 3 of the Appendix to the Tariff Schedules of the United States, the change in price effected by this amendment would not make the import restrictions contained in items 950.10B through 950.10E of Part 3 of the Appendix to the Tariff Schedules of the United States applicable to cheese having a purchase price of 86 or more cents per pound if such cheese had been exported to the United States on a through bill of lading or had been placed in bonded warehouse on or before the date of publication in the FEDERAL REGISTER of this amendment. Since the action taken herewith involves foreign affairs

functions of the United States, this amendment falls within the foreign affairs exception to the notice and effective date provisions of 5 U.S.C. 553.

(Sec. 3, 62 Stat. 1248, as amended, 7 U.S.C. 624; Part 3 of the Appendix to the Tariff Schedules of the United States, 19 U.S.C. 1202)

Issued at Washington, D.C., this 10th day of October 1975.

EARL L. BUTZ,
Secretary.

[FR Doc. 75-27866 Filed 10-15-75; 8:45 am]

PART 25—ADVISORY COMMITTEE MANAGEMENT

PART 25A—OTHER COMMITTEE MANAGEMENT

Miscellaneous Amendments

On September 11, 1975, committee management regulations for the Department of Agriculture were published in the FEDERAL REGISTER (40 FR 42171) as new Parts 25 and 25A, Subtitle A, Title 7 of the Code of Federal Regulations.

As a result of additional comments received after proposed rulemaking, the regulations are amended as follows:

1. The citation of authority for Part 25 following the table of contents is corrected to read:

AUTHORITY: 5 U.S.C. 301; Sec. 8, 83 Stat. 773, 5 U.S.C. App. I.

2. Section 25.11 is amended to change paragraphs (b)(4) and (b)(7) as follows:

§ 25.11 Establishment and renewal of advisory committees.

(b) Procedure for establishment. * * *

(4) Preparation of charter. The agency providing support services shall prepare a charter for the advisory committee containing the following: * * *

(7) Filing of charter. The original and four copies of the charter shall be submitted to the Office of Management and Finance no sooner than 15 days following publication of the notice in the FEDERAL REGISTER. The Office of Management and Finance shall be responsible for filing the charter and notifying the agency providing support services when this is done. An advisory committee shall not meet or take any action until its charter has been filed.

3. Section 25.19(m) is revised to read as follows:

§ 25.19 Meetings.

(m) The records, reports, transcripts, working papers, etc., of all open committee meetings shall be available for public inspection and copying. If a portion of a meeting was closed, the minutes of the open portion shall be available to the public. If meetings of an advisory committee have been entirely or partially closed, the agency that provides support services shall prepare for FEDERAL REGISTER publication, a notice of the availability of the annual report for that committee no later than 60 days after the report's completion. The notice shall include instructions which allow the public access to the report. Requests for access to the minutes of closed meetings shall be handled as requests for information under the Freedom of Information Act.

4. Section 25.24 is revised to read as follows:

§ 25.24 Annual Report and Comprehensive Review. (5 AR 4)

(a) The Department shall submit an annual report to the General Services Administration for preparation of the annual report required by the Federal Advisory Committee Act. Instructions for preparation of this report shall be issued to the agencies by the Office of Management and Finance.

(b) A comprehensive review shall be conducted by the agencies and the results forwarded to the Office of Management and Finance. This review shall be conducted in accordance with guidelines furnished by the Office of Management and Finance.

Effective date. These changes to Part 25 shall become effective on October 14, 1975. The Department's committee management regulations, 7 CFR Parts 25, 25A, become effective October 14, 1975. It is in the public interest that the amendment proposed herein become effective on the same date as the regulations and accordingly there is good cause found for making the amendment effective less than 30 days from publication.

JOSEPH R. WRIGHT, JR.,
Assistant Secretary
for Administration.

OCTOBER 10, 1975.

[FR Doc. 75-27800 Filed 10-15-75; 8:45 am]

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Lettuce

Correction

In FR Doc. 75-26731, appearing at page 26295, of the issue of Tuesday, October 7, 1975, the following changes should be made:

1. In the diagram at the bottom of page 46297, the notation "USDA-AMS-F&V-1973", in the bottom left hand corner should be removed.

2. On page 46299, in Table II, in the entry "Discoloration (other than caused by freezing)", in the second line of (1), the word "or" should be changed to read "when".

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

[Amdt. 18]

PART 906—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Container and Pack Requirements

This amendment reduces by two the number of containers which the Texas citrus industry may use in shipping oranges and grapefruit, effective November 17, 1975. The two containers to be eliminated are used only to a limited extent. Their elimination will require less inventory to be maintained by handlers and will promote orderly marketing in the interest of producers and consumers.

On September 17, 1975, notice of proposed rulemaking was published in the *FEDERAL REGISTER* (40 FR 42887) regarding a proposal, applicable to § 906.340 *Container, pack, and container marking regulations*, recommended by the Texas Valley Citrus Committee, established pursuant to the marketing agreement, as amended, and Order No. 906, as amended (7 CFR Part 906), regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas. This notice allowed interested persons 20 days during which they could submit written data, views, or arguments pertaining to the proposal. None were submitted. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

This action reflects the Department's appraisal of the need for restricting the use of containers to those most suitable for the packing and handling of fruit to promote orderly marketing in the interest of producers and consumers. Under the amendment, two currently little-used containers will no longer be authorized after handlers' current stocks of such

containers are depleted during the 1975-76 season. One of these containers is the 7/8 bushel wirebound wooden box, the use of which has declined to an insignificant level in recent years. The other container, a fiberboard carton used as a master container for the shipment of six 8-pound bags of fruit, is now redundant as the use of 8-pound bags has declined significantly, and as a greater portion of fruit in 8-pound bags is now shipped in the other authorized master container. By rescinding authorization to use these two containers, handlers' inventory requirements and related expenses should be reduced. Both of these containers have quite limited acceptance by the trade. Those containers remaining for authorized use will be adequate for the shipment of the Texas orange and grapefruit crops.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the recommendation and information submitted by the Texas Valley Citrus Committee, and other available information, it is hereby found and determined that the amendment, as hereinafter set forth, is in accordance with the provisions of the said amended marketing agreement and order and will tend to effectuate the declared policy of the act.

Order. Therefore, in § 906.340 *Container, pack, and container marking regulations*, paragraphs (a) (1) (i) and (a) (1) (v) are deleted, and the remaining provisions of paragraph (a) (1) are amended to read as follows:

§ 906.340 Container, pack, and container marking regulations.

(a) *

(1) *Containers.* (i) Closed fiberboard carton with inside dimensions of 16½ x 10½ x 7¼ inches: *Provided*, That the container has a Mullen or Cady test of at least 200 pounds;

(ii) Closed fully telescopic fiberboard carton with inside dimensions of 13¼ x 10¼ x 9½ inches, described in Freight Container Tariff 2G as container No. 6506;

(iii) Closed fully telescopic fiberboard carton with inside dimensions of 19¼ x 13½ x 13 inches: *Provided*, That the cover section and bottom section each has a Mullen or Cady test of at least 250 pounds;

(iv) Closed wirebound wooden box with inside dimensions of 24½ x 11½ x 11½ inches, described in Freight Container Tariff 2G as container No. 3680;

(v) Closed fiberboard carton with inside dimensions of 20 x 13¼ inches and of a depth from 9¼ to 10¾ inches: *Provided*, That the container has a Mullen or Cady test of at least 250 pounds and the container is used only for the shipment of eight 5-pound bags of fruit, or five 8-pound bags of fruit;

(vi) Bags having a capacity of 5 or 8 pounds of fruit: *Provided*, That fruit when packed in the number and container specified in paragraph (a) (1) (v);

(vii) Bags of the mesh or woven type having a capacity of 18 pounds of fruit;

(viii) Wire crib with inside dimensions of 46½ x 37 x 30 inches: *Provided*, That such cribs be constructed of either 4 x 4 inch mesh wire at least 0 gauge, or 2 x 2 inch mesh wire at least 2 gauge: *And provided further*, That a new liner shall be placed in this container each time it is filled for shipment;

(ix) Such other types and sizes of containers as may be approved by the Texas Valley Citrus Committee for testing in connection with a research project conducted by or in cooperation with the said committee: *Provided*, That the handling of each lot of fruit in such test containers shall be subject to prior approval, and under the supervision, of the Texas Valley Citrus Committee; and

(x) Those containers which are presently authorized under § 906.340 *Container, pack, and container marking regulations*, but which do not meet the requirements specified in this section may be used through July 31, 1976, by any handler who has such containers in his inventory on November 16, 1975.

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

Dated, October 10, 1975, to become effective November 17, 1975.

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

[FR Doc. 75-27854 Filed 10-15-75; 8:45 am]

[Grapefruit Reg. 41]

PART 909—GRAPEFRUIT GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Quality and Size Requirements

During the period October 17 through November 30, 1975, this regulation sets a minimum grade of U.S. No. 2 and a minimum diameter of 3⅞ inches for the handling of grapefruit grown in California and Arizona, except that initial handlers may handle grapefruit smaller than 3⅞ inches in diameter directly to destinations in states other than California, Arizona, Florida, and Texas, providing that grapefruit so handled to destinations in Washington, Oregon, Montana, Idaho, Wyoming, Nevada, and Utah shall measure not smaller than 3⅞ inches in diameter. The establishment of such requirements under Marketing Order 909 is necessary to provide the market with fruit of acceptable quality in the interests of producers and consumers.

Findings. (1) Pursuant to Marketing Order No. 909, as amended (7 CFR Part 909), regulating the handling of fresh grapefruit grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Administrative Committee established pursuant to the said marketing order,

and upon other available information, it is hereby found that the limitation of handling of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) This regulation imposes minimum grade and size requirements on the handling of grapefruit. The regulation is based upon an appraisal of the crop and prospective market conditions as required in § 909.51 of said marketing order. Seasonal shipments of grapefruit from the production area are expected to begin on or about the effective date hereof. Grapefruit is reported to be of good quality this year, and sizes are reported to be larger than last year. This regulation is necessary during the period October 17, 1975, through November 30, 1975, to prevent the handling of any grapefruit of lower grades and smaller sizes than those herein specified, so as to provide the trade and consumers with fruit of acceptable quality pursuant to the declared policy of the act.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Seasonal shipments of grapefruit are expected to begin on or about the effective date hereof; the recommendation and supporting information for regulation were promptly submitted to the Department after an open meeting of the Administrative Committee on October 2, 1975; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth, so as to provide for the regulation of the handling of such grapefruit, and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective date hereof.

§ 909.341 Grapefruit Regulation 41.

(a) Order. (1) Except as otherwise provided in subparagraph (2) of this paragraph, during the period October 17, 1975, through November 30, 1975, no handler shall handle from the State of California or the State of Arizona to any point outside thereof except Mexico:

(i) Any grapefruit which do not meet the requirements for the U.S. No. 2 grade which for purpose of this section shall include the requirement that the grape-

fruit be fairly well colored, instead of slightly colored, and including as a part of the fairly well formed requirement, the requirement that the fruit be free from peel that is more than 1 inch in thickness at the stem end (measured from the flesh to the highest point of the peel): *Provided*, That in lieu of the tolerance provided for the U.S. No. 2 grade, the following tolerances, by count, shall be allowed for the defects listed:

(a) 10 percent for fruit which is not at least fairly well colored;

(b) 10 percent for defects other than color, but not more than one-twentieth of this amount, or one-half of 1 percent shall be allowed for decay and not more than one-half, or 5 percent, shall be allowed for any single defect caused by broken skins, sunburn, scars, or peel that is more than 1 inch in thickness at the stem end; or

(i) Any grapefruit which measure less than 3 $\frac{1}{16}$ inches in diameter: *Provided*, That such diameter requirement shall not apply to individual packages containing 10 pounds or less in a lot and individual packages containing more than 10 pounds in a lot may contain not to exceed 10 percent of grapefruit of a size smaller than 3 $\frac{1}{16}$ inches in diameter, if the lot as a whole does not contain more than 5 percent of such size: *Provided, further*, That in determining the percentage of grapefruit in any lot which are smaller than 3 $\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 $\frac{1}{16}$ inches in diameter and smaller.

(2) Subject to the requirements of subparagraph (1) of this paragraph, any handler may, but only as the initial handler thereof, handle grapefruit smaller than 3 $\frac{1}{16}$ inches in diameter directly to a destination in Zones 4, 5, or 6 and if the grapefruit is so handled to Zone 4, the grapefruit does not measure less than 3 $\frac{1}{16}$ inches in diameter: *Provided*, That such diameter requirement shall not apply to individual packages containing 10 pounds or less in a lot and individual packages containing more than 10 pounds in a lot may contain not to exceed 10 percent of grapefruit of a size smaller than 3 $\frac{1}{16}$ inches in diameter, if the lot as a whole does not contain more than 5 percent of such size: *Provided, further*, That in determining the percentage of grapefruit in any lot which are smaller than 3 $\frac{1}{16}$ inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 $\frac{1}{16}$ inches in diameter and smaller.

(b) As used herein, "handler", "grapefruit", "handle", "Zone 4", "Zone 5", and "Zone 6" shall have the same meaning as when used in said amended marketing order; the terms "U.S. No. 2", "fairly well colored", "slightly colored", and "fairly well formed" shall have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona), 7 CFR 51.925-51.955; and "diameter" shall mean the

greatest dimension measured at right angles to a line from the stem to the blossom end of the fruit.

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

Dated, October 10, 1975, to become effective October 17, 1975.

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

[FR Doc.75-27863 Filed 10-15-75;8:45 am]

[Valencia Orange Reg. 520]

PART 908—VALENCIA ORANGES GROWN
IN ARIZONA AND DESIGNATED PART
OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period October 17-23, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.320 Valencia Orange Regulation 520.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Valencia oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh

market demand for Valencia oranges continues to be weak.

Prices f.o.b. averaged \$3.47 per carton on a reported sales volume of 609,000 cartons last week, compared with an average f.o.b. price of \$3.65 per carton and sales of 682,000 cartons a week earlier.

Track and rolling supplies at 365 cars were down 40 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on October 14, 1975.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period October 17, 1975, through October 23, 1975, are hereby fixed as follows:

- (i) District 1: 155,000 cartons;
- (ii) District 2: 345,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: October 15, 1975.

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

[FR Doc. 75-28119 Filed 10-15-75; 11:35 am]

CHAPTER XI—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MISCELLANEOUS COMMODITIES), DEPARTMENT OF AGRICULTURE

PART 1250—EGG RESEARCH AND PROMOTION ORDER

Referenda; Modification or Exemptions From Order

A notice of rulemaking on the procedure for the conduct of referenda with respect to the Egg Research and Promotion Order and rules of practice for modification or exemption from such order was published in the September 17, 1975, issue of the FEDERAL REGISTER (40 FR 42888-42890). The procedure and rules of practice, as hereinafter set forth, are in accordance with the authority vested in the Secretary of Agriculture by the Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.).

The notice of rulemaking provided for the filing of data, views, or arguments with respect to these proposals not later than October 2, 1975. A comment was received endorsing the proposed rules and procedure. In addition, an exception was filed within the prescribed time period.

The exception asserts that the referenda procedure fails to include a provision for an advanced registration of voters, at least 10 days prior to the date of the referendum, and a requirement that 50 percent of all registered voters must participate in the voting process before it is determined that the order effectuates the declared policy of the act. Exceptor contends that these proposed registration and minimum participation requirements are necessary to promote widespread discussion and participation in the referendum.

The act provides that an order must be submitted to a referendum among eligible egg producers for approval before it can become effective. Eligible egg producers are those persons defined in the order as egg producers, and who own a flock of laying hens consisting of 3,001 hens or more, which hens are not primarily engaged in the production of eggs for the hatching of baby chicks. There is no provision in the act which requires that egg producers preregister to vote in the referendum in order to establish voter eligibility, nor is there any provision that requires the participation of any minimum number of egg producers in the referendum for the referendum procedure to be valid.

In addition, if the position of the exceptor was adopted, the preregistration process would require the Department to

mail to or otherwise provide every producer with registration forms prior to the mailing of the ballots. The cost that would be incurred by separately providing the registration forms cannot be justified in light of the fact that preregistration is not required by the act. Also, such a preregistration is considered unnecessary since the referenda procedure does allow for the registration of egg producers, and it is the intention of the Department to conduct a registration of egg producers simultaneous with the casting of every ballot. This registration will serve the purpose of providing information to the referendum agent, on a single form which also contains the ballot, to allow him to determine the eligibility to vote of each producer casting a ballot in the referendum. For the reasons stated above, the exception is denied.

After the consideration of all relevant matters, including the proposals set forth in the notice, the said rules as so proposed are hereby adopted. The following new subparts are hereby added to 7 CFR Part 1250:

Subpart—Procedure for the Conduct of Referenda in Connection With Egg Research and Promotion Order

Sec.	Referenda.
1250.200	Referenda.
1250.201	Definitions.
1250.202	Voting.
1250.203	Instructions.
1250.204	Subagents.
1250.205	Ballots.
1250.206	Referendum report.
1250.207	Confidential information.

§ 1250.200 Referenda.

Referenda for the purpose of ascertaining whether the issuance by the Secretary of Agriculture of an Egg Research and Promotion Order, or the continuance, termination, or suspension of such an order, is approved or favored by producers, shall unless supplemented or modified by the Secretary, be conducted in accordance with this subpart.

§ 1250.201 Definitions.

(a) "Act" means the Egg Research and Consumer Information Act and as it may be amended (Public Law 93-428, 7 U.S.C. 2701 et seq.).

(b) "Secretary" means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead; and "Department of Agriculture" means the United States Department of Agriculture.

(c) "Administrator" means the Administrator of the Agricultural Marketing Service, with power to redelegate, or any other officer or employee of the Department to whom authority has been delegated or may hereafter be delegated to act in his stead.

(d) "Order" means the order or any amendment thereto promulgated pursuant to the act with respect to which the Secretary has directed that a referendum be conducted.

(e) "Referendum agent" means the individual or individuals designated by the Secretary to conduct the referendum.

(f) "Representative period" means the period designated by the Secretary pursuant to section 9 of the act (7 U.S.C. 2708).

(g) "Person" means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

(h) "Egg producer" or "producer" means any person who either: (1) Is an egg farmer who acquires and owns laying hens, chicks, and/or started pullets for the purpose of and is engaged in the production of commercial eggs; or (2) Is a person who supplied or supplies laying hens, chicks, and/or started pullets to an egg farmer for the purpose of producing commercial eggs pursuant to an oral or written contractual agreement for the production of commercial eggs. Such person is deemed to be the owner of such laying hens UNLESS it is established in writing, to the satisfaction of the Secretary or the Egg Board, that actual ownership of the laying hens is in some other party to the contract. In the event the party to an oral contract who supplied or supplies the laying hens cannot be readily identified by the Secretary or the Egg Board, the person who has immediate possession and control over the laying hens at the egg production facility shall be deemed to be the owner of such hens unless written notice is provided to the Secretary or the Egg Board, signed by the parties to said oral contract, clearly stating that the eggs are being produced under a contractual agreement and identifying the party (or parties) under said contract who is the owner of the hens.

§ 1250.202 Voting.

(a) Each person who is a producer, as defined in this subpart, at the time of the referendum, who was engaged in the production of commercial eggs during the representative period, and who is not exempt from the provisions of the order as provided for in § 1251.347 thereof, shall be entitled to only one vote in the referendum.

(b) Proxy voting is not authorized, but an officer or employee of a corporate producer, or an administrator, executor, or trustee of a producing estate, or an authorized representative of any other entity may cast a ballot on behalf of such producer or estate. Any individual so voting in a referendum shall certify that he is an officer or employee of the corporate producer, or an administrator, executor, or trustee of the producing estate, or an authorized representative of such other entity, and that he has the authority to take such action. Upon request of the referendum agent, such individual shall submit adequate evidence of his authority.

(c) Each producer shall be entitled to cast only one ballot in the referendum.

§ 1250.203 Instructions.

The referendum agent shall conduct the referendum, in the manner herein

provided, under supervision of the Administrator. The Administrator may prescribe additional instructions, not inconsistent with the provisions hereof, to govern the procedure to be followed by the referendum agent. Such agent shall:

(a) Determine the time of commencement and termination of the period of the referendum, and the time when all ballots must be received by the referendum agent.

(b) Determine whether ballots may be cast by mail, at polling places, at meetings of producers, or by any combination of the foregoing.

(c) Provide ballots and related material to be used in the referendum. Ballot material shall provide for recording essential information for ascertaining (1) whether the person voting, or on whose behalf the vote is cast, is an eligible voter, and (2) the total volume of commercial eggs produced during the representative period.

(d) Give reasonable advance notice of the referendum (1) by utilizing, without advertising expense, available media of public information (including, but not limited to, press and radio facilities) serving the production area(s), announcing the dates, places, and method(s) of voting, eligibility requirements, and other pertinent information, and (2) by such other means as said agent may deem advisable.

(e) Make available to producers instructions on voting, appropriate registration, ballot, and certification forms, and, except in the case of a referendum on the termination or continuance of an order, a summary of the terms and conditions of the order: *Provided*, That no person who claims to be qualified to vote shall be refused a ballot.

(f) If the ballots are to be cast by mail, cause all the material specified in paragraph (e) of this section to be mailed to each eligible producer whose name and address are known to the Secretary or the referendum agent.

(g) If the ballots are to be cast at polling places or meetings, determine the necessary number of polling or meeting places, designate them, announce the time of each meeting or the hours during which each polling place will be open, provide the material specified in paragraph (e) of this section, and provide for appropriate custody of ballot forms and delivery to the referendum agent of ballots cast.

(h) At the conclusion of the referendum, canvass the ballots, tabulate the results, and except as otherwise directed report the outcome to the Administrator and promptly thereafter submit the following:

(1) All ballots received by the agent and appointees, together with a certificate to the effect that the ballots listed are all of the ballots cast and received by the agent and appointees during the referendum period;

(2) A tabulation of all challenged ballots deemed to be invalid; and

(3) A report of the referendum including a detailed statement explaining the method used in giving publicity to the referendum and showing other informa-

tion pertinent to the manner in which the referendum was conducted.

§ 1250.204 Subagents.

The referendum agent may appoint any person or persons deemed necessary or desirable to assist said agent in performing his functions hereunder. Each person so appointed may be authorized by said agent to perform, in accordance with the requirements herein set forth, any or all of the following functions (which, in the absence of such appointment, shall be performed by said agent):

(a) Give public notice of the referendum in the manner specified herein;

(b) Preside at a meeting where ballots are to be cast or as poll officer at a polling place;

(c) See that ballots and the aforesaid texts are distributed to producers and receive any ballots which are cast; and

(d) Record the name and address of each person casting a ballot with said subagent and inquire, as deemed appropriate, into the eligibility of such persons to vote in the referendum.

§ 1250.205 Ballots.

The referendum agent and his appointees shall accept all ballots cast; but, should they, or any of them, deem that a ballot should be challenged for any reason, said agent or appointee shall endorse above his signature, on said ballot, a statement to the effect that such ballot was challenged, by whom challenged, the reasons therefor, the results of any investigations made with respect thereto, and the disposition thereof. Invalid ballots shall not be counted.

§ 1250.206 Referendum report.

Except as otherwise directed, the Administrator shall prepare and submit to the Secretary a report on results of the referendum, the manner in which it was conducted, the extent and kind of public notice given, and other information pertinent to analysis of the referendum and its results.

§ 1250.207 Confidential information.

The ballots cast or the manner in which any person voted and all information furnished to, compiled by, or in the possession of the referendum agent shall be regarded as confidential.

Subpart—Rules of Practice Governing Proceedings on Petitions to Modify or To Be Exempted From Orders

Sec.

1250.250 Words in the singular form.

1250.251 Definitions.

1250.252 Institution of proceeding.

§ 1250.250 Words in the singular form.

Words in this subpart in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 1250.251 Definitions.

As used in this subpart, the terms as defined in the act shall apply with equal force and effect. In addition, unless the context otherwise requires:

(a) The term "act" means the Egg Research and Consumer Information Act

and as it may be amended (Public Law 93-428, 7 U.S.C. 2701 et seq.);

(b) The term "Department" means the U.S. Department of Agriculture;

(c) The term "Secretary" means the Secretary of Agriculture or any other officer or employee of the Department of Agriculture to whom there has heretofore been delegated, or to whom there may hereinafter be delegated, the authority to act in his stead;

(d) The term "Administrative Law Judge" or "Judge" means any Administrative Law Judge appointed pursuant to 5 U.S.C. 3105 and assigned to conduct the hearing;

(e) The term "Administrator" means the Administrator of the Agricultural Marketing Service, with power to redelegate, or any other officer or employee of the Department to whom authority has been delegated or may hereafter be delegated to act in his stead;

(f) The term *FEDERAL REGISTER* means the publication provided for by the act of July 26, 1935 (49 Stat. 500), and acts supplementary thereto and amendatory thereof;

(g) The term "order" means any order or any amendment thereto which may be issued pursuant to the act;

(h) The term "person" means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity, subject to an order or to whom an order is sought to be made applicable, or on whom an obligation has been imposed or is sought to be imposed under an order;

(i) The term "proceeding" means a proceeding before the Secretary arising under section 14(a) of the act;

(j) The term "hearing" means that part of the proceeding which involves the submission of evidence;

(k) The term "party" includes the Department;

(l) The term "Hearing Clerk" means the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C.;

(m) The term "Administrative Law Judge's report" means the Administrative Law Judge's report to the Secretary and includes the Administrative Law Judge's proposed (1) findings of fact and conclusions with respect to all material issues of fact, law, or discretion, as well as the reasons or basis therefor, (2) order, and (3) rulings on findings, conclusions, and orders submitted by the parties; and

(n) The term "petition" includes an amended petition.

§ 1250.252 Institution of proceeding.

(a) *Filing and service of petition.* Any person subject to an order desiring to complain that any order or any provision of any such order or any obligation imposed in connection therewith is not in accordance with the law, shall file with the Hearing Clerk, in quadruplicate, a petition in writing addressed to the Secretary. Promptly upon receipt of the petition, the Hearing Clerk shall transmit a true copy thereof to the Administrator and the General Counsel, respectively,

(b) *Contents of petition.* A petition shall contain:

(1) The correct name, address, and principal place of business of the petitioner. If petitioner is a corporation, such fact shall be stated, together with the name of the State of incorporation, the date of incorporation, and the names, addresses, and respective positions held by its officers and directors; if an unincorporated association, the names and addresses of its officers, and the respective positions held by them; if a partnership, the name and address of each partner;

(2) Reference to the specific terms and provisions of the order, or the interpretation or application thereof, which are complained of;

(3) A full statement of the facts (avoiding a mere repetition of detailed evidence) upon which the petition is based, and which it is desired that the Secretary consider, setting forth clearly and concisely the nature of the petitioner's business and the manner in which petitioner claims to be affected by the terms or provisions of the order or the interpretation or application thereof, which are complained of;

(4) A statement of the grounds on which the terms or provisions of the order, or the interpretation or application thereof, which are complained of, are challenged as not in accordance with law;

(5) Prayers for the specific relief which the petitioner desires the Secretary to grant; and

(6) An affidavit by the petitioner, or if the petitioner is not an individual, by an officer of the petitioner having knowledge of the facts stated in the petition, verifying the petition.

(c) *Application to dismiss petition.*

(1) If the Administrator is of the opinion that the petition, or any portion thereof, does not substantially comply, in form or content, with the act or with the requirements of paragraph (b) of this section, he may, within 30 calendar days after the filing of the petition, file with the Hearing Clerk an application to dismiss the petition, or any portion thereof, on one or more of the grounds stated in this section. Such application shall specify the grounds of objection to the petition and if based, in whole or in part, on allegations of fact not appearing on the face of the petition, shall be accompanied by appropriate affidavits or documentary evidence substantiating such allegations of fact. The application may be accompanied by a memorandum of law. Upon receipt of such application, the Hearing Clerk shall cause a copy thereof to be served upon the petitioner, together with a notice stating that all papers to be submitted in opposition to such application, including any memorandum of law, must be filed by the petitioner with the Hearing Clerk not later than 20 calendar days after the service of such notice upon the petitioner. Upon the expiration of the time specified in such notice, or upon receipt of such papers from the petitioner, the Hearing Clerk shall transmit all papers which have been filed in con-

nection with the application to the Judge for his consideration.

(2) *Decision by Administrative Law Judge.* The Judge, after due consideration, shall render a decision upon the motion stating the reasons for his action. Such decision shall be in the form of an order and shall be filed with the Hearing Clerk who shall cause a copy thereof to be served upon the petitioner and a copy thereof to be transmitted to the Administrator. Any such order shall be final unless appealed pursuant to § 900.65, incorporated by paragraph (d) of this section: *Provided*, That within 20 calendar days following the service upon the petitioner of a copy of the order of the Judge dismissing the petition, or any portion thereof, on the grounds that it does not substantially comply in form and content with the act or with paragraph (b) of this section, the petitioner shall be permitted to file an amended petition.

(3) *Oral argument.* Unless a written application for oral argument is filed by a party with the Hearing Clerk not later than the time fixed for filing papers in opposition to the motion, it shall be considered that the party does not desire oral argument. The granting of a request to make oral argument shall rest in the discretion of the Judge.

(d) *Further proceedings.* Further proceedings on petitions to modify or to be exempted from orders shall be governed by § 900.52a through § 900.71 excluding § 900.70 of the title "Rules of Practice Governing Proceedings on Petitions to Modify or To Be Exempted From Marketing Orders" revised October 29, 1973, and any amendments thereto, except that all references to marketing orders shall mean orders under the act, and as may hereafter be amended, and the same are incorporated herein and made a part hereof by reference.

Effective Date. It is hereby found that good cause exists for the making of the provisions of the procedure for conduct of referendum and rules of practice effective on October 16, 1975, and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (5 U.S.C. 553). The provisions of the procedure and these rules are known to egg producers. These rules and procedure were initially published on September 17, 1975, and there were no substantial changes. In addition, the procedure governs the conduct of the referendum on the Egg Research and Promotion Order published on October 1, 1975, and the referendum is to be set by the Department for the period of November 3 to November 28, 1975. Therefore, to allow sufficient time to notify egg producers of the referendum period and to allow distribution of ballots and other relevant materials, these rules of practice and procedure for conduct of referendum should be made effective October 16, 1975.

Signed at Washington, D.C., on October 10, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc. 75-27865 Filed 10-15-75; 8:45 am]

Title 12—Banks and Banking
CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
(Reg. D)

PART 204—RESERVES OF MEMBER BANKS

Definition of Savings Deposits; Correction

In FR Doc. 75-26876 appearing at page 46301 of the issue for Tuesday, October 7, 1975, § 204.1(e) (1) should be corrected to read as follows:

§ 204.1 Definitions.

(e) *Savings deposits.* The term "savings deposit" means a deposit—

(1) * * * or that consists of funds deposited to the credit of or in which the entire beneficial interest is held by the United States, any State of the United States, or any county, municipality, or political subdivision thereof, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, or political subdivision thereof; * * *

Board of Governors of the Federal Reserve System, October 9, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc. 75-27841 Filed 10-15-75; 8:45 am]

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

PART 336—EMPLOYEE RESPONSIBILITIES AND CONDUCT
Miscellaneous Amendments

Effective on October 16, 1975, Part 336 of the rules and regulations of the Federal Deposit Insurance Corporation (12 CFR Part 336) is amended as follows:

§ 336.735-11 [Amended]

1. Section 336.735-11(e) is amended by deleting the words "Pub. L. 89-673, 80 Stat. 952" and by inserting the words "section 7342 of Title 5 of the United States Code" in lieu thereof.

§ 336.735-12 [Amended]

2. Section 336.735-12(e) is deleted and reserved.

3. Section 336.735-15 is amended by designating the current text paragraph (a) and by adding paragraphs (b) through (d) to read as follows:

§ 336.735-15 Misuse of information.

(a) For the purpose of furthering a private interest, an employee shall not, except as provided in § 336.735-12(d), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Corporation employment which has not been made available to the general public.

(b) An employee shall not disclose, directly or indirectly, to another individual, concern, or governmental agency, personal information pertaining to in-

dividuals, except when such disclosure is permitted as provided in § 310.10(b) of this chapter.

(c) An employee shall not design, develop, or maintain any system of information on individuals which is not relevant and necessary for the performance of a Corporation function.

(d) Pursuant to the requirements of section (e) of the Privacy Act of 1974 (5 U.S.C. 552a(e)), notice of the existence of any official Corporation system of information maintained on individuals shall be published as a "system of records" in the FEDERAL REGISTER.

4. Section 336.735-19 is amended by adding paragraph (s), to read as follows:

§ 336.735-19 Miscellaneous statutory provisions.

(s) The prohibition against the unauthorized accumulation of information on individuals by employees and the disclosure of personal information on individuals by employees, under the Privacy Act of 1974 (5 U.S.C. 552a(d)).

5. Appendix A of Part 336 is amended to read as follows:

APPENDIX A—EMPLOYEES WHO MUST FILE STATEMENTS

SPECIFIC POSITIONS

A Head, Associate Head or Assistant Head of a Division or Office of the Corporation (regardless of his specific title).

An Adviser or Assistant to the Board of Directors.

A Regional Director.
An Assistant Regional Director.
A Regional Counsel.

The purpose of these amendments is to comply with the requirements of the Privacy Act of 1974 (5 U.S.C. 552a(e) (9)) concerning the establishment of employee rules of conduct. The amendments also make structural and technical changes of Part 336 of the Corporation's rules and regulations. The amendments are authorized under paragraphs "Seventh" and "Tenth" of section 9 of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1819 "Seventh" and "Tenth").

Inasmuch as the Board of Directors has found that these amendments involve statements of only internal Corporation policy and, therefore, pursuant to § 302.6 of the rules and regulations of the Federal Deposit Insurance Corporation (12 CFR 302.6), that notice, public participation, and prior publication are unnecessary and would serve no useful purpose, the requirements of section 553 of Title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed in connection with these amendments.

By order of the Board of Directors,
October 9, 1975.

FEDERAL DEPOSIT INSURANCE CORPORATION,

[SEAL] ALAN R. MILLER,

Executive Secretary.

[FR Doc. 75-27754 Filed 10-15-75; 8:45 am]

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

[Airworthiness Docket No. 75-SW-11,
Amdt. 39-2386]

PART 39—AIRWORTHINESS DIRECTIVES
Bell Models 206A, 206B, 206A-1, and 206B-1 Helicopters

Amendment 39-2122, (40 FR 10661), AD 75-06-03, as revised by Amendment 39-2146 (40 FR 14297) required an immediate and a 100-hour repetitive inspection for possible cracks in the upper and lower clevis on each main rotor blade pitch link assembly, P/N 206-010-330 or 206-010-342, and an inspection of the outer swashplate ring horn bearings for excessive breakaway torque on Bell Models 206A, 206B, 206A-1 and 206B-1 helicopters. After issuing Amendment 39-2122, AD 75-06-03, and Amendment 39-2146, the agency was informed of satisfactory service history on the affected clevises and helicopters and Amendment 39-2350 (40 FR 41091) was issued to require only a one-time inspection of the Model 206 series helicopters.

In the preamble to Amendment 39-2350, the agency requested interested persons to submit written information and comments on the main rotor pitch link assemblies as they desired. All five letters received had comments and data that supported the adoption of Amendment 39-2350.

The agency discovered by verbal comments that paragraph 1 of AD 75-06-03 should also be deleted since it referred to increasing the repetitive inspection interval that was no longer a part of AD 75-06-03. Therefore, the AD is being further amended to delete paragraph 1. Since this amendment imposes no additional burden on any person, the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-2122 (40 FR 10661), AD 75-06-03 as amended by Amendment 39-2146 (40 FR 14297) and Amendment 39-2350 (40 FR 41091) is further amended by deleting paragraph 1.

This amendment becomes effective October 20, 1975.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Fort Worth, Texas, on October 6, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

[FR Doc. 75-27735 Filed 10-15-75; 8:45 am]

[Airworthiness Docket No. 74-WE-52-AD;
Amdt. 39-2383]

PART 39—AIRWORTHINESS DIRECTIVES
Certain AirResearch Model TPE331-1, -2, -3, -5, and -6 Series Engines

Amendment 39-2367 (40 FR 42740), AD 74-26-11, published in the FEDERAL

REGISTER on September 16, 1975, contained a typographical error in enumeration of a specific engine model number. AD 74-26-11 is being amended to correct the error.

Since this amendment corrects a typographical error and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations Amendment 39-2054 (39 FR 44439), AD 74-26-11 as amended by Amendments 39-2092 (40 FR 6771), 39-2214 (40 FR 22126), 39-2254 (40 FR 28605), and 39-2367 (40 FR 42740) is further amended by amending paragraph (2), in pertinent part, at lines 6 and 7, to read:

(2) * * * TPE331-5-251C S/N 22058 through 22119; TPE331-5-251K S/N 06443, 06455, through 06556; * * *

This amendment becomes effective October 20, 1975.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Los Angeles, Calif., on October 3, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75-27734 Filed 10-15-75; 8:45 am]

[Docket No. 75-GL-17, Amdt. 39-2384]

PART 39—AIRWORTHINESS DIRECTIVES

Enstrom F-28A Helicopters

During manufacture, some of the main rotor spindles, Part No. 28-14282 used on the Enstrom F-28A helicopters, were machined improperly. There are two separate distinct discrepancies in the machining of the spindle: (1) The internal tapered bore of the spindle was machined improperly to a constant 1.37" diameter straight bore, and, (2) The depth of the bore may have been machined too deep. Both of these conditions will reduce the fatigue life of the spindle. It should be noted that both of these deficiencies do not occur simultaneously on the same S/N helicopters. The retirement life for the spindles which contain either of the above machining deficiencies has been established as 1,000 hours total time in service. Since these spindles are common to all Enstrom helicopters of the same type design, an Airworthiness Directive is being issued to require inspection and to impose a life limit for those spindles found to be discrepant.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89)

§ 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive.

ENSTROM. Applies to Enstrom Model F-28A helicopters certificated in all categories, as indicated in the following tables:

Table I—Improper Machining of the Tapered Bore of Main Rotor Spindle P/N 28-14282. Helicopter S/N's 203, 205, 209, 210, 220, 221, 223, 224, 225, 227, 231, 232, 233, 235, 236, 237, 240 and all other helicopters which received replacement main rotor spindles between June 18, 1974 and October 1, 1974 inclusive.

Table II—Bore of Main Rotor Spindle P/N 28-14282 Machined Too Deep. Helicopter S/N's 116, 117, 160, 177, 178, 179, 184, 185, 187, 188, 189, 190, 192, 193, 194, 195, 196, 197, 198, 201, 204 and 217.

Compliance required as indicated unless already accomplished.

To detect main rotor spindles with machining deficiencies accomplish the following:

(a) Within the next 100 hours time in service after the effective date of this Airworthiness Directive, inspect all helicopters listed in Table I above for improper machining of the tapered spindle bore in accordance with the information contained in Enstrom Service Note No. 0020A dated August 11, 1975, or an equivalent procedure approved by the Chief, Engineering and Manufacturing Branch, Great Lakes Region. All spindles that have been machined with a straight internal bore shall be identified in the log book as a life limited spindle. (See paragraph (c) for retirement life of these spindles.)

(b) Within the next 100 hours time in service after the effective date of this Airworthiness Directive, inspect all helicopter main rotor spindles listed in Table II above for an excessive bore depth in accordance with the information contained in Enstrom Service Note 0021B dated August 11, 1975, or an equivalent procedure approved by the Chief, Engineering and Manufacturing Branch, Great Lakes Region. All spindles that have been machined with an improper bore depth shall be identified in the log book as life limited spindles. (See paragraph (c) for the retirement life of these spindles.)

(c) Main rotor spindles which have machining deficiencies indicated in paragraphs (a) and (b) above are considered to be life limited parts and must be replaced with a new part of the same part number no later than at 1,000 hours total time in service and the life depleted part is to be rendered in-serviceable. Spindles which are determined to be machined correctly may be returned to service and do not have a life limited imposed on them.

This amendment becomes effective October 20, 1975.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, (49 U.S.C. 1354(a), 1421, 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Des Plaines, Ill., on October 6, 1975.

JOHN M. CYROCKI,
Director, Great Lakes Region.

[FR Doc.75-27733 Filed 10-15-75; 8:45 am]

[Docket No. 15044, Amdt. 39-2392]

PART 39—AIRWORTHINESS DIRECTIVES

SIAI Marchetti S. 205 and S. 208 Airplanes

There has been a reported failure of the landing gear actuator attaching fork

on SIAI Marchetti S. 205 and S. 208 airplanes that could result in landing gear failure. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require a one-time inspection and replacement, as necessary, of the landing gear actuator fork with a newly designed fork on SIAI Marchetti S. 205 and S. 208 airplanes.

Since this situation requires immediate adoption of this regulation, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SIAI MARCHETTI. Applies to Models S. 205-18/R, -20/R, and -22/R, S/N's 001 thru 003, 101 thru 399, 4-101 thru 4-282, 4-285, 4-292, 5-302, 5-303 and 5-406; and Model S. 208, S/N's 001 thru 003, 1-03 thru 1-15, 2-16 thru 2-27, 2-47 thru 2-50, 4-51, 4-60, 4-61, 4-62, 369, 3-100, 4-231, 4-233, 4-256, 4-257, and 4-258 airplanes, certificated in all categories. Compliance is required as indicated.

To prevent possible failure of the landing gear, accomplish the following:

(a) Within the next 25 hours' time in service after the effective date of this AD, unless already accomplished, inspect the landing gear actuator attaching fork, P/N 205-6-214-15, for cracks, failure, and fork fin distance in accordance with Instructions, paragraph a., of SIAI Marchetti Service Bulletin, S.B. No. 205B40, dated April 7, 1975, or an FAA-approved equivalent.

(b) If the inspection required by paragraph (a) of this AD reveals cracks or failure of the attaching fork, or if the fork fin distance is less than the minimum specified in the service bulletin, Instructions, paragraph a. 8, before further flight, replace the landing gear actuator attaching fork, P/N 205-6-214-15, with one of new design, P/N 205-6-214-07, in accordance with Instructions, paragraph b. of SIAI Marchetti S.B. No. 205B40, or an FAA-approved equivalent.

(c) If the inspection required by paragraph (a) of this AD reveals no cracks or failures and the fork fin distance is within allowable limits, either—

(1) Reinstall the landing gear actuator fork, P/N 205-6-214-15, in accordance with Instructions, paragraph c. of SIAI Marchetti S.B. No. 205B40, or an FAA-approved equivalent; or

(2) Install a new landing gear actuator attaching fork, P/N 205-6-214-07, in accordance with Instructions, paragraph b. of SIAI Marchetti S.B. No. 205B40, or an FAA-approved equivalent.

This amendment becomes effective October 30, 1975.

Issued in Washington, D.C., on October 7, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-27732 Filed 10-15-75; 8:45 am]

[Docket No. 15045, Amdt. 39-2393]

PART 39—AIRWORTHINESS DIRECTIVES

Societe Nationale Industrielle Aerospatiale (Formerly Sud Aviation) Model SA 316B Alouette III Helicopters

It has been determined that certain main rotor transmission gear boxes (MGBs) installed on Societe Nationale Industrielle Aerospatiale (S.N.I.A.S., formerly Sud Aviation) Model SA 316B helicopters cannot safely be operated at the helicopter's certificated maximum takeoff power and maximum weight. Since this condition is likely to exist or develop on other helicopters of the same type design, an airworthiness directive is being issued to require replacement of the affected MGBs, and to restrict the maximum operating weight and takeoff power until the replacement is made on S.N.I.A.S. Model SA 316B Alouette III helicopters.

Since this situation requires immediate adoption of this regulation, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days. (Sec. 313(a), 501, 603, Federal Aviation Act of 1958, (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SOCIETE NATIONALE INDUSTRIELLE AEROSPATIALE (S.N.I.A.S., formerly SUD AVIATION). Applies to Model SA316B Alouette III helicopters, certificated in all categories, incorporating main rotor transmission gearbox (MGB), Serial Number 9,999 or lower P/N 3160S.62.00.000.10 through .12 incorporating Modification AM1212, or P/N 3160S.62.00.000.13 or .14.

Compliance is required as indicated, unless already accomplished.

To prevent possible failure of the main gearbox, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, install a temporary operating limitations placard on the instrument panel in full view of the pilot reading as follows: "Operate in accordance with the limitations specified in the Alouette III SE3160 Helicopter Flight Manual. Limitations or performance specified in Appendix 2 of that manual are not applicable to this helicopter."

(b) Within the next 450 hours' time in service after the effective date of this AD, or replace the MGB with a serviceable MGB having a part number specified in Subparagraph 1C of Alouette Service Bulletin No. 01.94 dated June 24, 1974, or an FAA-approved equivalent.

(c) After complying with paragraph (b) of this AD, the placard required by paragraph (a) may be removed.

This amendment becomes effective October 30, 1975.

Issued in Washington, D.C. on October 7, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-27731 Filed 10-15-75;8:45 am]

[Airspace Docket No. 75-GL-52]

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

Alteration of Control Zone and Transition Area

On page 34140 of the FEDERAL REGISTER dated August 14, 1975, the Federal Aviation Administration published a notice of proposed rulemaking which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Mansfield, Ohio.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendments.

No objections have been received and the proposed amendments are hereby adopted without change and are set forth below.

These amendments shall be effective 0901 G.m.t., December 4, 1975.

(Sec. 307(a), Federal Aviation Act of 1958, (49 U.S.C. 1348); Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Des Plaines, Ill., on September 30, 1975.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

1. In § 71.171 (40 FR 354), the following control zone is amended to read:

MANSFIELD, OHIO

Within a 5-mile radius of the Mansfield-Lahm Municipal Airport (latitude 40°49'17" N., longitude 82°31'00" W.); and within 2 miles each side of the Mansfield VORTAC 307° radial extending from the 5-mile radius zone to 5.5 miles NW of the airport.

92. In § 71.181 (40 FR 441), the following transition area is amended to read:

MANSFIELD, OHIO

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Mansfield-Lahm Municipal Airport (latitude 40°49'17" N., longitude 82°31'00" W.); within a 5-mile radius of Gallon Municipal Airport (latitude 40°45'15" N., longitude 82°43'30" W.); within a 5-mile radius of Shelby Community Airport (latitude 40°52'23" N., longitude 82°41'48" W.); within a 7.5-mile radius of Willard Airport (latitude 41°02'23" N., longitude 82°43'38" W.); within 7 miles each side of the Mansfield, Ohio VORTAC 307° radial extending from the 9-mile radius area to 17 miles NW of the VORTAC; and within 5 miles each side of the Mansfield VORTAC 130° radial extending from the 9-mile radius area to 22 miles SE of the VORTAC.

3. In § 71.181 (40 FR 441), the following transition areas are deleted:

Shelby, Ohio
Willard, Ohio

[FR Doc.75-27736 Filed 10-15-75;8:45 am]

[Airspace Docket No. 75-EA-57]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to alter Restricted Area R-4001 Aberdeen, Md., by subdividing it into two areas, R-4001A and R-4001B.

Alerting R-4001 will allow more effective utilization of the airspace as it will permit the using agency to temporarily return one portion to the public while retaining the other for the restricted area's designated purpose. Increased public access to the airspace will simplify routing and reduce flight distance for aircraft transiting between several adjacent general aviation airports. Depicting the restricted area in a two-part configuration may also help improve its joint use because it should prompt more pilots to ask appropriate air traffic control facilities for clearance through one portion or the other.

Since no additional airspace is involved herein, this is a minor amendment upon which the public would not be particularly interested to comment. Therefore, notice and public procedure hereon are unnecessary. Also as it is in the public interest to improve the utilization of the airspace as soon as possible, good cause exists for making this amendment effective immediately.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication of this amendment in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.40 (40 FR 677) the description of Restricted Area R-4001 Aberdeen, Md., is deleted and the following is substituted therefor:

R-4001A ABERDEEN, MD.

Boundaries. Beginning at Lat. 39°30'30"N., Long. 76°10'00"W.; to Lat. 39°29'00"N., Long. 76°08'00"W.; to Lat. 39°29'30"N., Long. 76°05'00"W.; to Lat. 39°27'00"N., Long. 76°00'30"W.; to Lat. 39°19'47"N., Long. 76°11'34"W.; to Lat. 39°17'30"N., Long. 76°12'59"W.; to Lat. 39°16'24"N., Long. 76°18'18"W.; to Lat. 39°17'13"N., Long. 76°18'49"W.; to Lat. 39°19'41"N., Long. 76°22'01"W.; to Lat. 39°22'00"N., Long. 76°22'00"W.; to Lat. 39°23'28"N., Long. 76°20'40"W.; to Lat. 39°26'10"N., Long. 76°14'50"W.; to Lat. 39°27'00"N., Long. 76°12'30"W.; to point of beginning.

Designated altitudes and time of designation.

1. Surface to unlimited, 0700 to 2400 local time.

2. Surface to 10,000 feet MSL, 0000 to 0700 local time; higher altitudes by NOTAM issued 24 hours in advance.

Controlling agency. Federal Aviation Administration, Washington ARTC Center.

Using agency. Commanding General, Aberdeen Proving Ground, Md.

R-4001B ABERDEEN, MD.

Boundaries. Beginning at Lat. 39°17'30"N., Long. 76°12'59"W.; to Lat. 39°12'10"N., Long. 76°16'30"W.; to Lat. 39°12'45"N., Long. 76°22'30"W.; to Lat. 39°17'30"N., Long. 76°19'45"W.; to Lat. 39°18'30"N., Long. 76°22'00"W.; to Lat. 39°19'41"N., Long. 76°22'01"W.; to Lat. 39°17'13"N., Long. 76°18'49"W.; to Lat. 39°16'24"N., Long. 76°18'18"W.; to point of beginning.

Designated altitudes and time of designation.

1. Surface to unlimited, 0700 to 2400 local time.

2. Surface to 10,000 feet MSL, 0000 to 0700 local time; higher altitudes by NOTAM issued 24 hours in advance.

Controlling agency. Federal Aviation Administration, Washington ARTC Center.

Using agency. Commanding General, Aberdeen Proving Ground, Md.

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

Issued in Washington, D.C., on October 7, 1975.

WILLIAM E. BROADWATER,
Chief, Airspace and Air
Traffic Rules Division.

[FR Doc. 75-27737 Filed 10-15-75; 8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-934, Amdt. 9]

PART 217—REPORTING DATA PERTAINING TO CIVIL AIRCRAFT CHARTERS PERFORMED BY FOREIGN AIR CARRIERS

Reports of One-Stop-Inclusive Tour Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 7, 1975.

By notice of proposed rulemaking EDR-281/SPDR-38/ODR-9,¹ the Board proposed adoption of a new Special Regulation (14 CFR Part 378a) establishing a new class of charter to be designated as a One-stop-inclusive Tour Charter. At the same time, the Board proposed various implementing amendments to other of its Economic Regulations, including Part 217 (14 CFR Part 217). By SPR-85, issued August 8, 1975, the Board adopted its proposal to authorize One-stop-inclusive Tour Charters. For the reasons set forth in SPR-85, the Board has now decided to adopt the proposed amendments to Part 217. Accordingly, in consideration of the foregoing, the Board hereby amends Part 217 of its Economic Regulations (14 CFR Part 217) effective September 13, 1975, as follows:

1. Amend § 217.6(b) by adding new subparagraphs (10) and (11) to read as follows:

§ 217.6 Reporting instructions.

(b) *

(10) One-stop-inclusive tour charter, as defined in Part 378a of this chapter (Board's Special Regulations).

(11) Special event charter, as defined in Part 378a of this chapter (Board's Special Regulations).

2. Amend § 217.6(g) to read as follows:

§ 217.6 Reporting instructions.

(g) Columns 4 and 5 shall reflect, respectively, the aggregate number of seats and the aggregate cargo capacity in tons

¹ Dated October 30, 1974 (Docket 27135).

contracted for on flights reported in Column 3. Column 4 on the split charter report shall reflect a breakdown of the aggregate number of seats contracted for (on flights reported in Column 3) by type of charter group. The following symbols shall be used: A-single entity; B-ordinary pro rata; C-study group; D-inclusive tour; E-overseas military personnel; F-travel group; G-one-stop-inclusive tour; and H-special event.

(Secs. 204(a) and 402 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 757; 49 U.S.C. 1324, 1372.)

NOTE: The reporting requirements contained herein have been approved by the U.S. General Accounting Office under number B-180226 (R0230).

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-27882 Filed 10-15-75; 8:45 am]

[Reg. ER-933, Amdt. 19]

PART 241—UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Reports of One-Stop-Inclusive Tour Charters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., August 7, 1975.

By notice of proposed rulemaking EDR-281/SPDR-38/ODR-9,¹ the Board proposed adoption of a new Special Regulation (14 CFR Part 378a) establishing a new class of charter to be designated as a One-stop-inclusive Tour Charter. At the same time, the Board proposed various implementing amendments to other of its Economic Regulations, including Part 241 (14 CFR Part 241). By SPR-85, issued August 8, 1975, the Board adopted its proposal to authorize One-stop-inclusive Tour Charters. For the reasons set forth in SPR-85, the Board has now decided to adopt the proposed amendments to Part 241. Accordingly, in consideration of the foregoing, the Board hereby amends Part 241 of its Economic Regulations (14 CFR Part 241) effective September 13, 1975, as follows:

1. Amend Section 25, Schedule T-6, by adding new subparagraphs (9) and (10) to paragraph (c), and by revising paragraph (1), the section as amended to read in pertinent part as follows:

Section 25—Traffic and Capacity Elements

Schedule T-6—Summary of Civil Aircraft Charters.

(c) *

(9) One-stop-inclusive tour charter, as defined in Part 378a of the Board's Special Regulations.

(10) Special event charter, as defined in Part 378a of the Board's Special Regulations.

¹ Dated October 30, 1974 (Docket 27135).

² We will also take this occasion to amend Section 25 of Part 241 to prescribe a symbol for reporting of inclusive tour split charters.

(1) Columns 4 and 5 shall reflect, respectively, the aggregate number of seats and the aggregate cargo capacity in tons contracted for on flights reported in column 3. Column 4 on the split charter report shall reflect a breakdown of the aggregate number of seats contracted for (on flights reported in column 3) by type of charter group. The following symbols shall be used: A-single entity; B-ordinary pro rata; C-study group; D-overseas military personnel; E-travel group; F-inclusive tour; G-one-stop-inclusive tour; and H-special event.

2. Amend Section 35, Schedule T-6, by adding new subparagraphs (9) and (10) to paragraph (b) and by revising paragraph (h), the section as amended to read in pertinent part as follows:

Section 35—Traffic and Capacity Elements

Schedule T-6—Summary of Civil Aircraft Charters.

(b) *

(9) One-stop-inclusive tour charter, as defined in Part 378a of the Board's Special Regulations.

(10) Special event charter, as defined in Part 378a of the Board's Special Regulations.

(h) Columns 4 and 5 shall reflect, respectively, the aggregate number of seats and the aggregate cargo capacity in tons contracted for on flights reported in column 3. Column 4 on the split charter report shall reflect a breakdown of the aggregate number of seats contracted for (on flights reported in column 3) by type of charter group. The following symbols shall be used: A-single entity; B-ordinary pro rata; C-study group; D-inclusive tour; E-overseas military personnel; F-travel group; G-one-stop-inclusive tour; and H-special event.

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

NOTE: The reporting requirements contained herein have been approved by the U.S. General Accounting Office under the number B-180226 (R0229).

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-27881 Filed 10-15-75; 8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

[Docket No. 75N-0191]

PART 522—IMPLANTATION OR INJECTABLE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Oxytetracycline Hydrochloride Injection

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (95-642V) filed by Phillips Roxane, Inc., 2621 North Belt

Highway, St. Joseph, MO 64502, proposing safe and effective use of oxytetracycline hydrochloride injection containing 100 milligrams of oxytetracycline per milliliter for treatment of pneumonia, shipping fever complex, foot rot, diphtheria, bacterial enteritis, wooden tongue, leptospirosis, anaplasmosis, acute metritis, and wound infections in beef cattle and nonlactating dairy cattle. The supplemental application is approved, effective October 16, 1975.

The Commissioner is amending § 522.1662a(b) to reflect this approval.

In accordance with § 514.11(e) (2) (ii) (21 CFR 514.11(e) (2) (ii)) of the animal drug regulations, a summary of the safety and effectiveness of data and information submitted to support the approval of this application is released publicly. The summary is available for public examination at the office of the Hearing Clerk, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, Monday through Friday from 9 a.m. to 4 p.m., except on Federal legal holidays.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), § 522.1662a is amended by revising paragraph (b) (1) to read as follows:

§ 522.1662a Oxytetracycline hydrochloride injection.

(b) (1) *Specifications.* (i) 50 milligrams of oxytetracycline (as oxytetracycline hydrochloride) in each milliliter of sterile solution for use in beef and nonlactating dairy cattle and sows; (ii) 100 milligrams of oxytetracycline (as oxytetracycline hydrochloride) in each milliliter of sterile solution for use in beef and nonlactating dairy cattle only.

Effective date. This amendment shall be effective October 16, 1975.

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

Dated: October 7, 1975.

FRED J. KINGMA,
Acting Director,
Bureau of Veterinary Medicine.

[FR Doc.75-27743 Filed 10-15-75; 8:45 am]

Title 22—Foreign Relations

CHAPTER I—DEPARTMENT OF STATE

(Dept. Reg. 108.717)

PART 6—FREEDOM OF INFORMATION POLICY AND PROCEDURES

Revised Schedule of Fees

A notice of proposed rulemaking regarding amendments to Title 22, Part 6 of the Code of Federal Regulations was published in the FEDERAL REGISTER on August 20, 1975 (40 FR 36366).

Interested persons were invited to submit written comments for consideration by September 19, 1975. Since no comments were received, the revised schedule of fees is adopted as set forth below.

It should be noted that the proposed rulemaking notice inadvertently referred to § 6.8 (a) and (b) of Title 22 of the Code of Federal Regulations whereas the correct section should be § 6.14 (a) and (b) as published in the FEDERAL REGISTER on February 19, 1975 (40 FR 7256).

(Sec. 4 of the Act of May 26, 1948, as amended (83 Stat. 11; 22 U.S.C. 2658); E.O. 11652 (37 FR 5209); 5 U.S.C. 552, as amended by Pub. L. 93-502)

Effective date. This revision is effective September 22, 1975.

Dated: October 3, 1975.

For the Secretary of State.

[SEAL] LAWRENCE S. EAGLEBURGER,
Deputy Under Secretary
for Management.

Paragraphs (a) and (b) of § 6.14 of Title 22 of the Code of Federal Regulations are revised and amended to read as follows:

§ 6.14 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this Part, except that the search fee will normally be waived when the search involves less than one-half hour of clerical time.

- | | |
|---|---------|
| (1) Search for records, per hour or fraction thereof— | |
| (i) Professional..... | \$11.00 |
| (ii) Clerical..... | 6.00 |
| (2) Computer service charges per second for actual use of the computer central processing unit..... | .25 |
| (3) Copies made by photostat or otherwise (per page); maximum of 5 copies will be provided..... | .10 |
| (4) Certification of each record as a true copy..... | 1.00 |
| (5) Certification of each record as a true copy under official seal..... | 1.50 |
| (6) Duplication of architectural photographs and drawings..... | 2.00 |

(b) If records requested under this Part are stored elsewhere than the headquarters of the Department of State at 2201 C Street, NW., Washington, D.C., the special costs of returning such records to the headquarters shall be included in the search costs. These costs will be computed at the actual cost of transportation of either a person or the requested record between the place where the record is stored and Departmental headquarters when, for time or other reasons, it is not feasible to rely on Government mail service or diplomatic pouch. The most economical means of transportation available and consistent with the purpose of incurring special costs shall be utilized. Such costs will also include the cost of any telegrams sent to the Department's overseas establishments to facilitate timely identification, location, and assembly of records requested. Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Department determines that a record which has been requested, but which

is exempt from disclosure under this Part, is to be withheld.

[FR Doc.75-27793 Filed 10-15-75; 8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-714]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

● *Purpose:* The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128). ●

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186-93). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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 new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
California	Kern	Wasco, city of	October 2, 1975, emergency	May 17, 1974 Feb. 7, 1975 May 24, 1974		
Colorado	Costilla	San Luis, town of	do			
Florida	Columbia	Lake City, city of	do			
Georgia	Columbia	Unincorporated areas	do			
Indiana	Whitley	South Whitley, town of	do	Dec. 21, 1973		
Iowa	Winnebago	Leland, city of	do			
Do	Shelby	Panama, city of	do	Dec. 20, 1974		
Do	Sac	Sac City, city of	do	Dec. 28, 1973		
Kansas	Brown	Robinson, city of	do	Nov. 29, 1974		
Kentucky	Cumberland	Burkesville, city of	do	Feb. 15, 1974		
Michigan	Alpena	Alpena, township of	do	Jan. 31, 1975		
Do	Monroe	Milan, township of	do	May 24, 1974		
Minnesota	Itasca	Bigfork, city of	do	Sept. 13, 1974		
Missouri	Boone	Rocheport, city of	do	Oct. 25, 1974		
New Jersey	Warren	Alpha, borough of	do			
New York	Erie	Eden, town of	do	Sept. 30, 1974		
Do	Chautauque	Ellery, town of	do			
Do	Seneca	Payette, town of	do	Sept. 20, 1974		
Do	Schuyler	Tyrene, town of	do	Sept. 6, 1974		
North Dakota	Steele	Hope, city of	do	Feb. 14, 1975		
Ohio	Van Wert	Convoy, village of	do	May 31, 1974		
Do	Champaign	Mechanicsburg, village of	do	Feb. 1, 1974		
Oklahoma	Cleveland	Noble, town of	do	Aug. 30, 1974		
South Carolina	Florence	Scranton, town of	do	May 24, 1974		
Utah	Weber	North Ogden, city of	do			
Vermont	Orleans	Craftsboro, town of	do	Sept. 13, 1974		
Do	Grand Isle	Isle La Motte, town of	do	Nov. 1, 1974		
Do	Orange	Orange, town of	do	Jan. 31, 1975		
West Virginia	Morgan	Paw Paw, town of	do	Nov. 15, 1974		
Wyoming	Converse	Douglas, town of	do	Nov. 1, 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 (42 U.S.C. 4001-4128); and Secretary's delegation of authority to Federal Insurance Administrator

(34 FR 2680, Feb. 27, 1969) as amended (39 FR 2787, Jan. 24, 1974).

Issued: September 25, 1975.

RICHARD W. KRIMM,
Acting Federal Insurance Administrator.

[FR Doc. 75-27484 Filed 10-15-75; 8:45 am]

[Docket No. FI-715]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

• **Purpose:** The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards. •

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction pur-

poses in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to January 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

The effective date of identification shall be November 17, 1975, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity

for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin on November 17, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin on November 17, 1975, or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked effective date of identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Coffee	Enterprise, city of	H 010045A 01 through H 010045A 04	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Mayor, P.O. Box 1160, Enterprise, Ala. 36329.	July 26, 1974.
Arkansas	Ashley	Hamburg, city of	H 050005A 01	Division of Soil and Water Resources, State Department of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	City Attorney, City Hall, Hamburg, Ark. 71646.	May 17, 1974. Oct. 10, 1975.
Do.	do	Portland, city of	H 050008A 01	do	Mayor, City Hall, Portland, Ark. 71663.	Mar. 29, 1974.
Do.	Benton	Sulphur Springs, city of	H 050015A 01	do	Mayor, City Hall, Sulphur Springs, Ark. 72768.	Aug. 23, 1974. Oct. 10, 1975.
Do.	Bradley	Warren, city of	H 050022A 01 through H 050022A 02	do	Mayor, Town Hall, Warren, Ark. 71671.	June 10, 1974. Oct. 10, 1975.
Do.	Calhoun	Hampton, city of	H 050023A 01	do	Mayor, City Hall, Hampton, Ark. 71744.	June 21, 1974.
Do.	Chicot	Eudora, city of	H 050037A 01 through H 050037A 02	do	Mayor, City Hall, Eudora, Ark. 71649.	Mar. 1, 1974. Oct. 10, 1975.
Do.	Cleveland	Rison, city of	H 050040A 01	do	Mayor, City Hall, Rison, Ark. 71665.	Mar. 8, 1974.
Do.	Craighead	Lake City, town of	H 050049A 01	do	Mayor, Town Hall, Lake City, Ark. 72437.	May 24, 1974. Oct. 10, 1975.
Do.	Dallas	Carthage, city of	H 050062A 01 through H 050062A 02	do	Mayor, City Hall, Carthage, Ark. 71725.	Mar. 8, 1974. Oct. 10, 1975.
Do.	Drew	Winchester, town of	H 050077A 01	do	Mayor, Town Hall, Winchester, Ark. 71677.	Aug. 30, 1974. Oct. 10, 1975.
Do.	Jefferson	Sherrell, town of	H 050110A 01	do	Mayor, Town of Sherrell, Town Hall, Sherrell, Ark. 72152.	Aug. 30, 1974. Oct. 10, 1975.
Do.	Johnson	Lamar, city of	H 050113A 01	do	Mayor, City Hall, Lamar, Ark. 72416.	Apr. 5, 1974. Oct. 10, 1975.
Do.	Lafayette	Buckner, city of	H 050115A 01	do	Mayor, City Hall, Buckner, Ark. 71827.	Oct. 25, 1974.
Do.	Lawrence	Black Rock, city of	H 050118A 01	do	Mayor, City Hall, Black Rock, Ark. 72415.	Apr. 12, 1974. Oct. 10, 1975.
Do.	do	Imboden, town of	H 050120A 01	do	Mayor, Town Hall, Imboden, Ark. 72434.	May 3, 1974. Oct. 10, 1975.
Do.	Logan	Paris, city of	H 050132A 01 through H 050132A 03	do	Mayor, City of Paris, City Hall, Paris, Ark. 72855.	May 31, 1974. Oct. 10, 1975.
Do.	Marion	Flippin, city of	H 050135A 01	do	Mayor, City Hall, Flippin, Ark. 72634.	June 7, 1974.
Do.	do	Yellville, city of	H 050136A 01	do	Mayor, City Hall, Yellville, Ark. 72657.	Nov. 30, 1973. Oct. 10, 1975.
Do.	Miller	Texarkana, city of	H 050137A 01 through H 050137A 03	do	Mayor, City Hall, Texarkana, Ark. 75301.	May 24, 1974. Oct. 10, 1975.
Do.	Monroe	Brinkley, city of	H 050155A 01 through H 050155A 02	do	Mayor, City Hall, Brinkley, Ark. 72021.	May 10, 1974. Oct. 10, 1975.
Do.	Poinsett	Harrisburg, city of	H 050173A 01	do	Mayor, City Hall, Harrisburg, Ark. 72432.	May 10, 1974. Oct. 10, 1975.
Do.	do	Marked Tree, city of	H 050175A 01	do	Mayor, City Hall, Marked Tree, Ark. 72365.	Oct. 26, 1973. Oct. 10, 1975.
Do.	St. Francis	Caldwell, town of	H 050185A 01	do	Mayor, Town Hall, Caldwell, Ark. 72322.	Nov. 1, 1974. Oct. 10, 1975.
Do.	White	McRae, city of	H 050228A 01	do	Mayor, City Hall, McRae, Ark. 72102.	Mar. 8, 1974. Oct. 10, 1975.
California	Columbia	Williams, city of	H 060024A 01	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 600 South Commonwealth Ave., Los Angeles, Calif. 90005.	Mayor, City Hall, 810 E St., Williams, Calif. 95987.	Mar. 20, 1974. Oct. 10, 1975.
Do.	Los Angeles	La Mirada, city of	H 060131A 01 through H 060131A 03	do	Mayor, 13700 La Mirada Blvd., La Mirada, Calif. 90638.	June 28, 1974. Oct. 10, 1975.
Do.	Marin	Mill Valley, city of	H 060177A 01 through H 060177A 04	do	Director of Public Works, P.O. Box 31, Mill Valley, Calif. 94041.	June 7, 1974. Oct. 10, 1975.
Do.	Placer	Auburn, city of	H 060240A 01 through H 060240A 03	do	Mayor, City Hall, 1103 High St., Auburn, Calif. 95603.	May 31, 1974.
Do.	do	Lincoln, city of	H 060241A 01	do	Mayor, City of Lincoln, 517 G St., Lincoln, Calif. 95648.	May 24, 1975. Oct. 10, 1975.
Do.	San Mateo	Brisbane, city of	H 060314A 01 through H 060314A 03	do	Mayor, City Hall, 44 Visitation Ave., Brisbane, Calif. 94005.	May 24, 1974.
Do.	Siskiyou	Dunsmuir, city of	H 060363A 01 through H 060363A 02	do	Mayor, Cedar St. and Dunsmuir Ave., Dunsmuir, Calif. 96025.	May 24, 1974. Oct. 10, 1975.
Do.	Tulare	Lindsay, city of	H 060406A 01 through H 060406A 02	do	Mayor, City Hall, 251 Honolulu St., Lindsay, Calif. 93247.	Mar. 1, 1974. Oct. 10, 1975.
Do.	Tuolumne	Sonora, city of	H 060412A 01	do	Mayor, City Hall, 94 North Washington St., Sonora, Calif. 95370.	May 31, 1974. Oct. 10, 1975.
Do.	El Dorado	South Lake Tahoe, city of	H 060509A 01 through H 060509A 05	do	Mayor, City Hall, 1275 Meadow Crest Rd., South Lake Tahoe, Calif. 96705.	July 19, 1974. Oct. 10, 1975.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
District of Columbia			H 110001A 01 through H 110001A 23	District of Columbia Insurance Department, North Potomac Bldg., Room 512, 614 H St. NW., Washington, D.C. 20001.	Mayor, Room 520, District Bldg., 14th and E Sts. NW., Washington, D.C. 20004.	Nov. 1, 1974. Oct. 10, 1975.
Illinois	Champaign	Sidney, village of.	H 170033A 01	Governor's Task Force on Flood Control, 300 North State St., Room 1010, P.O. Box 475, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Village President, Village Hall, Sidney, Ill. 61877.	Jan. 16, 1974. Oct. 10, 1975.
Do.	Cook	Indian Head Park, village of.	H 170110A 01	do	Village President, 201 Acalia Dr., Indian Head Park, Ill. No ZIP.	Apr. 5, 1974. Oct. 10, 1975.
Do.	do	La Grange Park, village of.	H 170115A 01 through H 170115A 02	do	Village President, 447 North Catherine Ave., La Grange Park, Ill. 60525.	June 28, 1974. Oct. 10, 1975.
Do.	Iroquois	Cissna Park, village of.	H 170289A 01	do	Mayor, Box 101, Cissna Park, Ill. 60924.	Feb. 22, 1974. Oct. 10, 1975.
Do.	Lake	Winthrop Harbor, village of.	H 170308A 01 through H 170308A 02	do	Mayor, 830 Sheridan Rd., Winthrop Harbor, Ill. 60096.	Mar. 8, 1974. Oct. 10, 1975.
Do.	Perry	Pinckneyville, city of.	H 170540A 01 through H 170540A 02	do	Mayor, 110-114 South Walnut, Pinckneyville, Ill. 62274.	Mar. 22, 1974. Oct. 10, 1975.
Do.	do	Woodland, village of.	H 170819A 01	do	Mayor, Box 103, Woodland, Ill. 60974.	Mar. 21, 1975. Oct. 10, 1975.
Indiana	Johnson	Edinburg, town of.	H 180113A 01	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	Town Board, President, Town Hall, Edinburg, Ind. 46124.	Feb. 1, 1974. Oct. 10, 1975.
Do.	Madison	Ingalls, town of.	H 180155A 01 through H 180155A 02	do	Town Board President, Ingalls, Ind. 46048.	May 17, 1974.
Kansas	Johnson	Prairie Village, city of.	H 200175A 01 through H 200175A 02	Division of Water Resources, Kansas Department of Agriculture, 1720 South Topeka Ave., Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	Mayor, City Hall, 7700 Mission Rd., Prairie Village, Kans. 66208.	June 14, 1974. Oct. 10, 1975.
Do.	Meade	Meade, city of.	H 200219A 01	do	City Superintendent, 132 South Fowler St., Meade, Kans. 67864.	Feb. 1, 1974. Oct. 10, 1975.
Do.	Ness	Ness City, city of.	H 200344A 01	do	Mayor, City Bldg., Ness City, Kans. 67560.	Mar. 22, 1974. Oct. 10, 1975.
Do.	Osborne	Osborne, city of.	H 200355A 01	do	Mayor, City Hall, Osborne, Kans. 67473.	Mar. 15, 1974.
Do.	Phillips	Phillipsburg, city of.	H 200367A 01	do	Mayor, City Hall, 425 E St., Phillipsburg, Kans. 67061.	June 28, 1974. Oct. 10, 1975.
Do.	Rush	La Crosse, city of.	H 200308A 01	do	Mayor, City Hall, La Crosse, Kans. 67548.	Feb. 22, 1974. Oct. 10, 1975.
Louisiana	Calcasieu Parish	Iowa, town of.	H 220039A 01	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Physical Planner, Imperial-Calcasieu Regional Planning Commission, Town of Iowa, Lake Charles, La. 70601.	May 24, 1974. Oct. 10, 1975.
Maine	Aroostook	Limestone, town of.	H 230023A 01 through H 230023A 12	Office of Civil Emergency Preparedness, State House, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Town Manager, 27 Church St., Limestone, Maine 04750.	June 7, 1974. Oct. 10, 1975.
Do.	Somerset	Skowhegan, town of.	H 230128A 01 through H 230128A 19	do	Administrative Assistant, Municipal Bldg., Skowhegan, Maine 04976.	Oct. 18, 1974.
Do.	York	Kennebunk, town of.	H 230151A 01 through H 230151A 15	do	Chairman, Board of Selectmen, 1 Summer St., Kennebunk, Maine 04043.	June 28, 1974. Oct. 10, 1974.
Michigan	Hillsdale	Litchfield, city of.	H 260409A 01	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Hooper St., Lansing, Mich. 48913.	Acting Manager, City Hall, Litchfield, Mich. 49252.	July 11, 1975. Oct. 10, 1975.
Minnesota	Carl	East Gull Lake, city of.	H 270059A 01 through H 270059A 04	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, City of East Gull Lake, Route 10, Brainerd, Minn. 56401.	Dec. 20, 1974. Oct. 10, 1975.
Do.	Ramsey	Shoreview, city of.	H 270384A 01 through H 270384A 05	do	City Manager, 4665 North Victoria, Shoreview, Minn. 55112.	June 14, 1974. Oct. 10, 1975.
Missouri	Buchanan	St. Joseph, city of.	H 290043A 01 through H 290043A 14	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 308 East High St., Jefferson City, Mo. 65101. Division of Insurance, P.O. Box 660, Jefferson City, Mo. 65101.	Mayor, City Hall, Room 208, 11th and St. Joseph, Mo. No ZIP.	June 7, 1974. Oct. 10, 1975.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	Warren	Marthasville, village of.	H 290444A 01	do.	Executive Director, Regional Planning, Village of Marthasville, 1205 East Old Highway, P.O. Box 343, Warrenton, Mo. 63383.	Sept. 13, 1974.
Nebraska	Butler	Bruno, village of.	H 3100271 01	Nebraska Natural Resources Commission, 7th Floor, Terminal Bldg., Lincoln, Nebr. 68508.	Village Attorney for Village of Bruno, P.O. Box 46, Sabata Bldg., David City, Nebr. 68632.	Nov. 22, 1974. Oct. 10, 1975.
Do.	Hall	Doniphan, village of.	H 310102A 01	do.	Chairman, Board of Trustees, Village Hall, Doniphan, Nebr. 68832.	Jan. 24, 1975.
Do.	Keith	Ogallala, city of.	H 310129A 01 through H 310129A 04	do.	City Manager, 410 East 2d St., Ogallala, Nebr. 69153.	May 31, 1974.
New York	Broome	Binghamton, town of.	H 360039A 01 through H 360039A 08	New York State Department of Environmental Conservation, Division of Resources, Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 2 World Trade Center, New York, N.Y. 10047.	Town Supervisors, Town of Binghamton, Carmen Rd., Rural Delivery No. 2, Binghamton, N.Y. 13903.	June 7, 1974. Oct. 10, 1975.
Do.	Broome	Maine, town of.	H 360051A 01 through H 360051A 05	do.	Town Supervisor, Town of Maine, Box 120, Main Rd., Endicott, N.Y. 13760.	May 17, 1974. Oct. 10, 1975.
Do.	Cayuga	Springport, town of.	H 360125A 01 through H 360125A 08	do.	Town Supervisor, Town of Springport, Rural Delivery No. 1, Union Springs, N.Y. 13150.	May 17, 1974. Oct. 10, 1975.
Do.	Tioga	Newark Valley, town of.	H 360835A 01 through H 360835A 04	do.	Town Supervisors, 9 Franklin Ave., Newark Valley, N.Y. 13811.	Feb. 22, 1974. Oct. 10, 1975.
Do.	Warren	Glens Falls, city of.	H 360872A 01 through H 360872A 03	do.	Mayor, 42 Ridge St., Glens Falls, N.Y. 12081.	May 31, 1974.
Do.	Cattaraugus	Allegany, village of.	H 360967A 01	do.	Mayor, Town Hall, Box 185, Allegany, N.Y. 14706.	Nov. 9, 1973. Oct. 10, 1975.
Do.	Wayne	Walworth, town of.	H 361228A 01 through H 361228A 09	do.	Town Supervisor, Sherburn Rd., Walworth, N.Y. 14568.	Dec. 13, 1974. Oct. 10, 1975.
Do.	Tioga	Spencer, village of.	H 361471A 01 through H 361471A 02	do.	Mayor, 55 Owego St., Spencer, N.Y. 14883.	Nov. 15, 1974.
Ohio	Cuyahoga	Warrensville Heights, city of.	H 390135A 01 through H 390135A 03	Ohio Department of Natural Resources, Fountain Sq., Flood Insurance Coordination Bldg., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	Mayor, 4301 Warrensville Center, Warrensville Heights, Ohio. No ZIP.	Mar. 15, 1974. Oct. 10, 1975.
Oklahoma	Noble	Red Rock, city of.	H 400135A 01	Oklahoma Water Resources Board, 5th Floor, Jim Thorpe Bldg., Oklahoma City, Okla. 73105. Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, City Hall, Red Rock, Okla. 74601.	Nov. 20, 1974. Oct. 10, 1975.
Pennsylvania	Bradford	Troy, borough of.	H 420179A 01 through H 420179A 03	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Borough Manager, 110 Elmira St., Box 350, Troy, Pa. 16947.	May 10, 1974. Oct. 10, 1975.
Do.	Fayette	Uniontown, city of.	H 420466A 01 through H 420466A 04	do.	Mayor, Gallatin National Bank Bldg., Uniontown, Pa. 15401.	June 14, 1974. Oct. 10, 1975.
Do.	Indiana	Plumville, borough of.	H 420504A 01	do.	Borough Council President, Plumville, Pa. 16346.	Aug. 9, 1974.
Do.	Jefferson	Sykesville, borough of.	H 420515A 01 through H 420515A 03	do.	Borough President, 29 East Main, Sykesville, Pa. 17044.	Apr. 12, 1974. Oct. 10, 1975.
Do.	Lycoming	Watson, township of.	H 420661A 01 through H 420661A 07	do.	Board of Supervisors, Township of Watson, Jersey Shore, Pa. 17740.	Aug. 9, 1974. Oct. 10, 1975.
Do.	Mifflin	Lewistown, borough of.	H 420687A 01 through H 420687A 02	do.	Mayor, 2 East 3rd St., Lewistown, Pa. 17044.	July 20, 1973. Oct. 10, 1975.
Do.	Snyder	Beavertown, borough of.	H 420803A 01	do.	Mayor, Beavertown, Pa. 17813.	May 31, 1974. Oct. 10, 1975.
Do.	Centre	Boggs, township of.	H 421193A 01 through H 421193A 07	do.	Township Supervisors, Chairman, Township of Boggs, Rural Delivery No. 2, Howard, Pa. 16841.	Sept. 13, 1974. Oct. 10, 1975.
Do.	Bradford	Ulster, township of.	H 421218A 01 through H 421218A 03	do.	Township Supervisors, Chairman, Rural Delivery No. 2, Ulster, Pa. 18850.	Sept. 20, 1974. Oct. 10, 1975.
Do.	Crawford	Troy, township of.	H 421572A 01 through H 421572A 04	do.	Township Supervisors, Township of Troy, Rural Delivery No. 4, Titusville, Pa. 16354.	Nov. 1, 1974. Oct. 10, 1975.
Do.	Wyoming	Noxen, township of.	H 422305A 01 through H 422305A 08	do.	Township Supervisors, Chairman, Rural Delivery Box 99, Noxen, Pa. 16836.	Nov. 23, 1974. Oct. 10, 1975.
Do.	Cambria	Edensburg, borough of.	H 422360A 01 through H 422360A 02	do.	Borough Council, President, 300 West High St., Edensburg, Pa. 16831.	Nov. 22, 1974. Oct. 10, 1975.
South Carolina	Beaufort	Fort Royal, town of.	H 450028A 01 through H 450028A 03	South Carolina Water Resources Commission, P.O. Box 4515, Columbia, S.C. 29240. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, P.O. Drawer 8, Port Royal, S.C. 29935.	June 14, 1974. Oct. 10, 1975.
Do.	Horry	Atlantic Beach, town of.	H 450222A 01	do.	Mayor, 301 30th Ave. South, Atlantic Beach, S.C. 29582.	Aug. 23, 1974.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
South Dakota	Faulk	Faulkton, city of	H 460175A 01	State Planning Bureau, Office of Executive Management, State Capitol Bldg., Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	City Auditor, City Hall, Faulkton, S. Dak. 57435.	Feb. 21, 1975. Oct. 10, 1975.
Utah	Garfield	Hatch, town of	H 49008A 01	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Town President, Town Hall, Hatch, Utah 84735.	Feb. 7, 1975. Oct. 10, 1975.
Virginia	Craig	New Castle, town of	H 510226A 01	Bureau of Water Control Management, State Control Board, P.O. Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Rianton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Mayor, New Castle, Va. 24127	Aug. 9, 1974.
Washington	Adams	Washueena, town of	H 530006A 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Mayor, Town Hall, Washueena, Wash. 98371.	Dec. 27, 1974. Oct. 10, 1975.
West Virginia	Jefferson	Ranson, city of	H 540068B 01 through H 540068B 02	Office of Federal-State Relations, Division of Planning and Development, Capitol Bldg., Room 150, Charleston, W. Va. 25305. Mr. Donald W. Brown, Insurance Commissioner, 1800 Washington St., Building No. 3, Room 643, Charleston, W. Va. 25305.	Mayor, City Hall, Ranson, W. Va. 25438.	May 3, 1974. Apr. 25, 1975.
Do.	Kanawha	Glasgow, town of	H 540078A 01	do.	Mayor, Town Hall, Glasgow, W. Va. 25066.	Mar. 8, 1974. Oct. 10, 1975.
Wisconsin	Columbia	Wyocena, village of	H 550066A 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Village President, Wyocena, Wis. 53969.	Apr. 12, 1974. Oct. 10, 1975.
Do.	Dodge	Beaver Dam, city of	H 550095A 01 through H 550095A 02	do.	Mayor, City Hall, Beaver Dam, Wis. 53916.	Dec. 17, 1973.
Do.	Fond Du Lac	Fairwater, village of	H 550135A 01	do.	Village President, Box F, Fairwater, Wis. 53931.	Nov. 8, 1974. Oct. 10, 1975.
Do.	Green Lake	Markesan, city of	H 550169A 01	do.	Mayor, Box 352, Markesan, Wis. 53946.	May 10, 1974. Oct. 10, 1975.
Do.	Polk	St. Croix Falls, city of	H 550337A 01 through H 550337A 02	do.	Mayor, City Office, St. Croix Falls, Wis. 54024.	May 24, 1974.
Do.	Racine	Rochester, village of	H 550352A 01	do.	Village President, Box 52, Rochester, Wis. 53167.	Jan. 9, 1974.
Wyoming	Weston	Newcastle, city of	H 560031A 01	Wyoming Disaster and Civil Defense Agency, P.O. Box 1700, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	City Engineer for Newcastle, Plains Engineering, P.O. Box 727, Newcastle, Wyo. 82701.	Aug. 30, 1974. Oct. 10, 1975.

(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 (42 U.S.C. 4001-4128); and Secre-

tary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: September 25, 1975.

RICHARD W. KRIMM,
Acting Federal Insurance Administrator.

[FR Doc.75-27485 Filed 10-15-75; 8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY SUBCHAPTER A—INCOME TAX

[T.D. 7378]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Determination of Sources of Income; Income Derived by a Foreign Central Bank of Issue From Obligations of the United States or From Bank Deposits States or From Bank Deposits; Correction

On October 2, 1975, T.D. 7378 was published in the FEDERAL REGISTER (40 FR 45427). The corrections listed below are made to the Income Tax Regulations (26 CFR Part 1), as prescribed by T.D. 7378:

(1) In § 1.861-2(d), line 14 (page 45432), the word "within" should be changed to read "without".

(2) In § 1.861-3(a)(3), line 23 (page 45432), the word "groups" should be changed to read "gross".

(3) In § 1.861-3(a)(3), line 27 (page 45432), the language "by such corporation" should be inserted between the word "conduct" and the word "of".

(4) In § 1.861-4(a)(4) line 17 (page 45434), the language reading "§ 274-5" should be changed to read "§ 1.274-5".

(5) In § 1.862-1 (page 45434), delete the flush material following paragraph (a) (1) (vi).

(6) In § 1.895-1(e), line 2 (page 45435), the language "and (E)," should be inserted between "(A)" and the word "and."

ROBERT A. BLEY,
Acting Director, Legislation
and Regulations Division.

[FR Doc.75-27727 Filed 10-15-75; 8:45 am]

[T.D. 7383]

PART 11—TEMPORARY INCOME TAX REGULATIONS UNDER THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Nonbank Trustees of Pension and Profit-Sharing Trusts Benefiting Owner-Employees

The following temporary regulations relate to the amendment made to the Internal Revenue Code of 1954 by section 1022(c) of the Employee Retirement Income Security Act of 1974 (Pub. L. 93-406, 88 Stat. 939) (hereinafter called the "Act"), relating to pension and profit-sharing trusts benefiting owner-employees.

Section 1022(c) of the Act permits a person who is not a bank to be the trustee of a qualified pension or profit-sharing trust benefiting owner-employees if

he demonstrates to the satisfaction of the Commissioner that he will administer the trust in a manner consistent with the law. Such a demonstration must be made by filing a written application. In general, the applicant must demonstrate his ability to act within the accepted rules of fiduciary conduct, experience and competence with respect to accounting for the interests of a large number of individuals, and familiarity with other activities normally associated with the handling of retirement funds. Thus, the applicant must be prepared to comply with specified rules of fiduciary conduct. In addition, he must possess such attributes as continuity, permanent location, financial responsibility, and fiduciary experience. For a plan in existence on January 1, 1974, section 1022(c) of the Act shall apply to the first plan year commencing after December 31, 1975, and all subsequent plan years.

ADOPTION OF REGULATIONS

To prescribe temporary regulations relating to the amendment of the Internal Revenue Code of 1954 by section 1022(c) of the Employee Retirement Income Security Act of 1974 which shall remain in effect until superseded by permanent regulations, the following regulations are hereby adopted:

§ 1.401(d)(1)-1 Nonbank trustees of trusts benefiting owner-employees.

(a) *Effective dates.*—(1) *General rule.* For a plan not in existence on January 1, 1974, this section shall apply to the first plan year commencing after September 2, 1974, and all subsequent plan years.

(2) *Existing plans.* For a plan in existence on January 1, 1974, this section shall apply to the first plan year commencing after December 31, 1975, and all subsequent plan years.

(b) *In general.* For plan years to which this section applies, the trustee of a trust described in § 1.401-12(c)(1)(i) may (notwithstanding § 1.401-12(c)) be a person other than a bank (within the meaning of section 401(d)(1)) if he demonstrates to the satisfaction of the Commissioner that the manner in which he will administer trusts will be consistent with the requirements of section 401. Such demonstration must be made by a written application to the Commissioner of Internal Revenue, Attention: E:EP, Internal Revenue Service, Washington, D.C. 20224. Such application must meet the requirements set forth in paragraphs (c) to (g) of this section.

(c) *Fiduciary ability.* The applicant must demonstrate in detail his ability to act within the accepted rules of fiduciary conduct. Such demonstration must include the following elements of proof:

(i) *Continuity.* (1) The applicant must assure the uninterrupted performance of its fiduciary duties notwithstanding the death or change of its owners. Thus, for example, there must be sufficient diversity in the ownership of the applicant to ensure that the death or change of its owners will not interrupt

the conduct of its business. Therefore, the applicant cannot be an individual.

(ii) *Sufficient diversity in the ownership of an incorporated applicant means that individuals each of whom owns more than 20 percent of the voting stock in the applicant own, in the aggregate, no more than 50 percent of such stock.*

(iii) *Sufficient diversity in the ownership of an applicant which is a partnership means that—*

(A) *Individuals each of whom owns more than 20 percent of the profits interest in the partnership own, in the aggregate, no more than 50 percent of such profits interest, and*

(B) *Individuals each of whom owns more than 20 percent of the capital interest in the partnership own, in the aggregate, no more than 50 percent of such capital interest.*

(iv) *For purposes of this subparagraph, the ownership of stock and of capital and profits interests shall be determined in accordance with the rules for constructive ownership of stock provided in section 1563(e) and (f)(2). For this purpose, the rules for constructive ownership of stock provided in section 1563(e) and (f)(2) shall apply to a capital or profits interest in a partnership as if it were a stock interest.*

(2) *Established location.* The applicant must have an established place of business in the United States where he is accessible during every business day.

(3) *Fiduciary experience.* The applicant must have fiduciary experience or expertise sufficient to ensure that he will be able to perform his fiduciary duties. Evidence of fiduciary experience must include proof that a significant part of the business of the applicant consists of exercising fiduciary powers similar to those he will exercise if his application is approved. Evidence of fiduciary expertise must include proof that the applicant employs personnel experienced in the administration of fiduciary powers similar to those he will exercise if his application is approved.

(4) *Fiduciary responsibility.* The applicant must assure compliance with the rules of fiduciary conduct set out in paragraph (f) of this section.

(5) *Financial responsibility.* The applicant must exhibit a high degree of solvency commensurate with the obligations imposed by this section. Among the factors to be taken into account are the applicant's net worth, his liquidity, and his ability to pay his debts as they come due.

(d) *Capacity to account.* The applicant must demonstrate in detail his experience and competence with respect to accounting for the interests of a large number of individuals (including calculating and allocating income earned and paying out distributions to payees). Examples of accounting for the interests of a large number of individuals include accounting for the interests of a large number of shareholders in a regulated investment company and accounting for the interests of a large number of variable annuity contract holders.

(e) *Fitness to handle funds.*—(1) *In general.* The applicant must demonstrate in detail his experience and competence with respect to other activities normally associated with the handling of retirement funds.

(2) *Examples.* Examples of activities normally associated with the handling of retirement funds include:

(i) To receive, issue receipts for, and safely keep securities;

(ii) To collect income;

(iii) To execute such ownership certificates, to keep such records, make such returns, and render such statements as are required for Federal tax purposes;

(iv) To give proper notification regarding all collections;

(v) To collect matured or called principal and properly report all such collections;

(vi) To exchange temporary for definitive securities;

(vii) To give proper notification of calls, subscription rights, defaults in principal or interest, and the formation of protective committees;

(viii) To buy, sell, receive, or deliver securities on specific directions.

(f) *Rules of fiduciary conduct.*—(1) *Administration of fiduciary powers.* The applicant must demonstrate that under applicable regulatory requirements, corporate or other governing instruments, or its established operating procedures:

(i) (A) The owners or directors of the applicant will be responsible for the proper exercise of fiduciary powers by the applicant. Thus, all matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all employees utilized by the applicant in the exercise of his fiduciary powers, will be the responsibility of the owners or directors. In discharging this responsibility, the owners or directors may assign to designated employees, by action duly recorded, the administration of such of the applicant's fiduciary powers as may be proper to assign.

(B) A written record will be made of the acceptance and of the relinquishment or closing out of all fiduciary accounts, and of the assets held for each account.

(C) At least once during each period of 12 months all the assets held in or for each fiduciary account where the applicant has investment responsibilities will be reviewed to determine the advisability of retaining or disposing of such assets.

(ii) All employees taking part in the performance of the applicant's fiduciary duties will be adequately bonded. Nothing in this subdivision shall require any person to be bonded in contravention of section 412(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1112(d)).

(iii) The applicant will designate, employ, or retain legal counsel who will be readily available to pass upon fiduciary matters and to advise the applicant.

(iv) In order to segregate the performance of his fiduciary duties from other business activities, the applicant will maintain a separate trust division under the immediate supervision of an individual designated for that purpose. The trust division may utilize the personnel and facilities of other divisions of the applicant, and other divisions of the applicant may utilize the personnel and facilities of the trust division, as long as the separate identity of the trust division is preserved.

(2) *Adequacy of net worth.* (i) Not less frequently than once during each calendar year the applicant will determine the value of the assets held by him in trust. Such assets will be valued at their current value, except that the assets of an employee benefit plan to which section 103(b)(3)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023(b)(3)(A)) applies will be considered to have the value stated in the most recent annual report of the plan.

(ii) No fiduciary account will be accepted by the applicant unless his net worth (determined as of the end of the most recent taxable year) exceeds the greater of—

(A) \$100,000, or

(B) Four percent of the value of all of the assets held by the applicant in trust (determined as of the most recent valuation date).

(iii) The applicant will take whatever lawful steps are necessary (including the relinquishment of fiduciary accounts) to ensure that his net worth (determined as of the close of each taxable year) exceeds the greater of—

(A) \$50,000, or

(B) Two percent of the value of all of the assets held by the applicant in trust (determined as of the most recent valuation date).

(3) *Audits.* (i) The applicant will at least once during each period of 12 months cause detailed audits of the fiduciary books and records to be made by an independent qualified public accountant, and at such time will ascertain whether the fiduciary accounts have been administered in accordance with law, this section, and sound fiduciary principles. Such audits shall be conducted in accordance with generally accepted auditing standards, and shall involve such tests of the fiduciary books and records of the applicant as are considered necessary by the independent qualified public accountant.

(ii) In the case of an applicant who is regulated, supervised, and subject to periodic examination by a State or Federal agency, such applicant may adopt an adequate continuous audit system in lieu of the periodic audits required by paragraph (f)(3)(i) of this section.

(iii) A report of the audits and examinations required under this subparagraph, together with the action taken thereon, will be noted in the fiduciary records of the applicant.

(4) *Funds awaiting investment or distribution.* Funds held in a fiduciary capacity by the applicant awaiting investment or distribution will not be held un-

invested or undistributed any longer than is reasonable for the proper management of the account.

(5) *Custody of investments.* (i) Except for investments pooled in a common investment fund in accordance with the provisions of paragraph (f)(6) of this section, the investments of each account will not be commingled with any other property.

(ii) Fiduciary assets requiring safekeeping will be deposited in an adequate vault. A permanent record will be kept of fiduciary assets deposited in or withdrawn from the vault.

(6) *Common investment funds.* Where not in contravention of local law the assets of an account may be pooled in a common investment fund (as defined in paragraph (f)(8)(iii) of this section) which must be administered as follows:

(i) Each common investment fund must be established and maintained in accordance with a written agreement, containing appropriate provisions as to the manner in which the fund is to be operated, including provisions relating to the investment powers and a general statement of the investment policy of the applicant with respect to the fund; the allocation of income, profits and losses; the terms and conditions governing the admission or withdrawal of participations in the fund; the auditing of accounts of the applicant with respect to the fund; the basis and method of valuing assets in the fund, setting forth specific criteria for each type of asset; the minimum frequency for valuation of assets of the fund; the period following each such valuation date during which the valuation may be made (which period in usual circumstances may not exceed 10 business days); the basis upon which the fund may be terminated; and such other matters as may be necessary to define clearly the rights of participants in the fund. A copy of the agreement must be available at the principal office of the applicant for inspection during all business hours, and upon request a copy of the agreement must be furnished to any interested person.

(ii) All participations in the common investment fund must be on the basis of a proportionate interest in all of the assets.

(iii) Not less frequently than once during each period of 3 months applicant must determine the value of the assets in the fund as of the date set for the valuation of assets. No participation may be admitted to or withdrawn from the fund except (A) on the basis of such valuation date and (B) as of such valuation date. No participation may be admitted to or withdrawn from the fund unless a written request for or notice of intention of taking such action has been entered on or before the valuation date in the fiduciary records of the applicant. No request or notice may be canceled or countermanded after the valuation date.

(iv) (A) The applicant must at least once during each period of 12 months cause an adequate audit to be made of the common investment fund by a qualified public accountant.

(B) The applicant must at least once during each period of 12 months prepare a financial report of the fund which, based upon the above audit, must contain a list of investments in the fund showing the cost and current market value of each investment; a statement for the period since the previous report showing purchases, with cost; sales, with profit or loss and any other investment changes; income and disbursements; and an appropriate notation as to any investments in default.

(C) The applicant must transmit and certify the accuracy of the financial report to the administrator of each plan participating in the common investment fund within 120 days after the end of the plan year.

(v) When participations are withdrawn from a common investment fund, distributions may be made in cash or ratably in kind, or partly in cash and partly in kind, provided that all distributions as of any one valuation date must be made on the same basis.

(vi) If for any reason an investment is withdrawn in kind from a common investment fund for the benefit of all participants in the fund at the time of such withdrawal and such investment is not distributed ratably in kind, it must be segregated and administered or realized upon for the benefit ratably of all participants in the common investment fund at the time of withdrawal.

(7) *Books and records.* (i) The applicant must keep his fiduciary records separate and distinct from other records. All fiduciary records must be so kept and retained for as long as the contents thereof may become material in the administration of any internal revenue law. The fiduciary records must contain full information relative to each account.

(ii) The applicant must keep an adequate record of all pending litigation to which he is a party in connection with the exercise of fiduciary powers.

(8) *Definitions.* For purposes of this paragraph and paragraph (c)(5) of this section—

(i) The term "account" or "fiduciary account" means a trust described in section 401(a) (including a custodial account described in section 401(f), a custodial account described in section 403(b)(7), or an individual retirement account described in section 408(a) (including a custodial account described in section 408(h))).

(ii) The term "administrator" means an administrator as defined in section 3(16)(A) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002(16)(A).

(iii) The term "common investment fund" means a trust which satisfied the following requirements:

(A) The trust consists of all or part of the assets of several accounts which have been established with the applicant, and

(B) The trust is described in section 401(a) and exempt from tax under section 501(a), or is a common investment fund described in § 1.408-2(b)(5) (as published with notice of proposed rule making in the FEDERAL REGISTER on February 21, 1975, at 40 FR 7661), or both.

(iv) The term "employee benefit plan" means an employee benefit plan as defined in section 3(2) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002(2).

(v) The term "fiduciary records" means all matters which are written, transcribed, recorded, received or otherwise come into the possession of the applicant and are necessary to preserve information concerning the acts and events relevant to the fiduciary activities of the applicant.

(vi) The term "qualified public accountant" means a qualified public accountant as defined in section 103(a)(3)(D) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1023(a)(3)(D).

(vii) The term "net worth" means the amount of the applicant's assets less the amount of his liabilities, as determined in accordance with generally accepted accounting principles.

(g) *Special rules*—(1) *Passive trustee*.

(i) An applicant who undertakes to act only as a passive trustee may be relieved of one or more of the requirements of this section upon clear and convincing proof that such requirements are not germane, under all the facts and circumstances, to the manner in which he will administer any trust. A trustee is a passive trustee only if under the written trust instrument he has no discretion to direct the investment of the trust funds or any other aspect of the business administration of the trust, but is merely authorized to acquire and hold particular investments specified by the trust instrument. Thus, for example, in the case of an applicant who undertakes merely to acquire and hold the stock of a single regulated investment company, the requirements of paragraph (f)(1)(i)(C), (1)(iv), and (6) of this section shall not apply and no negative inference shall be drawn from the applicant's failure to demonstrate his experience or competence with respect to the activities described in paragraph (e)(2)(v) to (viii) of this section.

(ii) The determination letter issued to an applicant who is approved by reason of this subparagraph shall state that the applicant is authorized to act only as a passive trustee.

(2) *Federal or State regulation*. Evidence that an applicant is subject to Federal or State regulation with respect to one or more relevant factors shall be given weight in proportion to the extent that such regulatory standards are consonant with the requirements of section 401.

(3) *Savings account*. (i) An applicant will be presumed to meet the requirements of this section upon proof of the following:

(A) The investment of the trust assets will be solely in deposits in the applicant;

(B) Section 4975(c) will not apply to such investment by reason of section 4975(d)(4); and

(C) Such deposits will be fully insured by an agency of the United States or a State.

(ii) The determination letter issued to an applicant who is approved by reason of this subparagraph shall state that the applicant is authorized to act as the trustee of a trust only if the requirements of paragraph (g)(3)(i) of this section are satisfied.

(4) *Notification of Commissioner*. The applicant must notify the Commissioner in writing of any change which affects the continuing accuracy of any representation made in the application required by this section, whether the change occurs before or after the applicant receives a determination letter. Such notification must be addressed to Commissioner of Internal Revenue, Attention: E:EP, Internal Revenue Service, Washington, D.C. 20224.

(5) *Substitution of trustee*. No applicant shall be approved unless he undertakes to act as trustee only under trust instruments which contain a provision to the effect that the employer is to substitute another trustee upon notification by the Commissioner that such substitution is required because the applicant has failed to comply with the requirements of this section or is not keeping such records, or making such returns, or rendering such statements as are required by forms or regulations.

(6) *Revocation*. Approval of the application required by this section may be revoked for any good and sufficient reason.

Because of the need for immediate guidance with respect to the manner of making the demonstration required by section 1022(c) of the Employee Retirement Income Act of 1974 (Pub. L. 93-406), it is found to be impracticable to issue this Treasury decision with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Sec. 401(d)(1) and 7805 Internal Revenue Code of 1954 (88 Stat. 939 and 68A Stat. 917; 26 U.S.C. 401 and 7805).)

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: October 15, 1975.

CHARLES M. WALKER,
Assistant Secretary of the
Treasury.

[FR Doc.75-27887 Filed 10-15-75;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 204—DANGER ZONE REGULATIONS

Gulf of Mexico, Matagorda Island, Texas

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U.S.C. 3), § 204.162 establishing and governing the use and navigation of a danger zone in the Gulf of Mexico, Texas, is hereby revoked, effective on October 16, 1975.

Since this revocation will result in the removal of a restriction affecting a navigable water, notice of proposed rule-making and public procedures thereto are considered unnecessary. Accordingly, § 204.162 of Title 33 of the Code of Federal Regulations is hereby revoked, as follows:

§ 204.162 Gulf of Mexico off Matagorda Island, Texas; Air Force practice gunnery, bombing and rocket firing range. [Revoked]

Dated: September 19, 1975.

MARTIN R. HOFFMANN,
Secretary of the Army.

[FR Doc.75-27809 Filed 10-15-75;8:45 am]

PART 205—DUMPING GROUNDS REGULATIONS

Entrance to Seaports

Pursuant to the provisions of section 4 of the River and Harbor Act of March 3, 1905 (33 Stat. 1147; 33 U.S.C. 419) § 205.80 establishing and governing the use of dumping grounds and prohibited dumping grounds in waters adjacent to and water constituting the approaches and entrances to certain ports is hereby amended with respect to paragraph (c) revoking subparagraph (9) effective on October 16, 1975.

Since this revocation will result in the removal of a restriction affecting a navigable water, notice of proposed rule making and public procedures thereto are considered unnecessary. Accordingly, § 205.80(c)(9) of Title 33 of the Code of Federal Regulations is hereby revoked as follows:

§ 205.80 Entrance to seaports.

(c)

(9) [Revoked]

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Dated: September 19, 1975.

MARTIN R. HOFFMANN,
Secretary of the Army.

[FR Doc.75-27810 Filed 10-15-75;8:45 am]

Title 39—Postal Service

CHAPTER I—UNITED STATES POSTAL SERVICE

PRIVACY ACT OF 1974

Revised Policies and Procedures for Records and Information Management Correction

In FR Doc. 75-26394 appearing at page 45721 in the issue of Thursday, October 2, 1975, the following changes should be made:

PART 261—RECORDS AND INFORMATION MANAGEMENT

1. On page 45722 in the fourth line of § 261.1, delete the comma after the word "Act".

PART 266—PRIVACY OF INFORMATION

2. In the fourth line of § 266.5(a) (2) (viii), on page 45724, immediately after the word "him", insert a comma.

PART 267—PROTECTION OF INFORMATION

3. On page 45726, the first word in § 267.4(b) (1) now reading "Personal", should read "Personnel".

Title 49—Transportation**CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION**

[Docket No. 75-6; Notice 2]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**Bus Window Retention and Release**

This notice amends Federal Motor Vehicle Safety Standard No. 217, *Bus Window Retention and Release*, 49 CFR 571.217, to clarify the marking requirements for emergency exits on buses. The amendment requires certain markings on all bus emergency exits except manually-operated windows of sufficient size and doors in buses with a GVWR of 10,000 pounds or less.

The amendment was proposed in a notice published April 18, 1975 (40 FR 17266). Comments were received from Chrysler Corporation and General Motors. Chrysler concurred with the proposal. GM, while also concurring, suggested that the wording of the amendment be modified somewhat. The amendment has been reworded to reflect more clearly the intent of this amendment, distinguishing between emergency exits that require markings and those that do not. The NHTSA has determined that special emergency exit markings are unnecessary for doors and manually-operated windows in buses with a GVWR of 10,000 pounds or less. This amendment does not exempt buses with a GVWR of 10,000 pounds or less from complying with the unobstructed openings requirements of S5.2. It only provides that the openings do not have to be marked as emergency exits. However, specially-installed emergency exits in such buses, such as push-out windows, are not exempted from the marking requirements.

The amendment also allows bus manufacturers the option of designating an emergency door as "Emergency Door" or "Emergency Exit." This will bring Standard No. 217 into conformity with current NHTSA interpretations of the emergency exit marking requirements. However, any emergency exit other than a door must have the designation "Emergency Exit."

Accordingly, S5.1 of 49 CFR 571.217, *Bus Window Retention and Release*, is amended to read:

§ 571.217 Standard No. 217; Bus window retention and release.

S5.1 Except for windows serving as emergency exits in accordance with S5.2(b) and doors in buses with a GVWR

of 10,000 pounds or less, each emergency door shall have the designation "Emergency Door" or "Emergency Exit" and each push-out window or other emergency exit besides a door shall have the designation "Emergency Exit". Concise operating instructions shall be located within 6 inches of the release mechanism. When a release mechanism is not located within an occupant space of an adjacent seat, a label meeting the requirements of S5.5.2 that indicates the location of the nearest release mechanism shall be placed within that occupant space.

Example: EMERGENCY EXIT INSTRUCTIONS LOCATED NEXT TO SEAT AHEAD

Effective date: October 16, 1975.

(Secs. 103, 112, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1401, 1407); delegations of authority at 49 CFR 1.51)

Issued on October 8, 1975.

GENE G. MANNELLA,
Acting Administrator.

[FR Doc. 75-27843 Filed 10-15-75; 8:45 am]

[Docket No. 74-10; Notice 17]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**Emergency Air Brake Systems; Correction**

In FR Doc. 75-19675, appearing at page 31771 in the issue of Tuesday, July 29, 1975, on page 31772, the section designations "S5.7.4(a)" and "S5.7.4(b)" that appear in S6.1.14 of the amendment should read "S5.7.3(a)" and "S5.7.3(b)" respectively.

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

Issued on October 7, 1975.

GENE G. MANNELLA,
Acting Administrator.

[FR Doc. 75-27844 Filed 10-15-75; 8:45 am]

[Docket No. 75-14; Notice 2]

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS**Seat Belt Assemblies; Correction**

In FR Doc. 75-17804, appearing at page 28805 in the issue of Wednesday, July 9, 1975, on page 28806, the section designation "S4.2.1" in the first sentence of the text of S4.2.1 should read "S4.2.1.1".

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

Issued on October 7, 1975.

GENE G. MANNELLA,
Acting Administrator.

[FR Doc. 75-27845 Filed 10-15-75; 8:45 am]

CHAPTER X—INTERSTATE COMMERCE COMMISSION**SUBCHAPTER A—GENERAL RULES AND REGULATIONS**

[Second Revised S.O. No. 1186-A]

PART 1033—CAR SERVICE**Distribution of Privately Owned Coal Cars**

At a session of the Interstate Commerce Commission, held in Washington, D.C., on the 6th day of October, 1975.

Upon further consideration of Second Revised Service Order No. 1186 (39 FR 20685, 26911, 27575, 38658, 41419, 42429; 40 FR 24526, and 34240), and good cause appearing therefor:

It is ordered, That: § 1033.1186 Second Revised Order No. 1186-A (Distribution of privately owned coal cars) be, and it is hereby, vacated and set aside.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies Secs. 1(10-17), 15(4) and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10-17), 15(4), 17(2))

It is further ordered, That this order shall become effective at 11:59 p.m., October 10, 1975; that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27876 Filed 10-15-75; 8:45 am]

SUBCHAPTER C—ACCOUNTS, RECORDS AND REPORTS

[No. 36147]

PART 1241—ANNUAL, SPECIAL, OR PERIODIC REPORTS CARRIERS SUBJECT TO PART I OF THE INTERSTATE COMMERCE ACT**PART 1249—REPORTS OF MOTOR CARRIERS****PART 1250—REPORTS OF WATER CARRIERS****PART 1251—REPORTS OF FREIGHT FORWARDERS**

Addition of a Schedule to the Annual Reports for Reporting of Competitive Bidding; Clayton Antitrust Act Transactions

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 2nd day of October 1975.

All common carriers subject to the Interstate Commerce Act are presently required to file certain information on contracts subject to section 10 of the Clayton Antitrust Act (15 U.S.C. 20) with this Commission within 30 days after the contract is awarded. In order

that this Commission will be able to readily determine if the carriers are complying with the provisions of the Clayton Act, the pertinent information relative to competitive bidding should also be reported in the annual reports filed with this Commission. Therefore, we have added a schedule to the annual reports of the following common carriers:

Railroads, Electric Railways, Refrigerator Car Lines, Holding Companies Subject to Section 5(3), Pipelines, Express Companies, Motor Carriers of Passengers (Class I only), Motor Carriers of Property (Class I and II), Inland and Coastal Waterways Carriers (Class A and B), Freight Forwarders (Class A), and Maritime Carriers.

Since the reporting of this information in the annual report is a summary of the filings with this Commission, and carriers are required to retain such information in their files by the regulations governing preservation of records (49 CFR Parts 1220-1228), there should be no additional burden on the carriers.

Upon consideration of the above described matters and good cause appearing therefor:

It is ordered, That the schedule set forth in Appendix A of this order be adopted and included in the annual reports of all carriers required to file annual reports under 49 CFR Part 1241, 49 CFR Part 1249, 49 CFR Part 1250, and 49 CFR Part 1251.

It is further ordered, That the prescribed schedule shall be filed effective with the 1975 annual reports.

It is further ordered, That service of this order shall be made on carriers affected; and to the Governor of every state and to the Public Utilities Commission or boards of each state having jurisdiction over transportation; and the notice of this order shall be given to the general public by depositing of a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D. C., and by filing a copy with the Director, Office of Federal Register, for publication in the FEDERAL REGISTER.

(49 CFR Parts 12, 20, 304, 320, 904, 913, 1003 1012)

NOTE.—This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

APPENDIX A—Schedule Competitive Bidding—
Clayton Antitrust Act

Section 10 of the Clayton Antitrust Act (15 U.S.C. 20) states "no common carrier engaged in commerce shall have any dealings in securities, supplies or other articles of commerce, or shall make or have any con-

tracts for construction or maintenance of any kind, to the amount of more than \$50,000, in the aggregate, in any one year, with another corporation, firm, partnership or association when the said common carrier shall have upon its board of directors or as its president, manager or as its purchasing or selling officer, or agent in the particular transaction, any person who is at the same time a director, manager, or purchasing or selling officer of, or who has any substantial interest in, such other corporation, firm, partnership or association, unless and except such purchases shall be made from, or such dealings shall be made with, the bid-

der whose bid is the most favorable to such common carrier, to be ascertained by competitive bidding under regulations to be prescribed by rule or otherwise by the Interstate Commerce Commission." The specification for competitive bids is found in the Code of Federal Regulations, Part 1010—Competitive Bids through Part 1010.7—Carriers Subject to the Interstate Commerce Act.

To ensure that this Section of the Clayton Antitrust Act and the Commission's regulations are being complied with, all carriers required to file this report should complete this schedule.

Nature of bid	Date published	Contract No.	Number of bidders	Method of awarding bid	Date filed with the Commission	Company awarded bid ¹
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¹ Identify the company awarded the bid by including company name and address, also name and title of respondent officers, directors, selling officer, purchasing officer and/or general manager that has an affiliation with the seller.

[FR Doc.75-27875 Filed 10-15-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Brigantine National Wildlife Refuge, N.J.; Correction

Special regulations governing hunting on Brigantine National Wildlife Refuge were originally published as FR Doc. 75-24833 on page 43030 of the September 18, 1975 issue of the FEDERAL REGISTER.

These regulations are amended by adding a paragraph reading as follows:

Hunting unit 3 will be open during the regular State waterfowl season for trainees of the Young Waterfowlers Program only. Permits are required and will be issued by the Refuge Manager for designated blind sites.

ROBERT H. SHIELDS,
Regional Director,
U.S. Fish and Wildlife Service.

OCTOBER 8, 1975.

[FR Doc.75-27818 Filed 10-15-75;8:45 am]

PART 32—HUNTING

Audubon National Wildlife Refuge, North Dakota

The following special regulation is issued and is effective on October 16, 1975.

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

NORTH DAKOTA

AUDUBON NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Audubon National Wildlife Refuge, North Dakota,

is permitted only in the area designated by signs as open to hunting. This open area, comprising 13,837 acres, is delineated on a map available at refuge headquarters and from the Area Manager, U.S. Fish and Wildlife Service, Bismarck, North Dakota 58501. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following special conditions:

(1) Hunting is permitted from 12 noon, c.s.t. November 15, 1975 to sunset of that day, and from sunrise until sunset of each day from November 16 through November 23, 1975.

(2) All hunters must exhibit their hunting license, deer tag, game, and vehicle contents to Federal and State officers upon request.

(3) Vehicular traffic, including the use of boats, is prohibited by hunters on the refuge during the deer season.

The provision of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through November 23, 1975.

DAVID C. MCGLAUCHLIN,
Refuge Manager, Audubon National Wildlife Refuge, Cole-harbor, North Dakota.

OCTOBER 7, 1975.

[FR Doc.75-27784 Filed 10-15-75;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 rule making prior to the adoption of the final rules.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

NONBANK TRUSTEES OF PENSION AND PROFIT-SHARING TRUSTS BENEFITING OWNER-EMPLOYEES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by December 15, 1975. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commission by December 15, 1975. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 401(d)(1) and 7805 of the Internal Revenue Code of 1954 (88 Stat. 939 and 68A Stat. 917; 26 U.S.C. 401 and 7805).

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) in order to conform such regulations to the provisions of section 1022 (c) and (f) of the Employee Retirement Income Security Act of 1974

(Pub. L. 93-406, 88 Stat. 939, 940) (hereinafter called the "Act"), relating to pension and profit-sharing trusts benefiting owner-employees.

Section 1022(c) of the Act permits a person who is not a bank to be the trustee of a qualified pension or profit-sharing trust benefiting owner-employees if he demonstrates to the satisfaction of the Commissioner that he will administer the trust in a manner consistent with the law. Such a demonstration must be made by filing a written application. In general, the applicant must demonstrate his ability to act within the accepted rules of fiduciary conduct, experience and competence with respect to accounting for the interests of a large number of individuals, and familiarity with other activities normally associated with the handling of retirement funds. Thus, the applicant must be prepared to comply with specified rules of fiduciary conduct. In addition, he must possess such attributes as continuity, permanent location, financial responsibility, and fiduciary experience. For a plan in existence on January 1, 1974, section 1022(c) of the Act shall apply to the first plan year commencing after December 31, 1975, and all subsequent plan years.

Section 1022(f) of the Act permits a Federally insured credit union to be the trustee of a qualified pension or profit-sharing trust benefiting owner-employees.

In order to conform the Income Tax Regulations (26 CFR Part 1) to the provisions of section 1022 (c) and (f) of the Employee Retirement Income Security Act of 1974, such regulations are amended as set forth below:

PARAGRAPH 1. Section 1.401 is amended by revising section 401(d)(1) and the historical note to read as follows:

§ 1.401 Statutory provisions; qualified pension, profit-sharing, and stock bonus plans.

Sec. 401. Qualified pension, profit-sharing, and stock bonus plans—

(d) Additional requirements for qualification of trusts and plans benefiting owner-employees. * * *

(1) In the case of a trust which is created on or after October 10, 1962, or which was created before such date but is not exempt from tax under section 501(a) as an organization described in subsection (a) on the day before such date, the assets thereof are held by a bank or other person who demonstrates to the satisfaction of the Secretary or his delegate that the manner in which he will administer the trust will be consistent with the requirements of this section. A trust shall not be disqualified under this paragraph merely because a person

(including the employer) other than the trustee or custodian so administering the trust may be granted, under the trust instrument, the power to control the investment of the trust funds either by directing investments (including reinvestments, disposals, and exchanges) or by disapproving proposed investments (including reinvestments, disposals, or exchanges). This paragraph shall not apply to a trust created, or organized outside the United States before October 10, 1962, if, under section 402(c), it is treated as exempt from tax under section 501(a) on the day before such date; or, to the extent provided under regulations prescribed by the Secretary or his delegate, to a trust which uses annuity, endowment, or life insurance contracts of a life insurance company exclusively to fund the benefits prescribed by the trust; if the life insurance company supplies annually such information about trust transactions affecting owner-employees as the Secretary or his delegate shall by forms or regulations prescribe. For purposes of this paragraph, the term "bank" means a bank as defined in section 581, an insured credit union (within the meaning of section 101(6) of the Federal Credit Union Act), a corporation which under the laws of the State of its incorporation is subject to supervision and examination by the commissioner of banking or other officer of such State in charge of the administration of the banking laws of such State, and, in the case of a trust created or organized outside the United States, a bank or trust company, wherever incorporated, exercising fiduciary powers and subject to supervision and examination by governmental authority.

[Sec. 401 as amended by sec. 2, Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 809); sec. 2(a), Act of Oct. 23, 1962 (Pub. Law 87-863, 76 Stat. 1141); sec. 106 (d)(4), Social Security Amendments 1965 (79 Stat. 337); sec. 1022 (c) and (f), Employee Retirement Income Security Act 1974 (88 Stat. 939, 940)]

PAR. 2. Section 1.401-12 is amended as follows:

1. Paragraph (a) is amended by deleting the last sentence and inserting two new sentences in lieu thereof;
2. Paragraph (c)(1)(i) is amended;
3. Paragraph (c)(2)(iii) is amended by substituting a semicolon for the period at the end thereof;
4. Paragraph (c)(2)(iv) is added; and
5. Paragraph (n) is added.

These amended and added provisions read as follows:

§ 1.401-12 Requirements for qualification of trusts and plans benefiting owner-employees.

(a) Introduction. * * * Except as otherwise provided, paragraphs (b) through (m) of this section apply to taxable years beginning after December 31, 1962. Paragraph (n) of this section applies to plan years determined in

accordance with paragraph (n)(1) of this section.

(c) *Bank trustee.* (1) If a trust created after October 9, 1962, is to form a part of a qualified pension or profit-sharing plan covering an owner-employee, or if a trust created before October 10, 1962, but not exempt from tax on October 9, 1962, is to form part of such a plan, the trustee of such trust must be a bank as defined in paragraph (c) (2) of this section, unless an exception contained in paragraph (c) (4) of this section applies, or paragraph (n) of this section applies.

(iv) Beginning on January 1, 1974, an insured credit union (within the meaning of section 101(6) of the Federal Credit Union Act, 12 U.S.C. 1752(6)).

(n) *Nonbank trustee.* (1) *Effective dates.* (i) *General rule.* For a plan not in existence on January 1, 1974, this paragraph shall apply to the first plan year commencing after September 2, 1974, and all subsequent plan years.

(ii) *Existing plans.* For a plan in existence on January 1, 1974, this paragraph shall apply to the first plan year commencing after December 31, 1975, and all subsequent plan years.

(2) *In general.* For plan years to which this paragraph applies, the trustee of a trust described in paragraph (c) (1) (i) of this section may be a person other than a bank if he demonstrates to the satisfaction of the Commissioner that the manner in which he will administer trusts will be consistent with the requirements of section 401. Such demonstration must be made by a written application to the Commissioner of Internal Revenue, Attention: E:EP, Internal Revenue Service, Washington, D.C. 20224. Such application must meet the requirements set forth in paragraph (n) (3) to (7) of this section.

(3) *Fiduciary ability.* The applicant must demonstrate in detail his ability to act within the accepted rule of fiduciary conduct. Such demonstration must include the following elements of proof:

(i) *Continuity.* (A) The applicant must assure the uninterrupted performance of its fiduciary duties notwithstanding the death or change of its owners. Thus, for example, there must be sufficient diversity in the ownership of the applicant to ensure that the death or change of its owners will not interrupt the conduct of its business. Therefore, the applicant cannot be an individual.

(B) Sufficient diversity in the ownership of an incorporated applicant means that individuals each of whom owns more than 20 percent of the voting stock in the applicant own, in the aggregate, no more than 50 percent of such stock.

(C) Sufficient diversity in the ownership of an applicant which is a partnership means that—

(i) Individuals each of whom owns more than 20 percent of the profits in-

terest in the partnership own, in the aggregate, no more than 50 percent of such profits interest, and

(2) Individuals, each of whom owns more than 20 percent of the capital interest in the partnership own, in the aggregate, no more than 50 percent of such capital interest.

(D) For purposes of this subdivision, the ownership of stock and of capital and profits interests shall be determined in accordance with the rules for constructive ownership of stock provided in section 1563 (e) and (f) (2). For this purpose, the rules for constructive ownership of stock provided in section 1563 (e) and (f) (2) shall apply to a capital or profits interest in a partnership as if it were a stock interest.

(ii) *Established location.* The applicant must have an established place of business in the United States where he is accessible during every business day.

(iii) *Fiduciary experience.* The applicant must have fiduciary experience or expertise sufficient to ensure that he will be able to perform his fiduciary duties. Evidence of fiduciary experience must include proof that a significant part of the business of the applicant consists of exercising fiduciary powers similar to those he will exercise if his application is approved. Evidence of fiduciary expertise must include proof that the applicant employs personnel experienced in the administration of fiduciary powers similar to those he will exercise if his application is approved.

(iv) *Fiduciary responsibility.* The applicant must assure compliance with the rules of fiduciary conduct set out in paragraph (n) (6) of this section.

(v) *Financial responsibility.* The applicant must exhibit a high degree of solvency commensurate with the obligations imposed by this paragraph. Among the factors to be taken into account are the applicant's net worth, his liquidity, and his ability to pay his debts as they come due.

(4) *Capacity to account.* The applicant must demonstrate in detail his experience and competence with respect to accounting for the interests of a large number of individuals (including calculating and allocating income earned and paying out distributions to payees). Examples of accounting for the interests of a large number of individuals include accounting for the interests of a large number of shareholders in a regulated investment company and accounting for the interests of a large number of variable annuity contract holders.

(5) *Fitness to handle funds.* (i) *In general.* The applicant must demonstrate in detail his experience and competence with respect to other activities normally associated with the handling of retirement funds.

(ii) *Examples.* Examples of activities normally associated with the handling of retirement funds include:

(A) To receive, issue receipts for, and safely keep securities;

(B) To collect income;

(C) To execute such ownership certificates, to keep such records, make such

returns, and render such statements as are required for Federal tax purposes;

(D) To give proper notification regarding all collections;

(E) To collect matured or called principal and properly report all such collections;

(F) To exchange temporary for definitive securities;

(G) To give proper notification of calls, subscription rights, defaults in principal or interest, and the formation of protective committees;

(H) To buy, sell, receive, or deliver securities on specific directions.

(6) *Rules of fiduciary conduct.* (i) *Administration of fiduciary powers.* The applicant must demonstrate that under applicable regulatory requirements, corporate or other governing instruments, or its established operating procedures:

(A) (i) The owners or directors of the applicant will be responsible for the proper exercise of fiduciary powers by the applicant. Thus, all matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all employees utilized by the applicant in the exercise of his fiduciary powers, will be the responsibility of the owners or directors. In discharging this responsibility, the owners or directors may assign to designated employees, by action duly recorded, the administration of such of the applicant's fiduciary powers as may be proper to assign.

(2) A written record will be made of the acceptance and of the relinquishment or closing out of all fiduciary accounts, and of the assets held for each account.

(3) At least once during each period of 12 months all the assets held in or for each fiduciary account where the applicant has investment responsibilities will be reviewed to determine the advisability of retaining or disposing of such assets.

(B) All employees taking part in the performance of the applicant's fiduciary duties will be adequately bonded. Nothing in this (B) shall require any person to be bonded in contravention of section 412(d) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1112 (d)).

(C) The applicant will designate, employ or retain legal counsel who will be readily available to pass upon fiduciary matters and to advise the applicant.

(D) In order to segregate the performance of his fiduciary duties from other business activities, the applicant will maintain a separate trust division under the immediate supervision of an individual designated for that purpose. The trust division may utilize the personnel and facilities of other divisions of the applicant, and other divisions of the applicant may utilize the personnel and facilities of the trust division, as long as the separate identity of the trust division is preserved.

(ii) *Adequacy of net worth.* (A) Not less frequently than once during each calendar year the applicant will determine the value of the assets held by him

in trust. Such assets will be valued at their current value, except that the assets of an employee benefit plan to which section 103(b)(3)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023(b)(3)(A)) applies will be considered to have the value stated in the most recent annual report of the plan.

(B) No fiduciary account will be accepted by the applicant unless his net worth (determined as of the end of the most recent taxable year) exceeds the greater of—

(1) \$100,000, or

(2) Four percent of the value of all of the assets held by the applicant in trust (determined as of the most recent valuation date).

(C) The applicant will take whatever lawful steps are necessary (including the relinquishment of fiduciary accounts) to ensure that his net worth (determined as of the close of each taxable year) exceeds the greater of—

(1) \$50,000, or

(2) Two percent of the value of all of the assets held by the applicant in trust (determined as of the most recent valuation date).

(iii) *Audits.* (A) The applicant will at least once during each period of 12 months cause detailed audits of the fiduciary books and records to be made by an independent qualified public accountant, and at such time will ascertain whether the fiduciary accounts have been administered in accordance with law, this paragraph, and sound fiduciary principles. Such audits shall be conducted in accordance with generally accepted auditing standards, and shall involve such tests of the fiduciary books and records of the applicant as are considered necessary by the independent qualified public accountant.

(B) In the case of an applicant who is regulated, supervised, and subject to periodic examination by a State or Federal agency, such applicant may adopt an adequate continuous audit system in lieu of the periodic audits required by paragraph (n)(6)(iii)(A) of this section.

(C) A report of the audits and examinations required under this subdivision, together with the action taken thereon, will be noted in the fiduciary records of the applicant.

(iv) *Funds awaiting investment or distribution.* Funds held in a fiduciary capacity by the applicant awaiting investment or distribution will not be held uninvested or undistributed any longer than is reasonable for the proper management of the account.

(v) *Custody of investments.* (A) Except for investments pooled in a common investment fund in accordance with the provisions of paragraph (n)(6)(vi) of this section, the investments of each account will not be commingled with any other property.

(B) Fiduciary assets requiring safekeeping will be deposited in an adequate vault. A permanent record will be kept of fiduciary assets deposited in or withdrawn from the vault.

(vi) *Common investment funds.* Where not in contravention of local law the assets of an account may be pooled in a common investment fund (as defined in paragraph (n)(6)(viii)(C) of this section) which must be administered as follows:

(A) Each common investment fund must be established and maintained in accordance with a written agreement, containing appropriate provisions as to the manner in which the fund is to be operated, including provisions relating to the investment powers and a general statement of the investment policy of the applicant with respect to the fund; the allocation of income, profits and losses; the terms and conditions governing the admission or withdrawal of participations in the fund; the auditing of accounts of the applicant with respect to the fund; the basis and method of valuing assets in the fund, setting forth specific criteria for each type of asset; the minimum frequency for valuation of assets of the fund; the period following each such valuation date during which the valuation may be made (which period in usual circumstances may not exceed 10 business days); the basis upon which the fund may be terminated; and such other matters as may be necessary to define clearly the rights of participants in the fund. A copy of the agreement must be available at the principal office of the applicant for inspection during all business hours, and upon request a copy of the agreement must be furnished to any interested person.

(B) All participations in the common investment fund must be on the basis of a proportionate interest in all of the assets.

(C) Not less frequently than once during each period of 3 months the applicant must determine the value of the assets in the fund as of the date set for the valuation of assets. No participation may be admitted to or withdrawn from the fund except (1) on the basis of such valuation and (2) as of such valuation date. No participation may be admitted to or withdrawn from the fund unless a written request for or notice of intention of taking such action has been entered on or before the valuation date in the fiduciary records of the applicant. No request or notice may be canceled or countermanded after the valuation date.

(D) (1) The applicant must at least once during each period of 12 months cause an adequate audit to be made of the common investment fund by a qualified public accountant.

(2) The applicant must at least once during each period of 12 months prepare a financial report of the fund which, based upon the above audit, must contain a list of investments in the fund showing the cost and current market value of each investment; a statement for the period since the previous report showing purchases, with cost; sales, with profit or loss and any other investment changes; income and disbursements; and an appropriate notation as to any investments in default.

(3) The applicant must transmit and certify the accuracy of the financial report to the administrator of each plan participating in the common investment fund within 120 days after the end of the plan year.

(E) When participations are withdrawn from a common investment fund, distributions may be made in cash or ratably in kind, or partly in cash and partly in kind, provided that all distributions as of any one valuation date must be made on the same basis.

(F) If for any reason an investment is withdrawn in kind from a common investment fund for the benefit of all participants in the fund at the time of such withdrawal and such investment is not distributed ratably in kind, it must be segregated and administered or realized upon for the benefit ratably of all participants in the common investment fund at the time of withdrawal.

(vii) *Books and records.* (A) The applicant must keep his fiduciary records separate and distinct from other records. All fiduciary records must be so kept and retained for as long as the contents thereof may become material in the administration of any internal revenue law. The fiduciary records must contain full information relative to each account.

(B) The applicant must keep an adequate record of all pending litigation to which he is a party in connection with the exercise of fiduciary powers.

(viii) *Definitions.* For purposes of this subparagraph and paragraph (n)(3)(v) of this section—

(A) The term "account" or "fiduciary account" means a trust described in section 401(a) (including a custodial account described in section 401(f)), a custodial account described in section 403(b)(7), or an individual retirement account described in section 408(a) (including a custodial account described in section 408(h)).

(B) The term "administrator" means an administrator as defined in section 3(16)(A) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002(16)(A).

(C) The term "common investment fund" means a trust which satisfies the following requirements:

(1) The trust consists of all or part of the assets of several accounts which have been established with the applicant, and

(2) The trust is described in section 401(a) and is exempt from tax under section 501(a), or is a common investment fund described in § 1.408-2(b)(5), or both.

(D) The term "employee benefit plan" means an employee benefit plan as defined in section 3(2) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1002(2).

(E) The term "fiduciary records" means all matters which are written, transcribed, recorded, received or otherwise come into the possession of the applicant and are necessary to preserve information concerning the acts and

events relevant to the fiduciary activities of the applicant.

(F) The term "qualified public accountant" means a qualified public accountant as defined in section 103 (a) (3) (D) of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1023 (a) (3) (D).

(G) The term "net worth" means the amount of the applicant's assets less the amount of his liabilities, as determined in accordance with generally accepted accounting principles.

(7) *Special rules—(i) Passive trustee.*

(A) An applicant who undertakes to act only as a passive trustee may be relieved of one or more of the requirements of this paragraph upon clear and convincing proof that such requirements are not germane, under all the facts and circumstances, to the manner in which he will administer any trust. A trustee is a passive trustee only if under the written trust instrument he has no discretion to direct the investment of the trust funds or any other aspect of the business administration of the trust, but is merely authorized to acquire and hold particular investments specified by the trust instrument. Thus, for example, in the case of an applicant who undertakes merely to acquire and hold the stock of a single regulated investment company, the requirements of paragraph (n) (6) (i) (A) (3), (i) (D), and (vi) of this section shall not apply and no negative inference shall be drawn from the applicant's failure to demonstrate his experience or competence with respect to the activities described in paragraph (n) (5) (ii) (E) to (H) of this section.

(B) The determination letter issued to an applicant who is approved by reason of this subdivision shall state that the applicant is authorized to act only as a passive trustee.

(ii) *Federal or State regulation.* Evidence that an applicant is subject to Federal or State regulation with respect to one or more relevant factors shall be given weight in proportion to the extent that such regulatory standards are consonant with the requirements of section 401.

(iii) *Savings account.* (A) An applicant will be presumed to meet the requirements of this paragraph upon proof of the following:

(1) The investment of the trust assets will be solely in deposits in the applicant;

(2) Section 4975(c) will not apply to such investment by reason of section 4975(d) (4); and

(3) Such deposits will be fully insured by an agency of the United States or a State.

(B) The determination letter issued to an applicant who is approved by reason of this subdivision shall state that the applicant is authorized to act as the trustee of a trust only if the requirements of paragraph (n) (7) (iii) (A) of this section are satisfied.

(iv) *Notification of Commissioner.* The applicant must notify the Commissioner in writing of any change which affects the continuing accuracy of any repre-

sentation made in the application required by this paragraph, whether the change occurs before or after the applicant receives a determination letter. Such notification must be addressed to Commissioner of Internal Revenue, Attention: E:EP, Internal Revenue Service, Washington, D.C. 20224.

(v) *Substitution of trustee.* No applicant shall be approved unless he undertakes to act as trustee only under trust instruments which contain a provision to the effect that the employer is to substitute another trustee upon notification by the Commissioner that such substitution is required because the applicant has failed to comply with the requirements of this paragraph or is not keeping such records, or making such returns, or rendering such statements as are required by forms or regulations.

(vi) *Revocation.* (A) Approval of the application required by this paragraph may be revoked for any good and sufficient reason in accordance with the procedures described in this subdivision.

(B) [Reserved]

[FR Doc. 75-27886 Filed 10-15-75; 8:45 am]

[26 CFR Part 1]

USE OF CUSTODIAL ACCOUNTS AND ANNUITY CONTRACTS UNDER QUALIFIED PENSION, PROFIT-SHARING, AND STOCK BONUS PLANS

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form in the attached appendix are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by December 15, 1975. Pursuant to 26 CFR 601.601(b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d) (9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by December 15, 1975. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing with-

draw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 401(f) (2) and 7805 of the Internal Revenue Code of 1954 (88 Stat. 939, 68A Stat. 917; 26 U.S.C. 401 and 7805).

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

PREAMBLE

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) in order to conform such regulations to the provisions of section 1022 (d) of the Employee Retirement Income Security Act of 1974 relating to certain custodial accounts and annuity contracts.

Prior law permitted custodial accounts to be used in lieu of a trust under any qualified pension, profit-sharing, or stock bonus plan, provided that the custodian was a bank, and provided also that the custodial account met the requirements that a trust would have had to have met for qualification. Further, the custodial account's assets had to be invested solely in open-end mutual funds or solely in annuity, endowment, or life insurance contracts (and certain other conditions had to be met).

Section 1022 (d) allows entities other than banks to be custodians of qualified custodial accounts in order to enhance competition and open the field to other suitable types of enterprises. An entity other than a bank holding the assets of the custodial account must satisfy the Commissioner of Internal Revenue that it will hold the assets in a manner consistent with the general eligibility requirements for tax qualification. Section 1022 (d) also permits the investment of the assets of the custodial account without special limitations. In addition, in order to allow the participation of the insurance industry, section 1022 (d) permits an annuity contract to be used in lieu of a trust under any qualified pension or profit-sharing plan, provided that the annuity contract meets the same requirements that a trust would have to meet for qualification.

Just as the bank was treated as the trustee of a custodial account under prior law, so is another entity holding the assets of a qualified custodial account or holding a qualified annuity contract treated as the trustee under section 1022 (d).

PROPOSED AMENDMENTS TO THE REGULATIONS

In order to conform the Income Tax Regulations (26 CFR Part 1) to the provisions of section 1022(d) of the Employee Retirement Income Security Act of 1974, such regulations are amended as follows:

PARAGRAPH 1. Section 1.401 is amended by revising section 401(f) and the historical note to read as follows:

§ 1.401 Statutory provisions; qualified pension, profit-sharing, and stock bonus plans.

Sec. 401. *Qualified pension, profit-sharing, and stock bonus plans—*

(f) *Certain custodial accounts and annuity contracts.* For purposes of this title, a custodial account or an annuity contract shall be treated as a qualified trust under this section if—

(1) The custodial account or annuity contract would, except for the fact that it is not a trust, constitute a qualified trust under this section; and

(2) In the case of a custodial account the assets thereof are held by a bank (as defined in subsection (d)(1)) or another person who demonstrates, to the satisfaction of the Secretary or his delegate, that the manner in which he will hold the assets will be consistent with the requirements of this section.

For purposes of this title, in the case of a custodial account or annuity contract treated as a qualified trust under this section by reason of this subsection, the person holding the assets of such account or holding such contract shall be treated as the trustee thereof.

[Sec. 401 as amended by sec. 2, Self-Employed Individuals Tax Retirement Act 1962 (76 Stat. 809; sec. 2(a), Act of Oct. 23, 1962 (Pub. Law 87-863, 76 Stat. 1141); sec. 106(d)(4), Social Security Amendments 1965 (79 Stat. 337); sec. 1022(d), Employee Retirement Income Security Act 1974 (88 Stat. 939)]

PAR. 2. Section 1.401-8 is redesignated as § 1.401-8A and is amended by revising the title and adding a new sentence at the end of paragraph (a) to read as follows:

§ 1.401-8A Custodial accounts prior to January 1, 1974.

(a) *Treatment of a custodial account as a trust.* * * * For regulations relating to the period after December 31, 1973, see § 1.401-8.

PAR. 3. A new § 401.8 is added immediately before § 1.401-8A (as redesignated by paragraph 2 of this appendix) to read as follows:

§ 1.401-8 Certain custodial accounts and annuity contracts.

(a) *Treatment of a custodial account or an annuity contract as a qualified trust.* Beginning on January 1, 1974, a custodial account or an annuity contract may be used, in lieu of a trust, under any qualified pension, profit-sharing, or stock bonus plan if the requirements of paragraph (b) of this section are met. A custodial account or an annuity contract may be used under such a plan, whether the plan covers common-law employees, self-employed individuals who are treated as employees by reason of section 401 (c), or both. The use of a custodial account or annuity contract as part of a plan does not preclude the use of a trust or another custodial account or another annuity contract as part of the same plan. A plan under which a custodial account or an annuity contract is used may be considered in connection with other plans of the employer in determining whether the requirements of

section 401 are satisfied. For regulations relating to the period before January 1, 1974, see § 1.401-8A.

(b) *Rules applicable to custodial accounts and annuity contracts.* (1) Beginning on January 1, 1974, a custodial account or an annuity contract is treated as a qualified trust under section 401 if the following requirements are met:

(i) The custodial account or annuity contract would, except for the fact that it is not a trust, constitute a qualified trust under section 401; and

(ii) In the case of a custodial account, the custodian either is a bank or is another person who demonstrates, to the satisfaction of the Commissioner, that the manner in which he will hold the assets will be consistent with the requirements of section 401. Such a demonstration must be made in accordance with the provisions of § 1.401-12 (n), as if the custodial account were a trust described in § 1.401-12 (c) (1) (i).

(2) If a custodial account would, except for the fact that it is not a trust, constitute a qualified trust under section 401, it must, for example, be created pursuant to a written agreement which constitutes a valid contract under local law. In addition, the terms of the contract must make it impossible, prior to the satisfaction of all liabilities with respect to the employees and their beneficiaries covered by the plan, for any part of the funds of the custodial account to be used for, or diverted to, purposes other than for the exclusive benefit of the employees or their beneficiaries as provided for in the plan (see paragraph (a) of § 1.401-2).

(3) An annuity contract would, except for the fact that it is not a trust, constitute a qualified trust under section 401 if it is purchased by an employer for an employee under a plan which meets the requirements of section 404 (a) (2) and the regulations thereunder, except that the plan may be either a pension or a profit-sharing plan.

(c) *Effect of this section.* (1) (i) Any custodial account or annuity contract which satisfies the requirements of paragraph (b) of this section is treated as a qualified trust for all purposes of the Internal Revenue Code of 1954. Such a custodial account or annuity contract is treated as a separate legal person which is exempt from the income tax under section 501 (a). In addition, the person holding the assets of such account or holding such contract is treated as the trustee thereof. Accordingly, such person is required to file the returns described in sections 6033 and 6047 and to supply any other information which the trustee of a qualified trust is required to furnish.

(ii) Any procedure which has the effect of merely substituting one custodian for another shall not be considered as terminating or interrupting the legal existence of a custodial account which otherwise satisfies the requirements of paragraph (b) of this section.

(2) (i) The beneficiary of a custodial account which satisfies the requirements of paragraph (b) of this section is taxed

in accordance with section 402. In determining whether the funds of a custodial account are distributed or made available to an employee or his beneficiary, the rules which under section 402 (a) are applicable to trusts will also apply to the custodial account as though it were a separate legal person and not an agent of the employee.

(ii) If a custodial account which has qualified under section 401 fails to qualify under such section for any taxable year, such custodial account will not thereafter be treated as a separate legal person, and the funds in such account shall be treated as made available within the meaning of section 402 (a) (1) to the employees for whom they are held.

(3) The beneficiary of an annuity contract which satisfies the requirements of paragraph (b) of this section is taxed as if he were the beneficiary of an annuity contract described in section 403 (a).

(d) *Definitions.* For purposes of this section—

(1) The term "bank" means a bank as defined in section 401 (d) (1).

(2) The term "annuity" means an annuity as defined in section 401 (g). Thus, any contract or certificate issued after December 31, 1962, which is transferable is not treated as a qualified trust under this section.

(e) *Cross reference.* For the requirement that the assets of an employee benefit plan be placed in trust, and exceptions thereto, see section 403 of the Employee Retirement Income Security Act of 1974, 29 U.S.C. 1103, and the regulations prescribed thereunder by the Secretary of Labor.

[FR Doc. 75-27885 Filed 10-15-75; 8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 984]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Proposed Expenses of the Walnut Marketing Board, and Rates of Assessment, for 1975-76 Marketing Year

Notice is hereby given of a proposal regarding expenses of the Walnut Marketing Board, and rates of assessment, for the 1975-76 marketing year. That year began August 1, 1975. The proposal is pursuant to §§ 984.68 and 984.69 of the marketing agreement, as amended, and Order No. 984, as amended (7 CFR Part 984). The amended marketing agreement and order regulate the handling of walnuts grown in California, Oregon, and Washington, and are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal is based on a recommendation of the Board.

The proposed expenses total \$218,665; the proposed assessment rates are 0.125 cent per pound for inshell walnuts and 0.30 cent per pound for shelled walnuts. These rates will be applied to all merchantable walnuts handled or declared

for handling during the 1975-76 marketing year. Such rates of assessment are expected to provide sufficient funds to meet the estimated expenses of the Board.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than October 31, 1975. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 984.327 Expenses of the Walnut Marketing Board and rates of assessment for the 1975-76 marketing year.

(a) *Expenses.* Expenses in the amount of \$218,665 are reasonable and likely to be incurred by the Walnut Marketing Board during the marketing year beginning August 1, 1975, for its maintenance and functioning, and for such purposes as the Secretary may, pursuant to the provisions of this part, determine to be appropriate.

(b) *Rates of assessment.* The rates of assessment for said marketing year, payable by each handler in accordance with § 984.69, are fixed at 0.125 cent per pound for merchantable inshell walnuts handled or declared for handling, and 0.30 cent per pound for merchantable shelled walnuts handled or declared for handling.

Dated: October 9, 1975.

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

[FR Doc.75-27799 Filed 10-15-75; 8:45 am]

**DEPARTMENT OF
TRANSPORTATION**

Federal Aviation Administration

[14 CFR Part 39]

[Airworthiness Docket No. 75-SW-69]

**BELL MODELS 204B, 205A-1, AND
212 HELICOPTERS**

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Bell Models 204B, 205A-1, and 212 helicopters. There have been several cases reported of the emergency exit panels leaving the three noted Bell helicopter models. One exit panel allegedly hit a main rotor blade as it left the helicopter. The emergency exit may have been opened by a passenger and not properly reinstalled prior to helicopter departure. Since loss of an exit panel could occur on other helicopters of the same type designs, the proposed airworthiness directive would require compliance with Bell

Helicopter Company Service Bulletin No. 204-75-2, No. 205-75-6, and No. 212-75-7 for the Bell Models 204B, 205A-1, and 212, respectively. All Model 205A helicopters have been converted to Model 205A-1 helicopters.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or comments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Regional Counsel, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before November 20, 1975, will be considered by the Director before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the office of Regional Counsel, for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BELL. Applies to Bell Models 204B, 205A-1, and 212 helicopters certificated in all categories.

Compliance required within 100 hours' time in service after the effective date of this AD unless already accomplished and, thereafter, at intervals not to exceed 300 hours' time in service from the last inspection.

To deter unauthorized access to the emergency exit operating handle and to improve identification of the emergency exit handle and the main sliding door handle, accomplish the following:

(a) Inspect the helicopter main passenger doors and the four emergency exits for proper and legible placards and for proper exit handle covers, both inside and outside the helicopter, in accordance with the figures in Bell Helicopter Company Service Bulletins noted in paragraph (c).

(b) If proper and legible placards and proper exit handle covers are not installed, install the placards and handle covers as specified in Bell Helicopter Company Service Bulletins noted in paragraph (c).

(c) The following Bell Helicopter Company service bulletins, or later approved revisions thereto, apply to the noted helicopter models.

(1) Bell Helicopter Company Service Bulletin No. 204-75-2 dated September 16, 1975, for Model 204B.

(2) Bell Helicopter Company Service Bulletin No. 205-75-6, Revision A, dated August 22, 1975, for Model 205A-1.

(3) Bell Helicopter Company Service Bulletin No. 212-75-7, Revision A, dated August 22, 1975, for Model 212.

(d) Equivalent means of compliance with this AD may be approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Administration, Southwest Region, Fort Worth, Texas.

(e) Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, Flight Standards Division,

Federal Aviation Administration, Southwest Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for that operator.

(f) The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA headquarters, 800 Independence Avenue, SW., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at Office of Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

Issued in Fort Worth, Texas, on October 2, 1975.

A. H. THURBURN,
Acting Director,
Southwest Region.

[FR Doc.75-27738 Filed 10-15-75; 8:45 am]

[14 CFR Part 39]

[Docket No. 15046]

**SOCIETE NATIONALE INDUSTRIELLE
AEROSPATIALE (S.N.I.A.S.) PUMA
MODEL SA. 330 SERIES HELICOPTERS**

Proposed Airworthiness Directives

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to certain Puma SA.330F and SA.330G helicopters. There have been cracks occurring in the formed sheet beams under the attachment fittings for the forward engine mounts that could result in failure of the forward engine mount support structure. Since this condition is likely to exist or develop in other helicopters of the same type design, the proposed airworthiness directive would require periodic inspection of the beams for cracks and the repair and modification of the beams, as necessary, on Puma SA.330F and SA.330G helicopters.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before November 17, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date

for comments, in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

SOCIÉTÉ NATIONALE INDUSTRIELLE AÉROSPATIALE. Applies to Puma Model SA. 330F and SA. 330G helicopters that have not been modified in accordance with Puma Service Bulletin No. 53.13.

Compliance is required within the next 50 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 50 hours' time in service since the last inspection, until accomplishment of Puma Service Bulletin No. 53.13, dated May 29, 1974, or an FAA-approved equivalent.

To prevent possible failure of the forward engine mount support structure, accomplish the following:

(a) Inspect for cracks in beams under attachment fittings for the forward engine mounts located between frames 3245 and 3550 in accordance with subparagraph 1C(1) of Puma Service Bulletin No. 05.35, dated April 9, 1974, or an FAA-approved equivalent.

(b) If cracks are found which exceed the criteria for continued service set forth in subparagraph 1C(2) of Puma Service Bulletin No. 05.35, before further flight, except that the helicopter may be flown in accordance with FAR §§ 21.197 and 21.199 to a base where the work can be performed, replace the beams in accordance with Puma Service Bulletin No. 53.13, dated May 29, 1974, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region, c/o American Embassy, APO, New York, N.Y. 09667.

Issued in Washington, D.C., on October 7, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc. 75-27739 Filed 10-15-75; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SO-124]

TRANSITION AREA Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Selma, Ala., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before November 17, 1975, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the

Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Selma transition area described in § 71.181 (40 FR 441) would be amended by deleting the present description and substituting the following therefor:

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Craig AFB (latitude 32°20'30" N., longitude 86°59'15" W.); within an 18.5-mile radius of the Canaba VORTAC, extending clockwise from the 301° radial to the 212° radial.

A review of the airspace designation at Selma revealed the need for additional transition area to provide controlled airspace protection of aircraft executing the HI-VORTAC RWY 14L and HI-VORTAC/ILS RWY 32R instrument approach procedures to Craig Air Force Base. Additional transition area is also required north, east and west of the airport for protection of aircraft operating at less than 1,500 feet above the surface during radar vectoring operations.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on October 2, 1975.

W. B. RUCKER,
Acting Director,
Southern Region.

[FR Doc. 75-27740 Filed 10-15-75; 8:45 am]

Federal Highway Administration

[49 CFR Part 390]

[Docket No. MC-64; Notice 75-8]

PLENARY EXERCISE OF STATUTORY AUTHORITY OVER MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS

Extension of Comment Period

● Purpose. This notice extends the period for comments to the Advance Notice, published July 15, 1975 (40 FR 29729), clarifying the extent to which the Bureau of Motor Carrier Safety exercises statutory authority to prescribe or enforce standards or regulations in the fields of interstate motor carriage and the handling of hazardous materials. ●

The American Trucking Associations, Inc., has requested that the comment period be extended to November 28, 1975. The request argued that additional time is needed to obtain clear and direct evaluation of the proposal from motor carrier members. This, they contend, is

needed to properly and effectively reply to the docket.

It has been decided that the request is reasonable, and the comment period is hereby extended to November 28, 1975.

This notice is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, 18 U.S.C. Chapter 39, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 49 CFR 389.4 respectively.

Issued in Washington, D.C., on October 3, 1975.

ROBERT A. KAYE,
Director,
Bureau of Motor Carrier Safety.

[FR Doc. 75-27823 Filed 10-15-75; 8:45 am]

[49 CFR Part 393]

[Docket No. MC-53; Notice No. 75-21]

AUTOMATIC DEVICES FOR REDUCING FRONT-WHEEL BRAKING EFFORT ON COMMERCIAL MOTOR VEHICLES

Proposed Rulemaking

● Purpose. The purpose of this document is to allow public comment on a proposed rule change which would permit the front-wheel braking force to be reduced if the front-wheel antilock system fails. ●

An amendment to § 393.48 of the Federal Motor Carrier Safety Regulations (FMCSR) (49 CFR 393.48) is being considered which would allow the operation in interstate or foreign commerce of a motor vehicle having an air-mechanical or air-hydraulic brake system which automatically reduces front-wheel braking effort in the event of a failure of an antilock device on the front-wheels.

This proposal stems from petitions filed by Mack Trucks, Inc. (Mack), Ford Motor Company (Ford), and White Motor Corporation (White), manufacturers of commercial motor vehicles. The petitions are supported by correspondence and documents from Wagner Electric Corporation (Wagner), MGM Brakes (MGM), Ryder Systems, Inc. (Ryder), Western Gillette Motor Freight, Inc. (Western Gillette), Consolidated Metco, Inc. (Metco), Oil Field Haulers Conference (Oil Field Haulers), and American Trucking Associations, Inc. (ATA). The Ford, Mack and White petitions refer to the most recent rulemaking in this Docket (Notice No. 74-12), which permitted the use of automatic devices to reduce front-wheel braking effort under certain circumstances.

Mack's petition describes two situations in which application of this rule against front-wheel braking effort reduction above certain air pressures allegedly may produce safety hazards. First, it notes the possibility of front-wheel antilock failures, and asserts that, in such an eventuality, vehicle stability and controllability would be improved by

limiting front-wheel braking to 50 percent throughout the entire operating range. The Ford and White petitions also support this view. Second, Mack states that certain short wheel base truck tractors equipped with the high torque front-wheel brakes mandated by Federal Motor Vehicle Safety Standard (FMVSS) No. 121 (49 CFR 571.121), being operated without a semitrailer, have been observed to lift their rear wheels clear of the roadway under severe braking.

The first point is supported by the Ford and White petitions, correspondence from MGM, Ryder, Metco, ATA, Oil Field Haulers, Western Gillette, and by a study (with charts) prepared by Wagner which also generally pertains to Mack's second petition point. Mack has asked for deletion of § 393.48(b)(2)(iii) or, in the alternative, to footnote that paragraph with interpretations as to its applicability, evidently so as to permit the use of Mack's proposed 50 percent limiting valve in the two circumstances described. Ford has asked for an amendment or an interpretation and White has asked for an amendment.

For many years, the Federal Motor Carrier Safety Regulations have provided that the front-wheel braking effort on certain motor vehicles could be reduced or removed under certain roadway conditions. The device used to limit the front-wheel braking effort was under the control of the driver and it could have been used at times other than when the Regulations permitted it with a resultant degradation of braking capability. As a result of the rule making actions, the amendments to § 393.48 were issued on July 15, 1974 (39 FR 26906) which specified that on and after March 1, 1975, only automatic devices could be used to reduce front-wheel braking effort.

Section 393.48(b)(2)(iii) now provides that such devices must not—"reduce the braking force when the air pressure that transmits brake control application forces exceeds the vehicle's air compressor cut-in pressure."

The Mack petition also speaks to the problem that may occur with truck tractors when they are not coupled to semitrailers. Mack states "in the course of our brake evaluation program, it has become apparent that truck tractors incorporating high torque front brakes as mandated by FMVSS No. 121 demonstrate varying degrees of instability when subjected to severe brake applications in a bobtail configuration. This can occur despite the operation of the antilock system. In the case of very short wheel base truck tractors, we have observed the rear axle lifting clear of the roadway while the vehicle pivots about the front axle." The truck tractor when operated in a bobtail condition is a very unstable vehicle. This instability results from the fact that, in most cases, the rear axles have braking capability for the load that will be carried when the vehicle is being operated in combination with a semitrailer. The front axle of a truck tractor, and especially a Cab-Over-Engine (COE) type, has more proportionate weight on it

when it is being operated in a bobtail configuration. In other words, the greater proportionate load on the front axle needs greater braking effort than the rear axle.

Mack's statement that they have observed the rear axle lifting clear of the roadway during a severe brake application on a bobtail truck tractor does not reflect an unusual situation since present-day truck tractors, that is, those without the FMVSS No. 121 brake system, have had the problem of rear wheels locking and the wheels leaving the pavement. In situations such as this, vehicles equipped with front-wheel brakes, whether they are of an antilock type or not, would pivot about the front axle. The Mack petition requests that bobtail truck tractors be allowed to reduce the braking effort to the front-wheels when being operated singly. Mack states that this can be accomplished by tying the front-wheel limiting device into the tractor protection valve. The method to be used is not set forth by Mack. It must be assumed that it will have to be a pneumatic type of control or with an electrical connection built into the tractor protection valve.

Serious consideration has been given to the request for allowing the front-wheel braking effort to be reduced to 50 percent on bobtail truck tractors. The problem of stability and control is believed to be present with bobtail tractors not equipped with the FMVSS No. 121 braking system because of rear axle braking capability greater than needed for the load. To permit the front-wheel braking effort to be reduced to 50 percent would not solve the problem. In view of this, the Mack petition to allow the reduction of the front-wheel effort by 50 percent on bobtail truck tractors is denied.

It is concluded that, while the petitions, together with the supporting documentation, contain adequate justification for rulemaking regarding reduction of front-wheel braking effort in event of antilock failure on the front axle, none of the proposed alternative solutions (deletion, interpretation or footnoting) seem as workable as a straight forward amendment to the paragraph in question. Therefore, to give all interested persons the opportunity to comment on changes in § 393.48 to achieve the objective sought by petitioners, it is proposed that paragraph (b)(2)(iii) of § 393.48 of the Federal Motor Carrier Safety Regulations, Subchapter B of Chapter III of Title 49, CFR, be revised to read as follows:

§ 393.48 Brakes to be operational.

(b) Devices to reduce or remove front-wheel braking effort. . . .

(2) Automatic devices. An automatic device to reduce front-wheel braking effort must not—

(iii) Reduce the braking effort when the air pressure that transmits brake

control application forces exceeds the vehicle's air compressor cut-in pressure, except that front-wheel braking force may be reduced by 50 percent in the event of front-wheel antilock system failure on a vehicle so equipped.

Interested persons are invited to submit written data, views, or arguments pertaining to this proposal.

All comments should be submitted in three copies to the Bureau of Motor Carrier Safety, Federal Highway Administration, U.S. Department of Transportation, Washington, D.C. 20590. All comments received before the close of business on January 19, 1976, will be considered before further action is taken. Comments will be available for examination in the public docket room of the Bureau of Motor Carrier Safety, Room 3401, 400 Seventh Street SW., Washington, D.C., both before and after the closing date for comments.

This notice of proposed rulemaking is issued under the authority of section 204 of the Interstate Commerce Act, as amended, (49 U.S.C. 304), section 6 of the Department of Transportation Act, (49 U.S.C. 1655), and the delegations of authority by the Secretary of Transportation and the Federal Highway Administrator at 49 CFR 1.48 and 389.4, respectively.

Issued on October 3, 1975.

ROBERT A. KAYE,

Director,

Bureau of Motor Carrier Safety.

[FR Doc. 75-27824 Filed 10-15-75; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 420-8]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Sulfur Oxides Control Strategy, Montana

The purpose of this notice is to repropose regulations for the control of sulfur dioxide at the Anaconda Company's Copper smelter (Anaconda) located near Anaconda, Montana in the Helena Intrastate Air Quality Control Region and to change the date for attainment of the primary national ambient air quality standard (NAAQS) and to establish a date for attainment of the secondary NAAQS. The preamble which follows contains a discussion of the background for this action, a discussion of the air quality in the Region, a description of the proposed regulations, a discussion of the proposed primary and secondary sulfur oxides attainment dates, an announcement of a public hearing, and a request for written comments. The Administrator encourages public comment at the public hearing or in writing. The findings from all information available to the Administrator will be the basis of the Administrator's final promulgation.

BACKGROUND

Pursuant to section 110 of the Clean Air Act, the State of Montana submitted an Implementation Plan on March 22, 1972. After review, on May 31, 1972 (37 FR 10842), the Administrator approved, with specific exceptions, the Montana Implementation Plan for attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) set forth at 40 CFR Part 50. Specifically, the Administrator disapproved Montana's Plan since it lacked control necessary for attainment and maintenance of the primary and secondary standards for sulfur oxides in the Helena Intrastate Region. The reason for this was that a State regulation which still exists as State law and which would have subjected Anaconda to a 90 percent control requirement as an implementation plan provision was removed from the plan prior to its submission to EPA. On July 27, 1972 (37 FR 15094), the Administrator proposed regulations to correct deficiencies in the regulatory provisions of the Montana plan. The proposed regulations included in part a sulfur dioxide emissions limitation of 7040 pounds per hour from the Anaconda smelter located near Anaconda, Montana. This limit was based upon data obtained from a single sampler maintained by the State of Montana.

Although a public hearing on the proposed regulation was conducted in Helena, Montana by the Environmental Protection Agency (EPA) on August 30, 1972, no final action was taken on the sulfur oxides proposed regulations because litigation between Anaconda and EPA delayed further action. On September 26, 1972, Anaconda brought an injunctive suit in the U.S. District Court to enjoin EPA from promulgating the proposed rule unless and until EPA conducted an adjudicatory hearing and unless and until EPA promulgated an environmental impact statement on the proposed regulations. On December 19, 1972, the District Court granted a declaratory judgment and a preliminary injunction. "Anaconda Co. v. Ruckelshaus, et al." 352 F. Supp. 697 (D. Colo. 1972).

On appeal, the 10th Circuit Court of Appeals reversed the United States District Court's opinion on August 8, 1973, "Anaconda Co. v. Ruckelshaus et al." 482 F.2d 1301 (10th Cir. 1973). During this litigation-caused delay, the State of Montana began to develop a SIP revision for control of sulfur oxides.

Subsequent to termination of this litigation, EPA delayed its actions pending reassessment of the supporting technical data. At a public hearing conducted in the fall of 1972, the State air quality data upon which EPA based its July 27, 1972 proposed regulations applicable to Anaconda was seriously brought into question. Accordingly, it was not considered in the regulations proposed below.

Final action on the proposal was further delayed in anticipation of an approvable state submittal of regulations

with adequate compliance schedules. To date, no such submittal has been made. In the absence of an appropriate state submittal of a sulfur oxide control strategy applicable to Anaconda with adequate compliance schedules, EPA is proceeding to propose an appropriate sulfur oxides control strategy applicable to the Company.

AIR QUALITY ASSESSMENT

In order to obtain more comprehensive ambient sulfur dioxide air quality data, EPA established a three station monitoring network in the vicinity of the Anaconda smelter in April 1973 to augment the existing state operated monitoring network. Data from three stations

are summarized in the table below. Other than control requirements relating to fugitive emissions, the data from these stations were not used as the basis for the control requirements contained in this proposal. This is because winter weather conditions have, in the past, made it virtually impossible to operate and maintain stations in the high terrain areas such as "C" hill where, during the winter months, the highest concentrations of SO₂ can be expected to occur. To offset the insufficiency of high terrain, winter-time data, an atmospheric dispersion model for estimating sulfur oxide concentrations in the vicinity of the Anaconda smelter was applied.

Summary of 1973 and 1974 sulfur dioxide air quality concentrations near Anaconda, Mont.

Station	1973 air quality summary			1974 air quality summary		
	Percent of year station was operational	Maximum 3-hr concentration (micrograms per cubic meter)	Maximum 24-hr concentration (micrograms per cubic meter)	Percent of year station was operational	Maximum 3-hr concentration (micrograms per cubic meter)	Maximum 24-hr concentration (micrograms per cubic meter)
Post office.....	41	1703	(1)	26	1362	(1)
"C" Hill.....	0			18	3115	786
Hotel.....		2358	681	(1)	(1)	(1)

¹ No violations of standards were observed.

The model predicted a maximum annual average sulfur dioxide concentration of 115 ug/m³ to occur on elevated terrain located approximately seven kilometers southwest of the main stack serving the Anaconda smelter. The model also predicted a maximum twenty-four hour sulfur dioxide concentration of 3400 ug/m³ to occur on two points of elevated terrain located approximately three and seven kilometers southwest of the main stack. Further, the model predicts maximum three-hour sulfur dioxide concentrations of 8500 ug/m³ to occur on elevated terrain located approximately three and seven kilometers southwest of the main stack. The predicted frequency of the above 3 hour and 24 hour values was such that they could be expected to occur more than once a year. The emission limitations contained in the proposal are based upon these predicted values.

PROPOSED REGULATIONS

The high ambient sulfur dioxide levels recorded at the Hotel and Post Office stations (located approximately two and one half miles northwest of the Anaconda smelter and at an elevation 960 feet lower than the top of the main stack serving the smelter) in 1973 were greatly influenced by fugitive sulfur dioxide emissions from the buildings housing the converters and reverberatory furnaces. By mid-1973, Anaconda began to operate primary hoods on the converters and to vent what had been fugitive emissions to the main stack serving the smelter. A portion of these emissions are captured and used to produce sulfuric acid. A comparison of the 1973 and 1974 data at the Hotel and Post Office stations seems to indicate that Anaconda's efforts to reduce fugitive emissions from the converter build-

ing have improved air quality in areas greatly affected by fugitive emissions. However, since air quality can be further improved to meet ambient standards by greater capture of fugitive emissions from matte and slag transfer points, the Administrator is proposing below a regulation requiring Anaconda to continue to operate and maintain the present hooding system on the converters and to capture fugitive emissions from the matte and slag transfer points and vent such captured emissions to a stack serving the facility.

Measured air quality data and atmospheric dispersion model predicted air quality values indicate that the national sulfur oxides ambient air quality standards are exceeded in the vicinity of the Anaconda smelter and that control of fugitive emissions alone will not provide for attainment and maintenance of the ambient air quality standards. Therefore, sulfur dioxide emissions from the smelter must be reduced in order to provide for attainment and maintenance of the national ambient air quality standards. While the measured air quality data indicates that sulfur dioxide emissions should be limited to 36,700 pounds per hour, the atmospheric dispersion model predicted air quality values such that sulfur dioxide emissions would have to be limited to 10,400 pounds per hour. This disparity between the measured and atmospheric dispersion model predicted emission limitations occurs because the present ambient air quality samplers have not been operational for a sufficient amount of time during the periods of the year when maximum concentrations of sulfur dioxide are expected to occur. Also, a comparison of sulfur dioxide emissions and resultant air quality, in the vicinity

of other facilities which emit large amounts of sulfur dioxide, indicates that the observed SO₂ air quality in the vicinity of the Anaconda smelter does not reflect the actual situation. Two other copper smelters with SO₂ emissions approximately one-half of Anaconda's cause ambient sulfur dioxide concentrations approximately four times those observed in the vicinity of Anaconda. The Administrator believes that the dispersion model results more accurately reflect the true sulfur dioxide ambient air quality situation in the vicinity of the Anaconda smelter. Therefore, the Administrator is proposing below a sulfur dioxide emission limitation of 10,400 pounds per hour from the smelter premises in order to provide for attainment and maintenance of the national sulfur dioxide ambient air quality standards.

Continuous monitoring of the sulfur dioxide emissions is required to ensure continued compliance with the proposed emission limitation. Appendix D to 40 CFR Part 52 specifies procedures to determine sulfur dioxide concentrations and Appendix E to 40 CFR Part 52 specifies procedures to determine volumetric flow rates. These appendices have been proposed in a separate FEDERAL REGISTER notice dated October 7, 1974 (39 FR 36018) and promulgated in a FEDERAL REGISTER notice dated February 6, 1975 (40 FR 5508). Under these appendices, compliance with the sulfur dioxide emission limitation is based on average pounds per hour of sulfur dioxide emitted over a six hour period. The six hour sampling period is incorporated to account for process fluctuations.

On July 27, 1972 (37 FR 15085), pursuant to section 110(e) of the Clean Air Act, the Administrator granted a full two-year extension of the attainment of the primary standards for sulfur oxides in the Helena Region. The extension was granted because data indicated that Anaconda could not be in final compliance before July 31, 1977.

The regulation below proposes to extend this attainment date to September 30, 1978. This later date reflects EPA's assessment of the time required to comply expeditiously with the substantive requirements of the proposal. This is consistent with the Clean Air Act requirement that compliance with regulations designed to achieve primary ambient air quality standards take place as expeditiously as is practicable. See section 110 (a) (2) (A) of the Clean Air Act. The September 30, 1978 date is also consistent with section 110(a) (2) (A)'s requirement that attainment be achieved within three years of the Administrator's promulgation of a plan.

Although the Administrator considered retaining the existing attainment date on the theory that Anaconda has been subject to an almost identical state regulation since November 23, 1968, the September 1978 date was, nevertheless, deemed to be appropriate. This is because, prior to completion of the modeling leading up to this proposal, the Company had no real way of knowing whether

the July 1972 proposed emission requirements, or some other set of emission requirements, would ultimately be imposed upon it. This, in conjunction with the fact that the Company has been operating under a variance from the State regulation, led the Administrator to conclude that this proposal would constitute the first official notice to the Company that, for Federal purposes, it would have to meet a very rigid control requirement.

A public hearing on the proposed regulations will be held at Webster-Garfield Elementary School Auditorium, Front and Montana Street, Butte, Montana 59701, on November 19, 1975, beginning at 9 a.m., and, if necessary, reconvening at 7 p.m. so that all present may be heard. Copies of the proposals and the supporting technical documentation are available for inspection at the offices of the Environmental Protection Agency listed below:

Environmental Protection Agency, Region VIII, Office of Public Affairs, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203.

Environmental Protection Agency, Room 329, 401 M Street SW., Washington, D.C. 20460.

Interested persons may also participate in this rulemaking by submitting written comments, preferably in triplicate, to the Office of the Regional Counsel, Environmental Protection Agency, Region VIII, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203. All relevant comments received on or before November 19, 1975, will be considered. Comments received will be available for public inspection during normal business hours at the offices of the Environmental Protection Agency noted above.

This notice of proposed rulemaking is issued under the authority of sections 110(c) and 301(a) of the Clean Air Act, 42 U.S.C. 1857 et seq.

Dated: October 1, 1975.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

It is proposed to amend Part 52 of Chapter 1, Title 40 of the Code of Federal Regulations as follows:

Subpart BB—Montana

1. Section 52.1373 is amended by adding paragraphs (b) and (c) as follows:

§ 52.1373 Control strategy: Sulfur oxides.

(b) Regulation for control of fugitive sulfur oxides emissions (Helena Intrastate Region). (1) The owner or operator of the Anaconda Copper Company smelter located in Deer Lodge County, Montana, in the Helena Intrastate Region shall utilize best engineering practices to reduce the escape of sulfur oxides to the atmosphere, to capture sulfur oxides emissions and pass them through control equipment where feasible, and to vent sulfur oxides emissions from process and control equipment through a

stack or stacks. Such practices shall include, but not be limited to:

(i) Installing and operating tight fitting exhaust hoods on all active matte tapholes, matte launders, slag tapholes, slag launders, and converter slag return launders;

(ii) Installing tight fitting exhaust hoods on all active converters and operating such hoods except during pouring and charging operations;

(iii) Operating and maintaining all ducts, flues, and stacks in a leakfree condition;

(iv) Operating and maintaining all furnaces and converters so that under normal operating conditions leakage of sulfur oxides gases to the atmosphere will be prevented to the maximum extent possible; and

(v) Wherever possible, ducting sulfur oxides emissions through the tallest stack or stacks serving the facility.

(2) (i) The owner or operator of the smelter subject to this paragraph shall comply with the compliance schedule specified below:

(a) February 1, 1976. Submit a final plan to the Administrator for meeting the requirements of subparagraph (1) of this paragraph. Such plan shall be subject to approval by the Administrator.

(b) June 1, 1976. Let contracts or issue purchase orders for emission capture systems.

(c) June 1, 1977. Initiate on-site construction and/or installation of emission capture equipment.

(d) May 31, 1978. Complete on-site construction and/or installation of emission capture systems.

(e) September 30, 1978. Achieve final compliance with the requirements of subparagraph (1) of this paragraph.

(ii) The owner or operator of the smelter subject to this paragraph may submit in writing to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed alternative compliance schedule. As a minimum, any such proposed schedule shall contain the actions specified in subparagraph (2) (i) (a)-(e) of this paragraph. Additionally, no such compliance schedule may provide for final compliance after September 30, 1978. If approved by the Administrator, such compliance schedule shall satisfy the compliance schedule requirements of subparagraph (2) (i) of this paragraph for the affected source. If disapproved by the Administrator the requirements of subparagraph (2) (i) of this paragraph shall apply to the affected source.

(iii) The owner or operator of the smelter subject to the requirements of this subparagraph shall certify to the Administrator within five days after the deadline for each increment of progress of the applicable compliance schedule, whether or not the required increment of progress has been met.

(iv) The owner or operator of the smelter subject to this paragraph which is presently in compliance with the requirements of subparagraph (1) of this paragraph shall certify such compliance

to the Administrator within thirty (30) days of the effective date of this paragraph. The administrator may request whatever supporting information he considers necessary to determine the validity of the certification. If such certification is acceptable to the Administrator, the requirements of subparagraph (2)(i) of this paragraph shall not apply to the certifying source. If such certification is unacceptable to the Administrator, the requirements of subparagraph (2)(i) of this paragraph shall apply to the certifying source.

(c) *Regulation for control of sulfur oxides emissions (Helena Intrastate Region).* (1) The owner or operator of the Anaconda Company's copper smelter located in Deer Lodge County, Montana, in the Helena Intrastate Region shall not discharge or cause the discharge of sulfur dioxide into the atmosphere in excess of 10,400 pounds per hour (4717 kg/hr) maximum six-hour average as determined by the methods specified in subparagraph (4) of this paragraph. Such limitation shall apply to the sum total of sulfur dioxide emissions from the smelter premises, but not including uncaptured fugitive emissions and those emissions due solely to the use of fuel for space heating or steam generation.

(2)(i) The owner or operator of the smelter subject to this paragraph shall comply with the compliance schedule specified below:

(a) *February 1, 1976.* Submit a final plan to the Administrator for meeting the requirements of subparagraph (1) of this paragraph. Such plan shall be subject to approval by the Administrator.

(b) *June 1, 1976.* Let contracts or issue purchase orders for emission control systems and/or process modifications.

(c) *June 1, 1977.* Initiate on-site construction and/or installation of emission control equipment and/or process modifications.

(d) *May 31, 1978.* Complete on-site construction and/or process modifications.

(e) *September 30, 1978.* Achieve final compliance with the requirements of subparagraph (1) of this paragraph.

(ii) The owner or operator of the smelter subject to this paragraph may submit in writing to the Administrator, no later than thirty (30) days after the effective date of this paragraph, a proposed alternative compliance schedule. As a minimum, any such proposed schedule shall contain the actions specified in subparagraph (2)(i) (a)-(e) of this paragraph. Additionally, no such compliance schedule may provide for final compliance with subparagraph (1) of this paragraph after September 30, 1978. If approved by the Administrator, such compliance schedule shall satisfy the compliance schedule requirements of this paragraph for the affected source. If disapproved by the Administrator, the requirements of subparagraph (2)(i) of this paragraph shall apply to the affected source.

(iii) The owner or operator of the smelter subject to the requirements of this subparagraph shall certify to the

Administrator within five days after the deadline for each increment of progress of the applicable compliance schedule, whether or not the required increment of progress has been met.

(iv) The owner or operator of the smelter subject to this paragraph which is presently in compliance with the requirements of subparagraph (1) of this paragraph shall certify such compliance to the Administrator within sixty (60) days of the effective date of this paragraph. Such certification shall include, as a minimum, a performance or stack test, conducted according to the procedures specified in subparagraph (4)(ii) of this paragraph, for each stack which emits 5 percent or more of the total potential (without emissions controls) hourly sulfur oxides emissions from the source. Notice shall be given to the Administrator at least 30 days prior to conducting a performance test(s) to afford him the opportunity to have an observer present. The Administrator may request whatever supporting information he considers necessary to determine the validity of the certification. If such certification is acceptable to the Administrator, the requirements of subparagraph (2)(i) of this paragraph shall not apply to the certifying source. If such certification is unacceptable to the Administrator, the requirements of subparagraph (2)(i) of this paragraph shall apply to the certifying source.

(3)(i) The owner or operator of the smelter to which this paragraph is applicable shall install, calibrate, maintain, and operate a measurement system(s) for continuously monitoring sulfur dioxide emissions and stack gas volumetric flow rates in each stack which emits 5 percent or more of the total potential (without emission controls) hourly sulfur oxides emissions from the source. For the purpose of this paragraph, "continuous monitoring" means the taking and recording of at least one measurement of sulfur dioxide concentration and stack gas flow rate from the effluent of each affected stack, in each 15-minute period.

(ii) No later than May 31, 1978 and at such other times in the future as the Administrator may specify, the sulfur dioxide concentration measurement system(s) and stack gas volumetric flow rate measurement system(s) installed and used pursuant to this paragraph shall be demonstrated to meet the measurement system performance specifications prescribed in Appendices D and E to this part, respectively.

(iii) The Administrator shall be notified at least 30 days in advance of the start of the field test period required in Appendices D and E to this part to afford the Administrator the opportunity to have an observer present.

(iv) The sampling point for monitoring emissions shall be in the duct at the centroid of the cross section if the cross sectional area is less than 4.647 m² (50 ft²) or at a point no closer to the wall than 0.914 m (3 ft) if the cross sectional area is 4.647 m² (50 ft²) or more. The

monitor sample point shall be in an area of small spatial concentration gradient and shall be representative of the average concentration of the duct.

(v) The measurement system(s) installed and used pursuant to this section shall be subjected to the manufacturer's recommended zero adjustment and calibration procedures at least once per 24-hour operating period unless the manufacturer(s) specifies or recommends calibration at shorter intervals, in which case such specifications or recommendations shall be followed. Records of these procedures shall be made which clearly show instrument readings before and after zero adjustment and calibration.

(vi) Six-hour average sulfur dioxide emission rates shall be calculated in accordance with subparagraph (4) of this paragraph and recorded daily.

(vii) The owner or operator of the smelter subject to this paragraph shall maintain a record of all measurements required by this paragraph. Measurement results shall be expressed as pounds of sulfur dioxide emitted per six-hour period for those stacks which emit five percent or more of the potential (without emission controls) emissions from the facility.

(viii) Six-hour average values calculated pursuant to subparagraph (4) of this paragraph shall be reported as of each hour for the preceding six-hour period. Results shall be summarized monthly and shall be submitted to the Administrator within 15 days after the end of each month. A record of such measurements shall be retained for at least two years following the date of such measurements.

(ix) The continuous monitoring and recordkeeping requirements of this subparagraph shall become applicable on July 31, 1978.

(4)(i) Compliance with the requirements of subparagraph (1) of this paragraph shall be determined using the continuous measurement system(s) installed, calibrated, maintained and operated in accordance with the requirements of subparagraph (3) of this paragraph. For all stacks equipped with the measurement system(s) required by subparagraph (3) of this paragraph, a six-hour average sulfur dioxide emission rate shall be calculated as of the end of each clock hour for the preceding six hours in the following manner:

(a) Divide each six-hour period into twenty-four 15-minute segments.

(b) Determine on a compatible basis a sulfur dioxide concentration and stack gas flow rate for each 15-minute period for all affected stacks. These measurements may be obtained either by continuous integration of sulfur dioxide concentrations and stack gas flow rates (from the respective affected facilities) recorded during the 15-minute period or from the arithmetic average of any number of sulfur dioxide concentration and stack gas flow readings equally spaced over the 15-minute period. In the latter case, the same number of concentration

readings shall be taken in each 15-minute period and shall be similarly spaced within each 15-minute period.

(c) Calculate the arithmetic average (lbs SO₂/hr) from all twenty-four emission rate measurements in each six-hour period for each stack.

(d) Total the average sulfur dioxide emission rates for all affected stacks.

(ii) Notwithstanding the requirements of subparagraph (4) (i) of this paragraph, compliance with the requirements of subparagraph (1) of this paragraph shall also be determined by using the methods described below at such times as may be specified by the Administrator. For all stacks equipped with the measurement system(s) required by subparagraph (3) of this paragraph, a six-hour average sulfur dioxide emission rate (lbs SO₂/hr) shall be determined as follows:

(a) The test of each stack emission rate shall be conducted while the processing units, venting emissions through such stack, are operating at or above the maximum rate at which they will be operated and under such other relevant conditions as the Administrator shall specify based on representative performance of the smelter units.

(b) Concentrations of sulfur dioxide in emissions shall be determined by using Method 8 as described in Part 60 of this chapter. The analytical and computational portions of Method 8 as they relate to determination of sulfuric acid mist and sulfur trioxide as well as isokinetic sampling may be omitted from the over-all test procedure.

(c) Three independent sets of measurements of sulfur dioxide concentrations and stack gas volumetric flow rates shall be conducted during three six-hour periods for each stack. Each six-hour period will consist of three consecutive two-hour tests. Measurements need not necessarily be conducted simultaneously of emissions from all stacks on the smelter premises. All tests must be completed within a 72-hour period.

(d) In using Method 8, traversing shall be conducted according to Method 1 as described in Part 60 of this chapter. The minimum sampling volume for each two-hour test shall be 40 cubic feet corrected to standard conditions, dry basis.

(e) The volumetric flow rate of the total effluent from each stack evaluated shall be determined by using Method 2 as described in Part 60 of this chapter and traversing according to Method 1. Gas analysis shall be performed by using the integrated sample technique of Method 3 as described in Part 60 of this chapter. Moisture content shall be determined by use of Method 4 as described in Part 60 of this chapter, except that stack gases arising only from a sulfuric acid production unit may be considered to have zero moisture content.

(f) The gas sample shall be extracted at a rate proportional to gas velocity at the sampling point.

(g) For each two-hour test, the sulfur dioxide emission rate for each stack shall be determined by multiplying the stack gas volumetric flow rate (ft³/hr at stand-

ard conditions, dry basis) by the sulfur dioxide concentration (lb/ft³ at standard conditions, dry basis). The sulfur dioxide emission rate in lbs/hr for each stack is determined by calculating the arithmetic average of three independent six-hour periods, each consisting of three consecutive two-hour tests.

(h) The sum total of sulfur dioxide emissions from the smelter premises in lbs/hr is determined by adding together the emission rates (lbs/hr) from all stacks equipped with the measurement systems required by subparagraph (3) of this paragraph.

(iii) A violation of the requirements of subparagraph (1) of this paragraph

shall occur whenever the total sulfur dioxide emission rate determined according to subparagraph (4) (i) or (ii) of this paragraph exceeds the sulfur dioxide emission rate specified in subparagraph (1) of this paragraph.

2. Section 52.1375 is amended to read as follows:

§ 52.1375 Attainment dates for national standards.

The following table presents the latest dates by which the national standards will be attained. These dates reflect the information presented in Montana's plan, except where noted.

Air quality control region	Pollutant					Photochemical oxidants (hydrocarbons)
	Particulate matter		Sulfur oxides		Nitrogen dioxide	
	Primary	Secondary	Primary	Secondary	Carbon monoxide	
Billings intrastate.....	(*)	(*)	(*)	(*)	(*)	(*)
Great Falls intrastate.....	(*)	(*)	(*)	(*)	(*)	(*)
Helena intrastate.....	(*)	(*)	Sept. 30, 1978	Sept. 30, 1978	(*)	(*)
Missoula intrastate.....	(*)	(*)	(*)	(*)	(*)	(*)

* 3 yrs from plan approval or promulgation.

† Air quality levels presently below primary standards.

‡ Air quality levels presently below secondary standards.

NOTE.—Footnote references which are italicized are proposed by the Administrator because the plan does not provide a specific date.

3. Section 52.1376 is revised to read as follows:

§ 52.1376 Extensions.

The Administrator hereby extends for 18 months the statutory timetable for submission of the plan for the attainment and maintenance of the secondary standard for sulfur oxides in the Helena Intrastate Region.

[FR Doc.75-27722 Filed 10-15-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20401, RM-2363; FCC 75-1086]

FM BROADCAST STATIONS, JEFFERSON CITY, MO.

Proposed Table of Assignments

Report and order—Proceeding Terminated. In the matter of amendment of § 73.202(b), Table of assignments, FM Broadcast Stations, (Jefferson City, Missouri), Docket No. 20401, RM-2363.

1. The Commission has before it a "Notice of proposed rulemaking" (40 FR 14946), issued in response to a petition filed by George E. Bryant, proposing assignment of Channel 269A to Jefferson City, Missouri (pop. 32,407), county seat and State capital, as its third FM assignment.¹ We requested information on the effect this assignment would have on future FM channels available to Centralia, Missouri (pop. 3,618), a nearby community that does not have a local

broadcast facility.² Comments were received in support of the proposed rule making from CLW Broadcasters ("CLW"), Chattanooga, Tennessee, apparent successor-in-interest to petitioner.³

2. CLW's comments were received by the Commission on June 16, 1975, along with its request for late acceptance. The cut-off date had been extended once, at CLW's request, to June 9, 1975.⁴ A second request for extension to June 13 was denied.⁵ CLW's only reason for late filing was a miscalculation in delivery time of the engineering study it had commissioned. We do not find its argument persuasive, especially since CLW not only missed our extended deadline, but also missed its own requested deadline.

3. Furthermore, even if its comments had been timely filed, they are clearly inadequate. CLW has not stated its intention to apply for the channel if assigned and to promptly build a station if authorized. Rather, it offered only the statement that it "is interested in forming a group to apply for an FM broadcast station construction permit" if the channel is assigned. To insure that a channel

¹ While we do not reach the issue in this case, we have been informed that Channels 221A and 272A could be assigned to Centralia.

² CLW has the same counsel of record as petitioner. Counsel now informs us that Mr. Bryant is no longer interested in this proceeding.

³ 40 FR 22847 (May 16, 1975).

⁴ Mimeo 51507 released June 16, 1975. We denied the extension because CLW's motion was untimely since it was filed less than the required seven days before the filing deadline. See § 1.46(b) and 39 FR 43301 (1974). The Commission acted on the motion June 11, 1975.

⁵ Jefferson City presently has two full-time AM stations, two commercial FM stations, and one educational FM station.

will be promptly utilized, we require a clear, unequivocal commitment before we proceed to make an assignment. If CLW forms a group which intends to operate a station, or if another interested party appears, we can again consider the matter through the filing of a new petition for rule making. Until such time, the proposal must be denied without prejudice.

4. Accordingly, it is ordered, That the subject proposal for rule making is denied, and that this proceeding is terminated.

Adopted: September 24, 1975.

Released: October 7, 1975.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc. 75-27826 Filed 10-15-75; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 231, 241]

[Release No. 33-5622, 34-11697; File No.
S7-589]

BANK HOLDING COMPANIES

Proposed Guides for Statistical Disclosure

The Commission today authorized the publication for public comment of proposed Guides 61 and 3, "Statistical Disclosure by Bank Holding Companies," of the Guides for the Preparation and Filing of Registration Statements under the Securities Act of 1933 and the Guides for the Preparation and Filing of Reports and Registration Statements under the Securities Exchange Act of 1934 (hereafter, the "Guides for the Preparation and Filing of Reports and Proxy and Registration Statements under the Securities Exchange Act of 1934"), respectively. The proposed guides are not rules of the Commission nor are they published as bearing the Commission's official approval; they represent policies and practices followed by the Commission's Division of Corporation Finance in administering the disclosure requirements of the federal securities laws. Moreover, it should be noted that although the guides are published for comment, the Division of Corporation Finance has been issuing comments similar in substance to some of the proposed guides in reviewing registration statements and will continue to issue such comments in reviewing registration statements during the comment period.

GENERAL BACKGROUND

THE DISCLOSURE SYSTEM

Congress in enacting the Federal securities statutes created a continuous disclosure system designed to protect investors and to assure the maintenance of fair and honest securities markets. Congress felt that a disclosure law would provide the best protection for investors. In other words, if the investor had avail-

able to him all the material facts concerning a security and its issuer, he would then be in a position to make an informed judgment whether or not to buy, hold or sell the security. In order to provide such information to investors, Congress determined that a distribution of securities requires the filing of a registration statement with the Commission and the delivery to investors of a prospectus containing accurate and current information concerning the issuer and its securities. In addition, in the Securities Exchange Act of 1934 (Exchange Act), Congress provided for periodic reporting by issuers whose securities were held by the public so that there would be continuous disclosure available to the market place. The Commission, in administering and implementing the objectives of these statutes, has sought to coordinate and integrate the disclosure system, with a view toward the fundamental purposes of the Securities Act of 1933 (Securities Act):

To provide full and fair disclosure of the character of the securities sold in interstate commerce and through the mails, and to prevent fraud in the sale thereof * * *

When choosing among investment opportunities, investors are primarily interested in future earnings potential. Recognizing this, the staff of the Commission has encouraged registrants to provide full disclosure of those factors which have a material effect upon historical earnings or which may have a material effect upon earnings. Changes in the nature of the banking business have influenced the type of disclosure that is most meaningful. As banking has diversified both geographically and in terms of the nature of business activities undertaken, it has become increasingly difficult for the investor to identify the sources of income of the bank. Since various sources of income can have a wide range of risk characteristics, the investor may have difficulty assessing the future earnings potential of a bank or bank holding company. In addition, in some circumstances, future earnings may be not so much a function of prior years' results as they are a function of present and future economic conditions. In other words, evaluations about future earnings which are extrapolated from prior experience may not be sufficient, especially during periods of rapid changes in the business environment.

Recent events, including significant changes in the economy, have increased interest in, and the need for, more meaningful disclosures relating to the loan and investment portfolios of banks. Public statements by bank regulators have indicated that the economy and bank practices may have affected the risk characteristics of the portfolios. Independent public accountants with banks as clients have expressed similar concerns. Accounting Series Release No. 166 (December 23, 1974) addressed this point specifically by calling for substantial and specific disclosure of changes in the risk characteristics of loan portfolios. In light of these concerns, the Commission's staff has been seeking more meaningful dis-

closure about loan portfolios and related items.

THE ROLE OF THE COMMISSION'S STAFF IN REVIEWING FILINGS

Certain misconceptions about the role of the staff and of the Commission in reviewing registration statements have come to the attention of the Division in connection with the recently sought disclosure about bank holding companies. The misconceptions are not applicable only to bank holding companies, but they have surfaced in that context. The Division is therefore taking this opportunity to dispel certain of these misunderstandings.

The staff of the Division reviews registration statements with the objective of attaining, to the extent feasible, full and fair disclosure. Before the staff, through delegated authority, accelerates the effective date of a registration statement, it must give due regard to the adequacy of the information available about the issuer and to the protection of investors.¹ Although the burden of making full disclosure of all material facts rests solely on the issuer of the securities, and cannot be shifted to the staff, the staff nevertheless has a responsibility to satisfy itself that the disclosure in the registration statement is as complete as feasible under the circumstances. This is as true with bank holding companies as it is with any other type of issuer. The changing nature of our economy means that the staff must be able to address areas that are of current significance or concern; the flexibility of the review process is intended to achieve this.

One misconception is that the staff cannot raise comments about a registration statement if it did not raise the same comments the last time the issuer or a similar issuer was in registration. This is contrary to the above described objective of staff review. The purpose of staff review is to try to attain as complete disclosure as feasible in light of present considerations and concerns. Comments that were appropriate last year may not be appropriate this year due to changing economic conditions; comments that no one considered raising last year may be the most critical this year for the same reason. In addition, a registration statement may have received a cursory form of review in the past so that detailed questions were not raised² or, as happens there may have been inadvertence on the part of the staff.

It has also been asserted, in the same context, that if information is not specifically called for by an item in the registration form, it need not be provided to the staff or included in the registration statement. Again, this is contrary to the basic purpose of the disclosure system. The disclosure setting changes with economic change; it is not possible at any point in time to determine what items will always be material and to thereafter rely solely on disclosure of them. It is for this reason that Rule 408 (17 CFR

¹ Section 8(a) of the Securities Act of 1933.

² Securities Act Release No. 8231 (February 3, 1972).

* Commissioner Hooks absent.

230.408) under the Securities Act and Rule 12b-20 (17 CFR 240.12-20) under the Exchange Act require that, in addition to the information expressly required to be included in a registration statement or report there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

To fulfill its function of seeking full disclosure, to the extent feasible, the staff generally asks for "supplemental information" from registrants to evaluate the adequacy of the information that is disclosed in the registration statement. Obtaining and analyzing such supplemental information is often a vital part of the staff's review. The fact that the staff asks for and receives supplemental information does not mean that it will appear in the registration statement. The staff seeks such information because it believes that the information may be material in its analysis of the disclosure in the registration statement, both in ascertaining, to the extent feasible, whether the registration statement contains adequate information and in determining what comments, if any, to make. Accordingly, it is unacceptable for a registrant to withhold information from the staff on the grounds that the information is "immaterial" in the registrant's view.

In connection with this, it should be noted that the determination of materiality depends on particular facts and is not subject to objective rules. Particularly in the case of bank holding companies, where the figures may be large, it has been contended that a certain figure is not material in relation to the total dollar amount of the loan portfolio. Although this may be true, the total dollar amount of the loan portfolio is not the only reference point. There may be an impact on income or equity or there may be a trend that might be of importance to an investor. The test for materiality as enunciated by the Supreme Court is whether a reasonable investor might consider the particular fact important in making an investment decision.³

It is in the context of these misunderstandings and with the intention of clarifying them as well as clarifying the type of disclosure that the Commission's staff expects from bank holding companies, that the Commission has authorized the publication for comment of these guides. As these guides were being prepared, the Commission's staff consulted extensively with representatives of the Federal Reserve Board, the Comptroller of the Currency and the Federal Deposit Insurance Corporation through an Interagency Bank Disclosure Coordinating Group. Because of their expertise in banking matters, the banking agencies were of assistance in providing the Commission with information about the operations and activities of banks. The Commission recognizes that the type of

information described in the proposed guides pertains to banks which are held by public bank holding companies since it is only these bank holding companies that are subject to the registration requirements of the Securities Act. However, the Commission understands that the bank regulatory agencies are considering obtaining some of the same information about banks subject to their jurisdiction through increased disclosure in the Call Reports required to be filed by banks, thus encouraging a system of coordinated disclosure.

Banks are regulated by various governmental agencies in order to assure that they are sound and that they can perform their role in our economy in a satisfactory manner. That regulation involves examination, reporting and enforcement. Regulation by the bank regulatory agencies, however, cannot substitute for the full disclosure that is required under the federal securities laws when an issuer proposes to sell its securities to public investors or its securities are being traded in the public markets. With these guides, the Division seeks to obtain data that would, to the extent feasible, provide more meaningful information about the specific bank holding company and enable investors to make meaningful comparisons among bank holding companies.

GENERAL DESCRIPTION

Proposed Guides 61 and 3 would be applicable to Securities Act registration statements (17 CFR 239.4-61) and Exchange Act registration statements on Form 10 (17 CFR 249.210), annual reports on Form 10-K (17 CFR 249.310), and proxy statements (17 CFR 240.14a-1 to 240.14a-103). The title of the Exchange Act guides has been amended to include "proxy statements." This amendment does not affect the applicability of the existing guides.

The Division believes that having the same type of statistical information available about all bank holding companies on a regular periodic basis would make the information more useful to investors. The guides specify disclosures of certain statistics relating to loans and related items, and are intended to apply only to one part of the bank holding company prospectus, proxy statement or report, the description of business. These guides are not all inclusive and in no way limit the type of information that may be required. Appropriate disclosure must always depend on the facts at the time. Although the guides give registrants descriptions of certain information that should be disclosed, they cannot cover every situation; the staff will still request supplemental information when appropriate to aid in the analysis of the information provided and may request additional disclosures.

In the preparation of the guides the staff has been mindful of the investor's need to assess uncertainties. The focus of many of the disclosures suggested is to provide information to help differentiate among banks as to sources of income and

exposure to risks. Thus, for example, the registrant is asked to provide a breakdown of loan portfolios by types of loan. With information of this kind the investor is assisted in evaluating the potential impact of economic events of the future which may not be anticipated at the time of preparation of the registration statement. The same concept of providing information for risk assessment underlies the suggestions for disclosure of sources of funds and sensitivities to interest rate fluctuations. Among other things, this information should help the investor to evaluate the ability of the bank to move into or out of situations with favorable or unfavorable risk/return characteristics.

The proposed guides contain nine sections, each dealing with a particular area of statistical disclosure for bank holding companies. The first section, "Distribution of Assets, Liabilities and Capital," would require that balance sheet data for the past five years be presented in terms of daily averages and in terms of percentages of total assets, and total liabilities and capital. The percentage of assets associated with foreign operations would also be disclosed under certain specified conditions. The second section, "Investment Portfolio," would require the furnishing of specific information concerning the investment portfolio at the end of each of the last five fiscal years and any interim period presented. In addition, the portfolio at the end of the latest period would be separated into ranges of maturities and the weighted average interest rate for each range of maturities would be disclosed.

The proposed third section, "Loan Portfolio," sets forth five areas of disclosure relating to the registrant's loan portfolio. The disclosures include a breakdown of the types of loans in the portfolio at the end of each of the last five years and any interim period presented. Generally, the breakdown would follow the classifications in the banking regulators' Call Reports, but further elaboration might be necessary in some cases. In addition, the disclosures with respect to the loan portfolio would include information as of the end of the latest fiscal year about the portfolio's sensitivity to changes in interest rates and its range of maturities.

The proposed third section would also require disclosures relating to the risk aspects of the registrant's loan portfolio. The Division recognizes the complexities in this area and the difficulty of obtaining meaningful information. Therefore, three alternatives are being proposed and specific comment is invited on the form of guide that would result in the most meaningful information to investors. The first alternative would require disclosure relating to loans which are designated "nonperforming"—generally those loans 60 days past due or which have been renegotiated because of the weakened condition of the borrower. The aggregate amount of each category and the impact on income or loss of interest on such loans would have to be disclosed. Similar

³ "Amiliated Ute Citizens v. United States," 406 U.S. 128 (1972).

information would have to be provided for all loans which, in management's opinion, involve a reasonable probability that principal and interest, in whole or in part, may not be collectable. This would include any "nonperforming" loans that involved such reasonable probability, as well as any other loans that came within that standard.

The second alternative is exactly the same as the first except that it does not call for disclosure of the aggregate amount of either "nonperforming" or "reasonable probability of noncollectability" loans or for information about collateral. The third alternative would require the same information about nonperforming loans as the second alternative, and would in addition seek information about loans involving "expected losses," including the aggregate amount of such losses.

The fourth section, "Deposits, Long-Term Debt and Funds Borrowed," specifies the statistical disclosure to be made with respect to the composition of the registrant's deposits, long-term debt and funds borrowed with specific disclosure of the maturities of time deposits of \$100,000 or more. The fifth section, "Return on Equity and on Assets," would require for each period disclosures of the percentage of income to average stockholders' equity and to average total assets. Under the sixth section, "Interest Rates and Interest Differential," the registrant would furnish a comparison of the average interest rates earned and paid for each reported period. In addition, dollar amounts of changes in income and expense for earning assets and for borrowed funds for the last two fiscal years and any interim period presented would be required, as well as the net interest differential.

Certain disclosure requirements relating to the registrant's international banking operations are set forth in the seventh section, "Foreign Banking Operations." Comment is specifically requested on whether "foreign banking operations" should be defined as business transacted through foreign branches, or business with foreign obligors or depositors whether through foreign branches or not, or whether another definition would be preferable. Until such time as there is a definition of "foreign banking operations," the staff will accept disclosure based on the registrant's own definition, as long as that definition is disclosed. It is anticipated that the guides, particularly with respect to foreign banking activities, will be revised based on further experience.

The eighth section, "Commitments," sets forth disclosure concerning commitments for future loans, including firm lines of credit. The proposed guide would require information as of the end of the most recent fiscal year and any subsequent period about unused and used commitments broken down into those made for commercial and industrial loans, loans to financial institutions, and mortgages. A proposed definition of commitment for these purposes is also in-

cluded. These disclosures are designed to provide investors with information about the possible future application of funds.

The ninth section, "Summary of Loan Loss Experience," would require an analysis of the registrant's loan loss experience for the last ten years and any interim period presented. Certain portions of this analysis are keyed to the types of loans presented in the disclosure of the loan portfolio required under Section three (Loan Portfolio). One of the items to be disclosed is the additions to the reserve charged to operating expense. A description of the factors which influenced management's judgment in determining the amount of the provision for loan losses would be required. The single statement that the amount is based on management's judgment is not sufficient.

It should be emphasized in this connection that the formulas established by bank regulatory agencies represent a statistical technique for providing additions to the reserve based upon the average loss experience of the past. While such an approach is a reasonable starting point for determining an adequate provision, it does not take into account changing circumstances which may require a smaller or larger amount to be provided. Where the amount actually provided is not based on a statistical analysis of past experience, issuers should so indicate and should explain the reasons for any variance.

OPERATION OF THE PROPOSED GUIDES

The Division recognizes that some of the information called for by the proposed guides may not be presently available without undue burden or expense. Therefore, if the guides are adopted, they would operate prospectively as to certain items. An example of such an item would be the area of loan loss experience in previous years.

The Division is mindful of the cost to registrants and others of its proposals and recognizes its responsibilities to weigh with care the costs and benefits which result from its practices. Accordingly, the Division specifically invites comments on the cost to registrants of complying with the proposed guides.

The Commission has authorized the publication for comment of proposed Guides 61 and 3, pursuant to sections 7 and 10 of the Securities Act of 1933 and sections 12, 13 and 15(d) of the Securities Exchange Act of 1934. All interested persons are invited to submit their views or comments on the guides to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, on or before November 30, 1975. Such communications should refer to File No. S7-589 and will be available for public inspection. The text of the proposed guides is attached below.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 1, 1975.

PROPOSED GUIDE 61—GUIDES FOR THE PREPARATION AND FILING OF REGISTRATION STATEMENTS UNDER THE SECURITIES ACT OF 1933

STATISTICAL DISCLOSURE BY BANK HOLDING COMPANIES

This guide applies to the description of business required in registration statements filed on Forms S-1 (Item 9) (17 CFR 239.11), S-7 (Item 5) (17 CFR 239.26) and S-14 (Item 1) (17 CFR 239.23).

Information furnished in accordance with this guide should be set forth in the order appearing below for the periods specified. When the term "reported period" is used in the guide, it refers to each of the periods described below, unless otherwise specified:

- Each of the last five fiscal years of the registrant.
- Any subsequent interim period for which an income statement is furnished, and
- Any additional period necessary to keep the information presented from being misleading.

If the registrant believes that the presentation described in this guide is inappropriate, or that specific items are not relevant or are otherwise inappropriate, the registrant should bring this to the staff's attention, indicating the reasons therefor. It is recognized that some of the information called for by the proposed guides, such as loan loss data in prior years, may not be presently available without undue burden or expense. If this is the case, the staff should be so advised.

With respect to daily averages, which are required by some of the guides, if the registrant does not have daily data and if management believes that averages as of ends of quarters or as of call dates would not be misleading, such averages are acceptable.

The data required by this guide should be presented in tabular format unless an alternative presentation is clearly preferable.

I. *Distribution of assets, liabilities and capital.* A. For each reported period, present the daily average of (1) total assets and (2) each principal category of asset.

B. As of the end of each reported period, present the percentage of (1) each principal category of assets to total assets and (2) each principal category of liabilities and capital to total liabilities and capital.

C. If during any reported period (1) the revenues or income before taxes associated with foreign operations exceeded 5 percent of the registrant's consolidated revenues or income before taxes, respectively, or (2) the assets associated with foreign operations exceeded 5 percent of total assets, present the percentage of total assets associated with foreign operations as of the end of each reported period.

Note: For additional statistical disclosure concerning foreign operations see Paragraph VII.

II. *Investment portfolio.*—A. As of the end of each reported period, present the amount of investment in obligations of (1) the U.S. Treasury, (2) U.S. government agencies and corporations, (3) state and political subdivisions (domestic), (4) other bonds, notes and debentures, and (5) corporate stock. In addition, state the average maturities as of the end of each reported period for each of the aforementioned investment categories, except (5).

B. As of the end of the latest reported period, present the amount of each investment category listed above (except (5)) which is due (1) in one year or less, (2) after one year through five years, (3) after five years through ten years, and (4) after ten years. In addition, state the weighted average interest rate for each range of maturities.

NOTE: It should be indicated whether or not yields on tax exempt obligations have been computed on a tax equivalent basis.

III. *Loan portfolio.*—A. *Types of loans.* For each reported period, present the daily average amount of each type of loan listed below. Additional detail of loans by type may be appropriate in some circumstances, such as when a substantial portion of total commercial and industrial loans is concentrated in one or a few industries.

NOTE: See "Call Report Instructions to Schedule A Loans" of the federal banking agencies for definitions of types of loans. If the registrant believes that it is appropriate to categorize loans differently than required by such Instructions, an explanation of the differences should be provided to the staff.

1. Real estate loans (include only loans secured primarily by real estate):

- (a) Construction and land development.
- (b) Secured by farmland.
- (c) Secured by 1-4 family residential properties: (1) Insured by FHA or guaranteed by VA, (2) Not insured by FHA or guaranteed by VA.
- (d) Secured by multi-family (5 or more) residential properties: (1) Insured by FHA, (2) Not insured by FHA.
- (e) Secured by nonfarm, nonresidential properties.

2. Loans to financial institutions:

- (a) Real estate investment trusts and mortgage companies.
- (b) Domestic commercial banks.
- (c) Foreign banks.
- (d) Other depository institutions.
- (e) Other financial institutions.

3. Loans for purchasing or carrying securities.

4. Commercial and industrial loans.

5. Loans to individuals for household, family, and other personal expenditures:

- (a) Installment (including credit cards).
- (b) Single payment.
- (c) All other loans.

B. *Sensitivity to changes in interest rates.*

As of the end of the latest fiscal year and any interim period reported on, present separately the amount of loans (based on remaining scheduled repayments of principal) (1) due in one year or less and (2) due after one year (a) which have interest rates dependent upon the "prime" rate of interest, (b) which have other variable rates of interest and (c) which have fixed rates of interest.

C. *Maturities.* Excluding residential mortgages (1-4 family residences) and loans to individuals for household, family and other personal expenditures, present separately as of the end of the latest reported period the amount of loans maturing (based on remaining scheduled repayments of principal) (1) in one year or less, (2) after one year through five years and (3) after five years.

(3) After five years.
[Paragraphs D and E seek disclosure relating to the risk characteristics of the loan portfolio. Three alternative guides are set forth below; comment is specifically requested on these alternatives.]

ALTERNATIVE (1)

D. *Nonperforming loans.* As of the end of the latest two fiscal years and any interim period reported on, state separately the following for loans (a) which are contractually past due 60 days or more as to interest or principal payments, or (b) the terms of which have been renegotiated to provide a reduction or deferral of interest or principal because of a weakening in the position of the borrower (exclusive of loans in (a)):

- 1. The aggregate amount of such loans;
- 2. The gross amount of interest income which would have been recorded on such

loans during the period if all such loans had been current (in accordance with their original terms) and outstanding throughout the period;

3. The amount of interest payments which were recorded in interest income (excluding reversals of previously accrued interest) during the period on these loans;

4. If any disclosure is made relating to collateral, state the portion of loans disclosed pursuant to (1) which is secured by marketable collateral.

NOTES.—1. A loan remains in category (b) until such time as the terms are substantially equivalent to terms on which loans with comparable risks are being made.

2. For filings made in the first year that the guides are in effect, information is required only for the latest fiscal year and any interim period reported on unless similar information for previous years has been included in filings with the Commission.

E. *Loans involving reasonable probability of non collectability.* As of the end of the latest two fiscal years and any interim period reported on, state the following for loans which, in management's opinion, involve a reasonable probability that principal and interest, in whole or in part, may not be collectable, broken down into (a) loans which are contractually past due 60 days or more as to interest or principal payments, (b) loans the terms of which have been renegotiated to provide a reduction or deferral of interest or principal because of a weakening in the position of the borrower (exclusive of loans in (a)), and (c) other loans (exclusive of loans in (a) and (b)) (for example, those single payment loans not yet due from borrowers whose financial condition raises questions as to ultimate collectability):

- 1. The aggregate amount of such loans;
- 2. The gross amount of interest income which would have been recorded on such loans during the period if all such loans had been current (in accordance with their original terms) and outstanding throughout the period;
- 3. The amount of interest payments which were recorded in interest income (excluding reversals of previously accrued interest) during the period of these loans;
- 4. If any disclosure is made relating to collateral, state the portion of loans disclosed pursuant to (1) which is secured by marketable collateral.

NOTES.—1. The determination of what amounts should be included in E is not the same as that involved in determining loan loss reserves since the "reasonable probability" test may cover loans which are not specifically reserved for and the amount to be disclosed is the full amount of such loans.

2. A loan remains in category (b) until such time as the terms are substantially equivalent to terms on which loans with comparable risks are being made.

3. For filings made in the first year that the guides are in effect, information is required only for the latest fiscal year and any interim period reported on, unless similar information for previous years has been included in filings with the Commission.

ALTERNATIVE (2)

D. *Nonperforming loans.* Paragraph D would be identical to D in Alternative (1) except that paragraph D.1, calling for the aggregate amount and paragraph D.4, relating to collateral would be deleted.

E. *Loans Involving Reasonable Probability of NonCollectability.* Paragraph E would be identical to E in Alternative (1) except that paragraph E.1, calling for the aggregate amount and paragraph E.4, relating to collateral would be deleted.

ALTERNATIVE (3)

D. *Nonperforming Loans.* As of the end of the latest reported period, state separately the following for loans (a) which are contractually past due 60 days or more as to interest or principal payments, or (b) the terms of which have been renegotiated because of a weakening in the position of the borrower, to provide a reduction or deferral of interest or principal:

1. The gross amount of interest income which would have been recorded on such loans during the period if all such loans had been current (in accordance with their original terms) and outstanding throughout the period.

2. The amount of interest payments which were recorded in interest income (excluding reversals of previously accrued interest) during the period of these loans.

3. If desired by management, the amount of marketable collateral which is available to cover the loans in D(a) and D(b) may be stated.

E. *Loans involving expected losses.* As of the latest reported period, state the following for those outstanding loans which management has taken specific account of in computing its provision for loan loss reserves because of an expected loss in whole or in part. These loans may include some portion of those in D(a), some portion of those in D(b), and any additional loans that are expected to become losses:

- 1. The aggregate amount of such loans.
- 2. The gross amount of interest income which would have been recorded on such loans during the period if all such loans had been current (in accordance with their original terms) and outstanding throughout the period.
- 3. The amount of interest payments which were recorded in interest income (excluding reversals of previously accrued interest) during the period of these loans.
- 4. If desired by management, the amount of marketable collateral which is available to cover the loans involving expected losses may be stated.

IV. *Deposits, long-term debt and funds borrowed.* For each reported period, present separately the average daily amount of (1) domestic demand deposits, (2) domestic savings and time deposits (excluding time deposits separately reportable under (3) below), (3) domestic time deposits issued in amounts of \$100,000 or more (set forth in dollar amounts by time remaining until maturity: under 3 months, 3 to 6 months, 6 to 12 months, and over 12 months), (4) federal funds purchased and securities sold under agreements to repurchase, (5) notes and debentures, (6) mortgage indebtedness, (7) foreign demand and time deposits and (8) other funds borrowed.

V. *Return on equity and on assets.* For each reported period, present the percentage of net income to average stockholders' equity and to average total assets.

VI. *Interest rates and interest differential.* A. For each reported period, present a summarization of the average rate earned on each major type of earning assets, the average rate paid for each major type of purchased funds and net weighted differential between rates earned and rates paid.

B. For the latest two fiscal years and any interim period reported on, present (1) the dollar amounts of the changes in interest income for earning assets (in total and broken down into loans, investments, federal funds and other appropriate categories); (2) the dollar amounts of the changes in interest expense for borrowed funds (time deposits, short-term borrowings and other appropriate categories); and (3) the net interest differential. The dollar amounts

should be analyzed to indicate the amount of the change resulting from variances in volume and from variances in rates and yields.

VIII. Foreign Banking Operations.

NOTE: See paragraph I.C. for additional disclosure on international operations.

If during either of the last two reported periods, (1) the revenues or income before taxes associated with foreign banking operations exceeded 5 percent of the registrant's consolidated revenues or income before taxes, respectively, or (2) the assets associated with foreign banking operations exceeded 5 percent of total assets, furnish the following information with respect to such operations:

A. As of the end of the latest reported period present separately the aggregate amount of:

1. Loans to banks.
2. Loans to other financial institutions.
3. Loans to governments and official institutions.
4. Consumer loans.
5. Loans to businesses.
6. Real estate loans.
7. Other loans.
8. Deposits.
9. Other borrowing from foreign sources.

B. As of the end of the latest reported period present separately the amount of foreign assets by appropriate geographic grouping. If five percent or more of the registrant's total assets are located in one foreign country, such country shall be identified and the amount of assets so located shall be stated separately.

C. As of the end of the latest reported period, present separately the amount of foreign assets and liabilities by currency (with disclosure of open currency positions at that date).

NOTE: If these disclosures would involve violation of the banking confidentiality requirements of any country, registrants may omit such disclosure: *Provided*, That a statement is made that such information has been omitted. The staff may in its discretion ask for support for the registrant's assertion that disclosure would violate any such confidentiality requirements.

D. For each reported period, present separately revenues and net income by appropriate geographic grouping. If five percent or more of the registrant's revenue or net income from operations is attributable to one foreign country, such country shall be identified and the amount of revenue or net income so attributed shall be stated separately.

VIII. Commitments. As of the end of the most recent fiscal year and any subsequent period reported on, present the following information in regard to loan commitments:

	Commitments, including confirmed lines ¹		
	Unused ²	Used ³	Total
A. For commercial and industrial loans:			
(1) Commitments for term loans			
(2) Commitments for revolving credit			
(3) Confirmed lines of credit			
(4) Other commitments			
(5) Total			
B. For loans to financial institutions:			
(1) Banks			
(2) Bank holding companies			
(3) Other			
(4) Total			
C. For mortgages			

IX. Summary of loan loss experience. An analysis of loan loss experience shall be furnished in the following format for the latest ten fiscal years and any interim period reported on.

NOTE: As indicated in the introduction to the guide, if the loan loss data is not available without undue burden or expense, the staff should be so advised.

A. Amount of loans outstanding at end of period.

B. Amount of daily average loans outstanding.

C. Amount of valuation portion of loan loss reserve at beginning of period. A note to the table should explain that the valuation portion of the reserve is the only part available to cover loans that are charged off.

D. Amount of losses charged off during each period:

1. Loans to individuals for household, family and other personal expenditures.
2. Residential mortgages (1-4 family).
3. Other real estate (including construction loans).
4. Commercial and industrial loans.
5. Foreign loans.
6. All other loans.
7. Total.

E. Amount of recoveries of losses previously charged off during each period:

1. Loans to individuals for household, family and other personal expenditures.
2. Residential mortgages (1-4 family).
3. Other real estate (including construction loans).
4. Commercial and industrial loans.
5. Foreign loans.
6. All other loans.
7. Total.

F. Net loans charged off during each period.

G. Additions to reserve charged to operating expense during each period. Indicate the amount by which the provisions for the latest fiscal year differs from the applicable regulatory agency formula disclosing which formula is used. In connection with this information, for the latest fiscal year and any interim period reported on, describe briefly the factors which influenced management's judgment in determining the amount charged to operating expense. The statement that the amount is based on management's judgment is not sufficient.

H. For all reported periods, a breakdown of the loan loss reserve by loan type as described in paragraph E above, including also as a loan type any unallocated portion of the reserve, in terms of: (a) Dollar amounts, (b) percentages of total loans of each loan type, (c) percentages of total nonperforming loans of each loan type described in paragraph III (D).

¹ Commitments are official promises to lend that are expressly conveyed, orally or in writing, to the bank's customers. Such commitments are usually in the form of a formally executed agreement or a letter signed by one of the bank's officers. Oral commitments made by bank officers to customers are usually accompanied by some documentation for the bank's own records such as a notation in the customer's credit file. Authorizations (internal guidance lines) where the customer is not informed of the amount, however, should be excluded as should those cases where loan funds are temporarily pending loan committee approval.

² Unused commitments are the amounts still available under commitment arrangements, but not borrowed, as of the indicated date. Unused commitments exclude any take-downs, expirations, or cancellations.

³ Used commitments are all loans, less repayments of principal, made under commitments currently or previously in force.

NOTE:—The information may be furnished only for loans over \$100,000 if such size cut-off is used for reporting similar data to the bank regulatory agency with jurisdiction over the registrant.

NOTE: For filings made in the first ten years that the guides are in effect, information in response to Paragraph H is required only for the latest fiscal year and any interim period reported on, unless similar information for previous years has been included in filings with the Commission.

I. Valuation portion of reserve at end of year.

J. Ratio of net charge-offs during each period to average loans outstanding for the period.

K. Ratio of valuation portion to loans at end of period.

PROPOSED GUIDE 3—GUIDES FOR THE PREPARATION AND FILING OF REPORTS AND PROXY AND REGISTRATION STATEMENTS UNDER THE SECURITIES EXCHANGE ACT OF 1934.

STATISTICAL DISCLOSURE BY BANK HOLDING COMPANIES

This guide applies to the description of business required in registration statements filed on Form 10 (Item 1) (17 CFR 249.210), in proxy statements relating to mergers, consolidations, acquisitions and similar matters (Item 14 of Schedule 14A) (17 CFR 240.14a-

101), and in reports filed on Form 10-K (Item 1) (17 CFR 249.310).

[The rest of Proposed Guide 3 is identical to Proposed Guide 61 set forth above.]

(Secs. 7, 10, 48 Stat. 78, 81; secs. 12, 13, 15(d), 48 Stat. 892, 894, 895; sec. 205, 48 Stat. 906; secs. 1, 3, 49 Stat. 1375, 1377; secs. 8, 202, 68 Stat. 685, 686; secs. 3, 4, 6, 78 Stat. 565-568, 569, 570-574; secs. 1, 2, 82 Stat. 454; secs. 1, 2, 28, 84 Stat. 1435, 1497 (15 U.S.C. 77g, 77j, 781, 78m, 78o(d)))

[FR Doc. 75-27892 Filed 10-15-75; 8:45 am]

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policies, procedures, and personnel matters and will be held in closed session.

The topics discussed will involve subject matter analogous to the Freedom of Information Act and listed in Title 5, U.S.C. 552(b) (2), (5) and (6).

If additional information is desired, contact Headquarters, U.S. Air Force (DPPA), Washington, D.C. 20330, at 202-697-7116.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27730 Filed 10-15-75;8:45 am]

AIR FORCE COMMUNICATIONS SERVICE (AFCS) FROM RICHARDS-GEBAUR AIR FORCE BASE, MO TO SCOTT AIR FORCE BASE, IL AND RELATED MISSION REALIGNMENTS

Proposed Relocation

OCTOBER 8, 1975.

Notice is hereby given that in accordance with the National Environmental Policy Act, the United States Air Force intends to prepare an environmental impact statement on the proposed relocation of AFCS from Richards-Gebaur Air Force Base, MO to Scott Air Force Base, IL and related mission realignments. One of the related realignments is the proposed relocation of the 37th Tactical Airlift Squadron from Langley Air Force Base, VA to Pope AFB, NC. Another is the proposed relocation of the 1866th Facilities Checking Squadron from Richards-Gebaur Air Force Base, MO to Tinker Air Force Base, OK.

Environmental studies leading to the preparation of the environmental impact statement will be conducted at Richards-Gebaur Air Force Base, MO; Scott Air Force Base, IL; Pope Air Force Base, NC and Tinker Air Force Base, OK and their surrounding communities. These studies are expected to begin on or about October 1, 1975 and will be conducted by both Air Force personnel and civilian personnel under contract to the Air Force.

The Environmental Impact Statement will examine socioeconomic and physical environmental interrelationships which exist between the bases and the local communities including, but not limited to such factors as: The regional setting, demographic profile, economic base, manufacturing and industrial profiles, tourism and recreation, cultural and historic resources, human resources program, employment profiles, housing, education and community planning, and noise, air and water quality.

All interested persons desiring to submit suggestions for consideration in connection with the preparation of the environmental impact statement should send them to Lieutenant Colonel William R. Sims, AF/PREVX, Headquarters, U.S. Air Force, Washington, D.C. 20330, telephone 202-697-7763.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27778 Filed 10-15-75;8:45 am]

AIR FORCE INSTITUTE OF TECHNOLOGY SUBCOMMITTEE

Meeting

OCTOBER 8, 1975.

The Air Force Institute of Technology Subcommittee of the Air University Board of Visitors will hold an open meeting on November 21, 1975 at 11:00 a.m. in the Commandant's Conference Room (Building 125), Wright-Patterson Air Force Base, Ohio.

The purpose of the meeting is to give the Subcommittee opportunity to present to the Commandant, Air Force Institute of Technology, a report of findings and recommendations concerning the Institute's educational programs. The findings of the Subcommittee will also be reported to the Commander, Air University, at the next regularly scheduled meeting of the Air University Board of Visitors.

For further information on this meeting, contact Lieutenant Colonel Jonathan H. Snead, Chief, Degree Programs Division, Directorate of Educational Plans and Operations, Air Force Institute of Technology, at 513-255-4219 or 513-255-5402.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27777 Filed 10-15-75;8:45 am]

NATIONAL DEFENSE TRANSPORTATION ASSOCIATION

Meeting

OCTOBER 7, 1975.

The National Defense Transportation Association Military Airlift Committee will hold a meeting on November 12 and 13, 1975, with the following agenda:

WEDNESDAY, NOVEMBER 12

- 1300 Meeting Convenes
- 1320 The Impact of Technology on Airlift
- 1400 Ground Test Facilities at Arnold Engineering Development Center
- 1430 The Last Quarter of the Twentieth Century
- 1500 Break
- 1520 The Role of Intermodality, 1980-2000
- 1550 Adjournment

THURSDAY, NOVEMBER 13

- 0845 Meeting Reconvenes
- 0850 MAC Resource Optimization
- 0930 YC-14
- 1015 Break
- 1030 Tour of Boeing YC-14 and Plant
- 1145 Lunch
- 1315 747SP Flight Demonstration
- 1500 Adjournment

The NDTA Military Airlift Committee, serving as an industry advisory committee, advises the Commander of the Military Airlift Command on broad management problems pertaining to his command responsibilities. Presentations and discussions, in consonance with the theme, "The Airlift Scene, 1980-2000," will be featured.

The meeting is open for general public attendance, but this does not include participation in the proceedings or questioning the briefers and committee mem-

bers. If an individual wishes to make a formal, oral statement germane to the meeting, he may submit a formal application, including the substance of the statement, in advance to the Commander, Military Airlift Command, Attention: Executive Agent, Military Airlift Committee, Scott Air Force Base, Illinois 62225. Formal written statements may be submitted to the Commander at any time before or after the meeting.

For additional information concerning this meeting, contact Colonel Floyd D. Castleman (Executive Agent), at 618-256-3025.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27775 Filed 10-15-75;8:45 am]

SCIENTIFIC ADVISORY BOARD

Meeting

OCTOBER 7, 1975.

The USAF Scientific Advisory Board FTD Advisory Group will hold a meeting on November 18, 1975 from 8:00 a.m. to 5:00 p.m., and on November 19, 1975 from 8:00 a.m. to 12:30 p.m. at HQ Foreign Technology Division, Bldg. 828, Room 276, Wright-Patterson Air Force Base, Ohio.

The meeting will consist of classified briefings and discussions on the analytic methods utilized by the Foreign Technology Division.

The meeting will be closed to the public in accordance with Title 5, U.S.C. 552 (b), specifically subparagraph (1).

For further information, contact the Scientific Advisory Board Secretariat at 202-697-4648.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27776 Filed 10-15-75;8:45 am]

SCIENTIFIC ADVISORY BOARD

Meeting

OCTOBER 7, 1975.

The USAF Scientific Advisory Board ad hoc Committee on Turbine Engines will hold a meeting on November 7, 1975 from 8:30 a.m. to 5 p.m. at the Pentagon, Washington, D.C.

The Committee will receive classified briefings on U.S. and foreign engine development programs and practices.

The meeting will be closed to the public under the provisions of 5 U.S.C. 552(b), specifically subparagraph (1).

For further information, contact the Scientific Advisory Board Secretariat at 202-697-8845.

JAMES L. ELMER,
Major, USAF, Executive,
Directorate of Administration.

[FR Doc.75-27774 Filed 10-15-75;8:45 am]

AIR FORCE SYSTEMS COMMAND AERONAUTICAL SYSTEMS DIVISION ADVISORY GROUP

Meeting

OCTOBER 10, 1975.

The Air Force Systems Command Aeronautical Systems Division Advisory Group will hold meetings on October 30 and 31, 1975 at the Fairchild Republic Company, Building 17, Mezzanine (A-10 Control Room), Farmingdale, Long Island, New York, from 8:30 a.m. to 5:30 p.m. each day.

The meeting will consist of proprietary briefing and discussions on the A-10 aircraft structural design and fatigue test program.

The meetings concern matters listed in section 552(b) of Title 5, United States Code, specifically subparagraph (4) thereof, and that accordingly the meetings will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at 202-697-8404.

JAMES J. SHEPARD,
Director of Administration.

[FR Doc.75-27848 Filed 10-15-75; 8:45 am]

Department of the Army

MISSISSIPPI ARMY AMMUNITION PLANT, BAY ST. LOUIS, MISS.

Public Hearing

The Department of the Army will conduct a Public Hearing on the Draft Environmental Impact Statement concerning the establishment of the Mississippi Army Ammunition Plant. The hearing will take place at the National Space Technology Laboratories on October 16, 1975 at 7:30 PM, chaired by Office of the Project Manager for Munitions Production Base Modernization and Expansion.

The hearing will provide an opportunity to organizations and other interested members of the general public to comment on the draft statement.

Copies have been previously provided to federal, state and local agencies. CEQ announced availability of the statement in the FEDERAL REGISTER, Vol. 40, No. 188, Friday, September 26, 1975 (40 FR 44349).

Additional information may be obtained from Project Manager for Munitions Production Base Modernization and Expansion, ATTN: Mississippi Army Ammunition Plant Branch (AMCPM-PBM-MA), Dover, NJ 07801 (Commercial No. 201 328-2912/4744).

BRUCE A. HILDEBRAND,
Deputy for Environmental Affairs, Office of the Assistant Secretary of the Army (Civil Works).

[FR Doc.75-27779 Filed 10-15-75; 8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

Meeting

This is to provide notice of meeting of the Juvenile Delinquency Task Force on Criminal Justice Standards and Goals.

The Juvenile Delinquency Task Force will meet on October 31 and November 1, 1975 at The Regency Hotel of Denver, 3900 Elati, Denver, Colorado 80216. The meeting will convene at 8:30 a.m. and will be open to the public.

Discussion will focus on the proposed standards on delinquency prevention and neglect and abuse. Also, to review re-drafted standards in the jurisdiction area.

For further information, contact John Greacen, Acting Director for the National Institute for Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Washington, D.C.

GERALD H. YAMADA,
Attorney-Advisor,
Office of General Counsel.

[FR Doc.75-27858 Filed 10-15-75; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Sacramento 051359]

CALIFORNIA

Order Providing for Opening of Land

OCTOBER 7, 1975.

Pursuant to the authority redelegated to me by the State Director, California State Office, Bureau of Land Management, approved by the Director, Bureau of Land Management, effective January 12, 1972 (37 FR 491), it is ordered as follows:

The following described national resource land which was withdrawn from application under the nonmineral public land laws and from disposition under the homestead, desert land and scrip selection laws and designated as the Panoche National Cooperative Land and Wildlife Management Area by Public Land Order 2460, has been classified as proper for private exchange pursuant to Sec. 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272).

MOUNT DIABLO MERIDIAN

T. 16 S., R. 12 E.,
Sec. 1, SW¼ NW¼,
containing 40 acres.

The land shall immediately be opened for filing of an exchange application.

Inquiries concerning the land should be addressed to the Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

WALTER F. HOLMES,
Chief, Branch of Lands
and Minerals Operations.

[FR Doc.75-27781 Filed 10-15-75; 8:45 am]

ROSWELL DISTRICT MULTIPLE USE ADVISORY BOARD

Public Meeting

OCTOBER 1, 1975.

Notice is hereby given that the Bureau of Land Management, Roswell District Multiple Use Advisory Board, will meet in the District Office, 1717 West Second Street, November 18, 1975, at 9:30 a.m. The meeting will be devoted principally to organization of the board, orientation and consideration of multiple use management of the resources on national resource lands in the Roswell District.

The agenda will include; organization of the board, presentation by district personnel of Bureau programs, problems, and historical background. There will be presentation, discussion and recommendations concerning the Bureau Planning System and the East Chaves Planning Unit.

The meeting will be open to the public and opportunity will be afforded for a limited number of brief oral statements from members of the public. Written statements also may be submitted. Written comments or inquiries should be addressed to the Bureau of Land Management District Manager at 1717 W. Second Street, Roswell, New Mexico, 88201. Oral requests for information will be received at the same office at (505-622-7670).

WILLIAM W. CAMPBELL,
District Manager.

[FR Doc.75-27780 Filed 10-15-75; 8:45 am]

[ES 14827; Survey Group 83]

WISCONSIN

Filing of Plat of Survey

OCTOBER 6, 1975.

The plat of survey of the following described land, which was accepted on December 4, 1974, will be officially filed in the Eastern States Office, Silver Spring, Maryland at 10:00 a.m. on November 17, 1975.

FOURTH PRINCIPAL MERIDIAN

T. 8 N., R. 5 E.
Sec. 3; Lot 6.
Containing 3.64 acres.

This plat represents the survey of an island within the Wisconsin River. The

island's formation is in all regards similar to the opposite mainland and is at an elevation of 7 feet above mean-water level. The soil is rich, sandy loam. Timber consists primarily of maple, ash, box elder and willow; the undergrowth consists mostly of young trees, brush and grass. The character of the island and the timber growth thereon attest to its existence on May 29, 1848, when Wisconsin was admitted into the Union, and at all times since. It is, therefore, held to be public land. The island is well over fifty percent upland in character within the interpretation of the Swampland Act of September 28, 1850.

Except for valid existing rights, these lands will not be subject to application, petition, location, selection or to any other type of appropriation under any public land law, including the mining and mineral leasing laws, until a further order is issued.

All inquiries relating to these lands should be sent to the Director, Eastern States, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

LOWELL J. UDY,
Director,
Eastern States.

[FR Doc.75-27783 Filed 10-15-75; 8:45 am]

[Wyoming 52521]

WYOMING Application

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Western Oil Transportation Company, Incorporated has applied for an oil pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 45 N., R. 76 W.
Sec. 21;

The pipeline will convey oil from a tank battery to an existing pipeline all in Sec. 21, T. 45 N., R. 76 W., in Campbell County, Wyoming.

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 send their name and address to the District Manager, Bureau of Land Management, P.O. Box 2834, Casper, WY 82601.

PHILIP C. HAMILTON,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.75-27815 Filed 10-15-75; 8:45 am]

[Wyoming 52522]

WYOMING Application

OCTOBER 8, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act

of 1920, as amended (30 U.S.C. 185), Western Oil Transportation Company, Incorporated has applied for an oil pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 45 N., R. 76 W.
Sec. 8;

The pipeline will convey oil from a tank battery to an existing pipeline, all in Sec. 8, T. 45 N., R. 76 W., in Johnson County, Wyoming.

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 send their name and address to the District Manager, Bureau of Land Management, P.O. Box 2834, Casper, WY 82601.

PHILIP C. HAMILTON,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.75-27816 Filed 10-15-75; 8:45 am]

[Wyoming 52825]

WYOMING Application

OCTOBER 8, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Colorado Interstate Corporation has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 18 N., R. 98 W., sec. 12.

The pipeline will convey natural gas from the Rock Springs Grazing Association 11-7 well in Sec. 7, T. 18 N., R. 97 W., to an existing pipeline in Sec. 1, T. 18 N., R. 98 W., in Sweetwater County, Wyoming.

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 send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1869, Rock Springs, WY 82901.

PHILIP C. HAMILTON,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.75-27817 Filed 10-15-75; 8:45 am]

WYOMING STATE MULTIPLE USE ADVISORY BOARD Meeting

OCTOBER 6, 1975.

Notice is hereby given that the Wyoming State Multiple Use Advisory Board will meet at 8:15 a.m. November 6, 7, 1975 at the Ramada Inn, Casper, Wyoming.

The agenda will include the implications of the National Resource Defense

Council suit; inter-relationships between the BLM planning process and the state planning process; and other presentations.

The meeting will be open to the public. Oral or written statements may be submitted for the Board's consideration during the second day of the meeting. Such statements should be limited to matters set forth in the agenda. Those wishing to make an oral statement must inform the State Director (912), Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001, in writing by close of business October 31, 1975. Time limits for oral presentations may be established by the chairman to ensure that all may be heard within the time available for such statements. Any interested person or organization may file a written statement with the Board for its consideration. Such statements may be submitted at the meeting or mailed to the State Director (912), Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001.

Further information concerning the meeting may be obtained from Mr. John Burnett, Chief, Office of Public Affairs, Bureau of Land Management, Box 1828, Cheyenne, Wyoming 82001. His telephone number is (307) 778-2220, ext. 2384.

NYLES L. HUMPHREY,
Acting State Director.

[FR Doc.75-27833 Filed 10-15-75; 8:45 am]

Fish and Wildlife Service MIGRATORY BIRD HUNTING STAMP CONTEST

Announcement of Judging

Notice is hereby given that pursuant to 50 CFR Part 91, a panel of judges chosen by the Secretary of the Interior will select the design that will be used on the 1975 migratory waterfowl hunting stamp at a judging to be held October 29, 1975, at 1 p.m., in Room 7000A-B of the Department of the Interior Building, 18th and C Streets, NW. This is an annual contest drawing entries from top wildlife artists all over the United States. The public and the press are invited to attend the judging.

Dated: October 10, 1975.

F. V. SCHMIDT,
Acting Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-27767 Filed 10-15-75; 8:45 am]

Geological Survey UTAH

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by section 21(a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; 30 U.S.C. 1020), and delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as an

addition to the known geothermal resources area, effective February 1, 1974:

(44) UTAH

ADDITION TO CRATER SPRINGS KNOWN
GEOTHERMAL RESOURCES AREA
Salt Lake Meridian, Utah

T. 13 S., R. 8 W.,

Sec. 31.

T. 14 S., R. 8 W.,

Secs. 3, 5 to 9, inclusive, and 17 to 20, inclusive.

T. 14 S., R. 9 W.,

Secs. 1, 3, and 12.

The area described aggregates 9,001.13 acres, more or less.

Dated: September 26, 1975.

WILLIAM H. FELDMILLER,
Acting Conservation Manager,
Central Region.

[FR Doc. 75-27819 Filed 10-15-75; 8:45 am]

National Park Service

MINUTE MAN NATIONAL HISTORICAL
PARK ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Minute Man National Historical Park Advisory Commission will be held, commencing at 11 a.m. on Friday, 31 October 1975, at the North Bridge Visitor Center, off Liberty Street, in Concord, Massachusetts.

The Commission was established by Public Law 86-321 to advise the Secretary of the Interior on the development of Minute Man National Historical Park.

The members of the Advisory Commission are as follows:

The Honorable P. Bradford Morse, Chairman,
New York, New York.

Mr. James DeNormandie, Lincoln, Massachusetts.

Mr. Donald Nickerson, Lexington, Massachusetts.

Mrs. Lucy Richardson, Concord, Massachusetts.

Mrs. Katherine S. White, Lincoln, Massachusetts.

At this meeting reports will be submitted by the Superintendent on Park Operations and Land Acquisition Activities since the last Commission meeting.

The meeting will be open to the public. However, facilities and space are limited and it is expected that not more than 15 persons will be able to attend. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements may contact David L. Moffitt, Superintendent, Minute Man National Historical Park at 617-369-6993. Minutes of the meeting will be available for public inspection four weeks after the meeting at the office of the Superintendent.

DENNIS P. GALVIN,
Acting Regional Director, North
Atlantic Region, National
Park Service.

[FR Doc. 75-27897 Filed 10-15-75; 8:45 am]

Office of the Secretary

[Order No. 2979]

ARCTIC NATURAL GAS TRANSPORTATION
SYSTEMS

Environmental Impact Statement Revised
Guidelines

SEC. Purpose. This order provides revised guidelines and assignments regarding responsibilities within the Department for work associated with the preparation of the environmental impact statement (EIS) for proposed arctic natural gas transportation systems. It supersedes Secretary's Order 2967 dated July 29, 1974.

SEC. 2. Background. On May 15, 1974, and on May 20, 1974, respectively, the Secretary of the Interior and the Chairman of the Federal Power Commission signed a Memorandum of Understanding which was published in the FEDERAL REGISTER on July 19, 1974 (39 FR 26433). The Memorandum of Understanding established procedures regarding the preparation of a joint environmental impact statement for proposed arctic natural gas transportation systems. Secretary's Order 2967 was issued to implement the provisions of the Memorandum. The Department formally withdrew from the Memorandum of Understanding on February 20, 1975. This action was explained and documented in the FEDERAL REGISTER on February 28, 1975 (40 FR 8578).

SEC. 3. General responsibilities. (a) The Under Secretary is designated to oversee the completion of the EIS, including supervision of the Project Manager.

(b) Preparation of the EIS is a Department-wide responsibility, and full and complete cooperation of all bureaus and offices involved is essential if this important undertaking is to be done properly, professionally and thoroughly. To this end, all bureaus and offices will furnish to the Project Manager, designated per section 4(b) of this order, any and all requested assistance, information and studies; provide necessary space; and assign personnel as required to work at the direction of the Project Manager.

SEC. 4. Specific responsibilities.—(a) Secretarial Officers. All Secretarial officers shall assure that required support is provided for the effort by bureaus and offices for which they are responsible.

(1) The Solicitor shall supervise all legal work in connection with the subject-matter of this order, including any litigation arising in connection therewith. He shall furnish legal support and guidance to the Secretary, Secretarial Officers, Technical Assistant to the Under Secretary, Project Manager, and the Federal Task Force on Alaskan Oil Development.

(2) The Assistant Secretary—Energy and Minerals is responsible for pertinent economic and security analyses (this includes energy and transportation alternatives and other considerations that may be mutually prepared with other agencies); and shall provide advice to the Project Manager insofar as these analyses relate to the EIS.

(3) The Assistant Secretary—Program Development and Budget is respon-

sible for a balanced and independent review of all decision documents and supporting analyses, including the EIS, prepared for proposed arctic natural gas transportation systems.

(b) Project Manager. A Project Manager, designated by the Secretary, shall be responsible for day-to-day supervision and overall completion of the EIS to include: Policy determinations and clarifications; project criteria and design review; technical coordination with officials of the Canadian Government, State Governments, and other Federal agencies; communication of deficiencies in applications and project descriptions to applicants; and full control of budget and manpower allocations for the project.

(c) Bureau of Land Management. The Bureau of Land Management through the Assistant Secretary—Land and Water Resources, will determine information deficiencies in applications and project descriptions; establish and coordinate interagency work groups; supervise Interior work group employees; coordinate with State Governments, other Federal agencies, and Interior bureaus and offices; coordinate preparation of general and environmental stipulations; and prepare the EIS.

(d) Technical Assistant to the Under Secretary. The Technical Assistant to the Under Secretary shall coordinate design review; assist in determining information deficiencies in applications and project descriptions; assist the Project Manager and other agencies in evaluating liquefaction plants, marine terminals, ocean transport and regasification of liquefied natural gas; and coordinate preparation of technical stipulations. It is intended that the Technical Assistant to the Under Secretary may receive necessary assistance in carrying out his responsibilities from an interagency interdisciplinary technical group such as the Technical Advisory Board of the Federal Task Force on Alaskan Oil Development.

SEC. 5. Technical Assistance. The Project Manager may request technical assistance from private contractors and, on a reimbursable basis, from other Federal agencies when the expertise or data needed is not available within the Department. The Department shall be reimbursed for these expenses by the applicant companies.

SEC. 6. Recordkeeping Requirements. Since the applicant companies will be required to reimburse the United States for expenses incurred in this effort, all bureaus and offices receiving funds for this purpose shall keep careful records of such costs. Recordkeeping and reporting in this regard shall be prescribed by the Department's Office of Budget, and administered by the Bureau of Land Management.

SEC. 7. Effective Date. This order is effective immediately. Its provisions shall remain in effect until completion of the final EIS described in section 1 of this order, or until it is amended, superseded, or revoked, whichever occurs first. However, in the absence of the foregoing action, the provisions of this order shall

terminate and be considered obsolete on September 30, 1977.

Dated: October 6, 1975.

KENT FRIZZELL,
Acting Secretary of the Interior.

[FR Doc.75-27785 Filed 10-15-75;8:45 am]

[Int FES 75-86]

BELLE AYR SOUTH MINE, CAMPBELL COUNTY, WYOMING

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 impact statement on a proposed expansion of coal mining operations at Amax Coal Company's Belle Ayr South Mine, Campbell County, Wyoming. The final statement assesses the environmental impacts of the lessee's plan for the strip mining of federally owned coal and the concurrent reclamation and revegetation of surface lands. The proposed action is an extension and expansion of present mining operations in the Belle Ayr South Mine, including a further extension thereof onto Federal coal lease Wyoming 0317682, T. 47 and 48N., R. 71 W., 6th Prin. Mer.

Comments received on the draft environmental statement during the 45 day comment period were considered in the preparation of the final environmental statement and are reproduced in its appendix.

The final environmental statement is available for public review in the:

U.S. Geological Survey Public Inquiries Office, Room 1012, Federal Building, Denver, Colorado 80202; the U.S. Geological Survey Library, Building 25, Denver Federal Center, Denver, Colorado 80225; the U.S. Geological Survey Library, Room 4A100, USGS National Center, Reston, Virginia; the Converse County Library, 300 Walnut Street, Douglas, Wyoming 82633; the George Amos Memorial Library, 412 South Gillette Avenue, Gillette, Wyoming 82716; the Library of Natrona County, 307 East Second, Casper, Wyoming 82601; and the State Library, State of Wyoming, Supreme Court Building, Cheyenne, Wyoming 82002.

U.S. Geological Survey Public Inquiries Office, Room 1012, Federal Building, Denver, Colorado 80202 and the United States Geological Survey, National Center, Mailstop 769, Reston, Virginia 22092.

The proposed mining and reclamation plan assessed in this statement was one of the mining proposals identified in the preparation of the regional analysis (Part I) of the Department's final environmental statement, FES 74-55, entitled "Proposed Development of Coal Resources in the Eastern Powder River Coal Basin of Wyoming," which was filed with the Council on Environmental Quality on October 18, 1974. Public hearings on the draft of that statement were held as follows: June 24-25, 1974 at Cheyenne, Wyoming; June 26, 1974 at Casper, Wy-

oming; and June 27-28, 1974 at Gillette, Wyoming.

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

OCTOBER 7, 1975.

[FR Doc.75-27786 Filed 10-15-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Forest Service

CASCADE PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Cascade Planning Unit, Boise National Forest, Idaho. The Forest Service report number is USDA-FS-FES (Adm) R4-75-22.

The environmental statement identifies and evaluates the probable effects of the land use plan for the Cascade Planning Unit on the Boise National Forest, Idaho. The purpose of the plan is to allocate the 136,466 acres of National Forest lands within the unit to specific resource uses and activities; establish management objectives; document management direction, management decisions, and necessary coordination between resource uses and activities; and provide for the protection, use, and development of the various resources within the planning unit. The plan provides for minimization of adverse effects and maximization of desirable effects.

This final environmental statement was transmitted to CEQ on October 7, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3231, 12th St. and Independence Ave., SW., Washington, D.C. 20250.
Regional Planning Office, USDA, Forest Service, Federal Building, Room 4403, 324-25th Street, Ogden, Utah 84401.
Forest Supervisor, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706.
District Forest Ranger, Cascade Ranger District, Cascade, Idaho 83611.

A limited number of single copies are available upon request from Forest Supervisor Edward C. Maw, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Dated: October 7, 1975.

P. M. REES,
Director,
Regional Planning and Budget.

[FR Doc.75-27769 Filed 10-15-75;8:45 am]

KANCAMAGUS UNIT PLAN WHITE MOUNTAIN NATIONAL FOREST

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement on the Kancamagus Unit Plan for the White Mountain National Forest, USDA-FS-R9-DES- (ADM)-76-01.

The environmental statement concerns a proposed land use plan for 105,000 acres of Forest Service land located on the White Mountain National Forest in Carroll and Grafton Counties in the State of New Hampshire.

This draft environmental statement was transmitted to CEQ on October 6, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3231, 12th St. and Independence Ave., SW., Washington, D.C. 20250.
USDA, Forest Service, Eastern Region, 633 West Wisconsin Avenue, Milwaukee, Wisconsin 53203.
USDA, Forest Service, White Mountain National Forest, Federal Building, 719 Main St., P.O. Box 638, Laconia, New Hampshire 03246.

A limited number of single copies are available upon request to Forest Supervisor, White Mountain National Forest, Federal Building, 719 Main Street, P.O. Box 638, Laconia, New Hampshire 03246.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Written comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Written comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor, White Mountain National Forest, Federal Building, 719 Main Street, P.O. Box 638, Laconia, New Hampshire 03246. Written comments must be received by December 5, 1975, in order to be considered in the preparation of the final environmental statement.

JAY H. CRAVENS,
Regional Forester.

OCTOBER 6, 1975.

[FR Doc.75-27770 Filed 10-15-75;8:45 am]

ROCK CREEK ADVISORY COMMITTEE Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on Tuesday, No-

vember 18th. Meeting place will be in Drummond, Montana in the St. Michael's Catholic Church basement.

The purpose of this meeting is to review public response to the alternatives on the Upper Rock Creek Planning Unit. The Study Plan and the status of resource inventories for the Lower Rock Creek Planning Unit will also be reviewed.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public, or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

ROBERT W. DAMON,
Forest Supervisor
Deerlodge National Forest.

OCTOBER 8, 1975.

[FR Doc.75-27812 Filed 10-15-75;8:45 am]

Soil Conservation Service

MARION COUNTY PARK—A WATER-BASED RECREATION RC&D MEASURE, TENNESSEE

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) 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 Marion County Park—a Water-Based Recreation RC&D Measure, Marion County, Tennessee.

The environmental assessment of this federal action indicates that the measure will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the measure. As a result of these findings, Mr. Donald C. Bivens, State Conservationist, Soil Conservation Service, USDA, 561 United States Courthouse, 801 Broadway, Nashville, Tennessee, 37203, has determined that the preparation and review of an environmental impact statement is not needed for this measure.

The measure concerns a plan for development of a recreation park on a 45-acre peninsula adjacent to the Tennessee Valley Authorities Nickajack Lake. Water use facilities to be built include a boat ramp, fishing pier, parking lots, and beach development. Other facilities such as a shelter, picnic tables, and restrooms are to be provided along with lighting facilities, landscaping, fencing, an en-

trance gate and gatehouse. Development of the peninsula will provide the needed recreational facilities for the 12,000 people living within a 15-mile radius.

Single copies of the Negative Declaration are available on request and the environmental assessment file is available for inspection during regular working hours at the following location:

Soil Conservation Service, USDA, 561 United States Courthouse, Nashville, Tennessee 37203.

No administrative action on implementation of the proposal will be taken on or before October 30, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.901, National Archives Reference Service)

VICTOR H. BARRY, Jr.,
Deputy Administrator for Field
Services, Soil Conservation
Service.

[FR Doc.75-27772 Filed 10-15-75;8:45 am]

MUD CREEK WATERSHED PROJECT, TENNESSEE

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, Part 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973; and Part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) 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 Mud Creek Watershed Project, Weakley and Obion Counties, Tennessee.

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. Donald C. Bivens, State Conservationist, Soil Conservation Service, USDA, 561 United States Courthouse, Nashville, Tennessee, 37203, 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 planned works of improvement as described in the negative declaration include land treatment supplemented by eight single-purpose floodwater retarding structures.

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

Soil Conservation Service, USDA, 561 U.S. Courthouse, Nashville, Tennessee 37203.

Requests for the negative declaration should be sent to the above address.

No administrative action on implementation of the proposal will be taken on or before October 30, 1975.

Dated: October 3, 1975.

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

JOSEPH W. HAAS,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-27773 Filed 10-15-75;8:45 am]

UPPER MUDDY BOGGY CREEK WATERSHED PROJECT, OKLAHOMA

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement (EIS) for the Upper Muddy Boggy Creek Watershed Project, Coal, Hughes, Pittsburg and Pontotoc Counties, Oklahoma, USDA-SCS-EIS-WS-ADM-75-2(F) OK.

The EIS concerns a plan for watershed protection and flood prevention. The planned works of improvement provide for conservation land treatment and 36 floodwater retarding structures.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA Building, Farm Road and Brumley Street, Stillwater, Oklahoma 74074

Dated: October 8, 1975.

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

JOSEPH W. HAAS,
Deputy Administrator for Water
Resources, Soil Conservation Service.

[FR Doc.75-27813 Filed 10-15-75;8:45 am]

ZUNI PUEBLO WATERSHED PROJECT, NEW MEXICO

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; Part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550, August 1, 1973); and Part 650 of the Soil Conservation Service Guidelines (39 FR 19650, June 3, 1974); the Soil Conservation Service, U.S. Department of Agriculture, has prepared a final environmental impact statement for the Zuni Pueblo Watershed Project, McKinley County, New Mexico, USDA-SCS-EIS-WS-(ADM)-74-1-(F)-NM.

The environmental impact statement concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment supplemented by one water control structure. The water

control structure is a single-purpose floodwater retarding structure with associated outlet works. The outlet works consist of a 30-inch diameter principal spillway through the embankment and about 8,000 linear feet of 36" diameter pipeline.

The final EIS has been filed with the Council on Environmental Quality.

A limited supply is available at the following location to fill single copy requests:

Soil Conservation Service, USDA, Box 2007, Albuquerque, NM 87103

Dated: October 3, 1975.

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

JOSEPH W. HAAS,
Deputy Administrator for Water
Resources, Soil Conservation
Service.

[FR Doc.75-27771 Filed 10-15-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Order No. 41-1, Amdt. 1]

OFFICE OF THE ASSISTANT SECRETARY FOR DOMESTIC AND INTERNATIONAL BUSINESS

Organization and Function

This order effective September 24, 1975 amends the material appearing at 40 FR 12696 of March 20, 1975. DIBA Organization and Function Order 41-1, dated March 6, 1975, is hereby amended, as follows:

1. In Sec. 3. The Deputy Assistant Secretary for Domestic and International Business: a new subsection .04 is added, as follows:

".04 The Assistant for Congressional Affairs will report to the Deputy Assistant Secretary for Domestic and International Business and will be responsible for coordinating congressional matters within DIBA and serving as DIBA liaison with the Department's Office of Congressional Affairs and for performing functions as prescribed by DIBA Administrative Instruction 1-2, 'Congressional Relations'."

2. Subsection 3.04 of March 6, 1975, is renumbered .05, as follows:

".05 The Deputy Assistant Secretary for Domestic and International Business may redelegate his authority subject to such conditions in the exercise of such authority as he may prescribe."

Effective date: September 24, 1975.

DONALD E. JOHNSON,
Acting Assistant Secretary for
Domestic and International
Business.

[FR Doc.75-27814 Filed 10-15-75;8:45 am]

Economic Development Administration NATIONAL PUBLIC ADVISORY COMMITTEE ON REGIONAL ECONOMIC DEVELOPMENT Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act

(Pub. L. 92-463) and section 8b(1) of OMB Circular No. A-63, announcement is made of the following Committee Meeting:

Name: National Public Advisory Committee on Regional Economic Development.

Date: November 20, 1975.

Place: Room 4833, Commerce Department, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Time: 10:30 a.m.

Purpose of Meeting: The Committee will receive a report from the Task Force which was named to determine the course of action the Committee will take in the coming year.

The meeting of the Advisory Committee is open to the public. Any member of the public is permitted to file a written statement with the Committee, before or after the meeting. To the extent that time permits, the Committee Chairman or the Committee may permit oral statements by members of the public to be presented at the meeting.

All communications in regard to this meeting or the Advisory Committee should be addressed to Miss Marina Gentilini, Office of the Deputy Assistant Secretary for Economic Development, Economic Development Administration, Department of Commerce, Room 7814, 14th Street and Constitution Avenue, Washington, D.C. 20230.

Dated: October 14, 1975.

WILMER D. MIZELL,
Assistant Secretary for
Economic Development.

[FR Doc.75-28092 Filed 10-15-75;10:42 am]

United States Travel Service TRAVEL ADVISORY BOARD Meeting

As noted in the FEDERAL REGISTER dated September 19, 1975, on page 43263, a meeting of the Travel Advisory Board of the U.S. Department of Commerce will be held on October 21, 1975, at 9:30 a.m., in Room 4830, of the Main Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D.C. 20230.

Established in July 1968, the Travel Advisory Board consists of senior representatives of 15 U.S. travel industry segments who are appointed by the Secretary of Commerce to serve two year terms.

Members advise the Secretary of Commerce and Assistant Secretary of Commerce for Tourism on policies and programs designed to accomplish the purposes of the International Travel Act of 1961, as amended.

Agenda items are as follows:

1. Introduction of New Commerce Department Secretarial Officers.
2. Aspirations of the New Assistant Secretary for Tourism.
3. Update of Major Tourism Issues.
4. Energy Study.
5. Discussion of Domestic Tourism Policy and Proposed Programs.
6. Adjournment.

A limited number of seats—approximately 14—will be available to observers

from the public and the press. The public will be permitted to file written statements with the Committee before or after the meeting. To the extent time is available, the presentation of oral statements will be allowed.

Robert Jackson, Director of Information Services, of the United States Travel Service, Room 1519, U.S. Department of Commerce, Washington, D.C. (telephone 202/967-4987) will respond to public requests for information about the meeting.

CREIGHTON HOLDEN,
Assistant Secretary for Tourism,
U.S. Department of Commerce.

[FR Doc.75-27989 Filed 10-15-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

PANEL ON REVIEW OF EAR, NOSE, AND THROAT DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announces the renewal of the Panel on Review of Ear, Nose, and Throat Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27746 Filed 10-15-75;8:45 am]

PANEL ON REVIEW OF GENERAL AND PLASTIC SURGERY DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announces the renewal of the Panel on Review of General and Plastic Surgery Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27748 Filed 10-15-75;8:45 am]

HOSPITAL AND PERSONAL USE DEVICES PANEL ON REVIEW OF GENERAL

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App.

D), the Food and Drug Administration announces the renewal of the Panel on Review of General Hospital and Personal Use Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27744 Filed 10-15-75;8:45 am]

PANEL ON REVIEW OF NEUROLOGICAL DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announces the renewal of the Panel on Review of Neurological Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27747 Filed 10-15-75;8:45 am]

PANEL ON REVIEW OF OPHTHALMIC DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announces the renewal of the Panel on Review of Ophthalmic Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27749 Filed 10-15-75;8:45 am]

PANEL ON REVIEW OF PHYSICAL MEDICINE (PHYSIATRY) DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration

announces the renewal of the Panel on Review of Physical Medicine (Physiatry) Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27750 Filed 10-15-75;8:45 am]

PANEL ON REVIEW OF RADIOLOGICAL DEVICES

Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. D)), the Food and Drug Administration announces the renewal of the Panel on Review of Radiological Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond October 15, 1975.

Authority for this committee will expire October 15, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: October 9, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner
for Compliance.

[FR Doc.75-27745 Filed 10-15-75;8:45 am]

National Institute of Education

STATE DISSEMINATION GRANTS PROGRAM—FY 1976

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 405 of the General Education Provisions Act, as amended, 20 USC 1221e, and 45 CFR Part 1460, applications are being accepted from State educational agencies (SEA's) for grants under the State Dissemination Grants Program.

Awards will be made (i) for new grants for dissemination capacity building and (ii) for continuation of capacity building grants made in fiscal 1975.

Applications for new grants must be received by the National Institute of Education, Proposal Clearinghouse, on or before January 15, 1976.

Applications for continuation grants must be received by the National Institute of Education, Proposal Clearinghouse, on or before May 3, 1976.

A. Applications sent by mail. An application sent by mail should be addressed as follows: National Institute of Education, Proposal Clearinghouse, Washington, D.C. 20208, Attention: NIE PA-76-1. An application sent by mail will be considered to be received on time by the Clearinghouse if:

(1) The application was sent by registered or certified mail not later than the

fifth calendar day prior to the closing date (or if such calendar day is a Saturday, Sunday or Federal holiday, not later than the next following business day) as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by the mail room in Washington, D.C. of either the Department of Health, Education, and Welfare or the National Institute of Education. (In establishing the date of receipt, the Director of the Institute will rely upon the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department or the Institute).

B. Hand delivered applications. An application to be hand delivered must be taken to the proposal Clearinghouse, Room 813, 1832 "M" Street NW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 9 a.m. and 4:30 p.m., Washington, D.C. time, except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4:30 p.m. on the closing dates January 15, 1976 or May 3, 1976. A receipt will be issued upon acceptance of the application package.

C. Program information and forms. Information and application forms may be obtained from the Information and Communication Systems Division, Office of Dissemination and Resources, National Institute of Education, Room 711, 1200 19th Street NW., Washington, D.C. 20208, telephone 202-254-7930.

D. Applicable regulations. The regulations applicable to this Program include the National Institute of Education General Provisions Regulations (45 CFR Subchapter A) published in the FEDERAL REGISTER on November 4, 1974 (39 FR 38992) and regulations for the State Dissemination Grants Program published in the FEDERAL REGISTER on March 20, 1975 (40 FR 25454).

(Catalog of Federal Domestic Assistance Program Number 13.575, Educational Research and Development)

Dated: October 7, 1975.

HAROLD L. HODGKINSON,
Director,
National Institute of Education.

[FR Doc.75-27849 Filed 10-15-75;8:45 am]

National Institutes of Health

ARTERIOSCLEROSIS AND HYPERTENSION ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Arteriosclerosis and Hypertension Advisory Committee, National Heart and Lung Institute, November 20, 1975, in the Disneyland Hotel, Magnolia Room "A," Anaheim, California.

The entire meeting will be open to the public from 7 p.m. to 12 midnight on Thursday, November 20, to evaluate program support in Arteriosclerosis and Hy-

pertension. Attendance by the public will be limited to space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, NHLI, Room 5A21, Building 31, National Institute of Health, Bethesda, Maryland 20014, Phone (301) 496-4236, will provide summaries of the meeting and rosters of committee members.

Dr. Gardner C. McMillan, Associate Director for Etiology of Arteriosclerosis and Hypertension, NHLI, Room C803, Landow Building, National Institutes of Health, Bethesda, Maryland 20014, Phone (301) 496-1613, will furnish substantive program information.

Dated: October 8, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27759 Filed 10-15-75;8:45 am]

BOARD OF SCIENTIFIC COUNSELORS; NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases, December 4 and 5, 1975, National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 9 a.m. to 5 p.m. on December 4. During this open session permanent staff of the Laboratory of Clinical Investigation will present and discuss their immediate past and present research activities. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552(b) (6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 9 a.m. to 5 p.m. on December 5 for the review, discussion and evaluation of individual programs and projects conducted by the National Institutes of Health, National Institute of Allergy and Infectious Diseases, including consideration of personnel qualifications and performance, and the competence of individual investigators of the Laboratory of Clinical Investigation, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. Robert L. Schreiber, Chief, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Building 31, Room 7A34, Bethesda, Maryland 20014, telephone (301) 496-5717, will provide summaries of the meeting and rosters of the Board members.

Dr. John R. Seal, Executive Secretary, Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Building 5, Room 137, Bethesda, Maryland 20014, telephone (301) 496-2144, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-301, National Institutes of Health)

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

OCTOBER 7, 1975.

[FR Doc.75-27757 Filed 10-15-75;8:45 am]

BOARD OF SCIENTIFIC COUNSELORS; NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Child Health and Human Development, November 24-25, 1975, Building 5, Conference Room 216. This meeting will be open to the public from 9 a.m. to 3 p.m. on November 24 and 9 a.m. to 3 p.m. on November 25 for review of the neonatal program of NICHD. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552(b) (6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 3:00 p.m. to 5:00 p.m. on November 24 and from 3 p.m. to 5 p.m. on November 25 for the review, discussion, and evaluation of individual programs and projects conducted by the National Institutes of Health, NICHD, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Building 31, Room 2A-04, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-1848, will provide a summary of the meeting and a roster of committee members. Dr. James Sidbury, Scientific Director, NICHD, Building 31, Room 2A-50, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496-2133, will furnish substantive program information.

Dated: October 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27758 Filed 10-15-75;8:45 am]

COMMITTEE ON CANCER IMMUNOTHERAPY

Cancellation of Meeting

Notice is hereby given of the cancellation of the meeting of the Committee on Cancer Immunotherapy, National Cancer Institute, October 23, 1975, Building 10, Room 4B14, which was published in the FEDERAL REGISTER on September 23, 1975, Volume 40, No. 185, page 43751.

Dated: October 8, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27760 Filed 10-15-75;8:45 am]

HIGH BLOOD PRESSURE WORK GROUP

Meeting

The Division of Heart and Vascular Diseases of the National Heart and Lung Institute announces a meeting of the High Blood Pressure Work Group. The meeting will be held on the National Institutes of Health campus in Building 31, Conference Room 5A16 from 9 a.m. to 3 p.m., on November 6, 1975. The entire meeting will be open to the public.

The purpose of the meeting is to discuss the status of the National High Blood Pressure Education Program. Attendance by the public will be limited to space available.

For detailed program information contact Mr. Graham Ward, Program Coordinator, National High Blood Pressure Education Program, Room 1005, Landow Building, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014, telephone 301-496-2311.

The meeting agenda, list of participants and meeting summary may be obtained from Mr. York Onnen, Chief, Public Inquiries and Reports Branch, Building 31, Room 5A03, National Heart and Lung Institute, 9000 Rockville Pike, Bethesda, Maryland 20014.

Dated: October 7, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27756 Filed 10-15-75;8:45 am]

NATIONAL ADVISORY NEUROLOGICAL AND COMMUNICATIVE DISORDERS AND STROKE COUNCIL

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Neurological and Communicative Disorders and Stroke Council, National Institutes of Health, November 20, 21, and 22, 1975, at 9 a.m. in Building 31-C, Conference Room 6, Bethesda, Maryland.

The meeting will be open to the public from 9 a.m. until 1:30 p.m. on November 20, 1975, and from 8:30 a.m. to 9 a.m. on November 21, 1975, and from 9 a.m. until the conclusion of the meeting on November 22, 1975, to discuss program planning and program accomplishments. Attendance by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b) (4), 552(b) (5), and 552(b) (6) of Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 1:30 p.m. on November 20, 1975, until the conclusion of the meeting that day, and from 9 a.m. until the conclusion of the meeting on November 21, 1975, for the review, discussion and evaluation of individual initial pending and renewal research grant applications and applications for institutional and individual National Research Service Awards. The closed portion of the meeting involves solely the internal expression of views and judgments of committee members on individual grant applications which contain information of a

proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with application for research grants.

The Chief, Office of Scientific and Health Reports, Mrs. Ruth Dudley, Building 31, Room 8A03, NINCDS, NIH, Bethesda, Maryland, phone: (301) 496-5751, will furnish summaries of the meeting and rosters of committee members.

Dr. Murray Goldstein, Executive Secretary, Westwood Building, Room 757, Bethesda, Maryland, telephone (301) 496-7705, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.851, 13.852, 13.853, 13.854, National Institutes of Health)

Dated: October 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27762 Filed 10-15-75;8:45 am]

NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DISEASES

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of meetings of the National Commission on Arthritis and Related Musculoskeletal Diseases on November 10, 11, 12, 1975. All of the meetings will be open to the public.

On November 10, from 9 a.m. to 1 p.m. the Commission will meet at the Marc Plaza Hotel, Crystal Ballroom, 509 West Wisconsin Avenue, Milwaukee, Wisconsin, to hear testimony from interested members of the public.

On November 11 the Commission will meet at the Busch Memorial Center, Sesqui-centennial Room, 20 North Grand Boulevard, St. Louis, Missouri. From 9 a.m. to 1 p.m. the Commission will hear testimony from interested members of the public. Immediately following, a business and planning meeting will be held.

On November 12, from 9 a.m. to 1 p.m., the Commission will meet at the Holiday Inn Downtown, Flintstone Hall, 617 Broadway, Little Rock, Arkansas, to hear testimony from interested members of the public.

Members of the public who wish to appear before the Commission during the above times when the Commission is prepared to receive public testimony shall file a written statement or detailed summary of remarks with the Commission before 5 p.m. on October 31, 1975. Statements or summaries shall be sent or delivered to the Office of Scientific and Technical Reports, address below.

The time allotted to each participant will be determined by the Commission Chairman based upon the number of individuals who request an opportunity to make presentations.

Messrs. James N. Fordham or Leo E. Treacy, Office of Scientific and Technical Reports, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Be-

thesda, Maryland 20014, (301) 496-3583, will provide summaries of the meeting and rosters of the committee members.

(Catalog of Federal Domestic Assistance Program No. 13.846, National Institutes of Health)

Dated: October 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27765 Filed 10-15-75;8:45 am]

NATIONAL COMMISSION ON ARTHRITIS AND RELATED MUSCULOSKELETAL DISEASES

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of meetings of the National Commission on Arthritis and Related Musculoskeletal Diseases on December 8, 9, 10, 1975. All of the meetings will be open to the public.

On December 8, from 9 a.m. to 1 p.m. the Commission will meet at the St. Petersburg Hilton, Lucayan Room, 33 First Street, South, St. Petersburg, Florida, to hear testimony from interested members of the public.

On December 9 the Commission will meet at the Center for Disease Control, "B" Auditorium, 1600 Clifton Road, Northeast, Atlanta, Georgia. From 9:30 a.m. to 1:30 p.m. the Commission will hear testimony from interested members of the public. Immediately following, a business and planning meeting will be held.

On December 10, from 9 a.m. to 1 p.m., the Commission will meet at Stouffers Greenway Plaza Hotel, Greenway I Ballroom, 6 Greenway Plaza East, Houston, Texas, to hear testimony from interested members of the public.

Members of the public who wish to appear before the Commission during the above times when the Commission is prepared to receive public testimony shall file a written statement or detailed summary of remarks with the Commission before 5 p.m. on November 28, 1975. Statements or summaries shall be sent or delivered to the Office of Scientific and Technical Reports, address below.

The time allotted to each participant will be determined by the Commission Chairman based upon the number of individuals who request an opportunity to make presentations.

Messrs. James N. Fordham or Leo E. Treacy, Office of Scientific and Technical Reports, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Maryland 20014, (301) 496-3583, will provide summaries of the meeting and rosters of the committee members.

(Catalog of Federal Domestic Assistance Program No. 13.846, National Institutes of Health)

Dated: October 9, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27766 Filed 10-15-75;8:45 am]

NATIONAL COMMISSION ON DIABETES Meeting

Pursuant to Pub. L. 92-453, notice is hereby given of the meeting of the National Commission on Diabetes, November 13, 1975 (times below), at the National Institutes of Health, Building 31, Conference Room 10, C Wing, Bethesda, Maryland.

The entire meeting, which will be open to the public from 9 a.m. to 5 p.m. on November 13 at the above address, is being held to solicit opinions, reviews, and additional recommendations for the Commission to use in the finalization of its report.

Mr. Victor Wartofsky, Chief, Office of Scientific and Technical Reports, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Maryland 20014, (301) 496-3583, will provide summaries of the meeting and rosters of the committee members.

(Catalog of Federal Domestic Assistance Program No. 13.846 National Institutes of Health)

Dated: October 3, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27755 Filed 10-15-75;8:45 am]

NATIONAL HEART AND LUNG ADVISORY COUNCIL

Meetings

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Heart and Lung Advisory Council, National Heart and Lung Institute, December 4-6, 1975, from 9 a.m. to 5 p.m. in Building 31, Conference Room 10, Bethesda, Maryland. This meeting will be open to the public on December 4 from 9 a.m. to 5 p.m. to discuss program policies and issues. Attendance by the public will be limited to space available. In addition, meetings of the Manpower Subcommittee and the Research Subcommittee of the above Council will be held on December 3, 1975 in Building 31; the Manpower Subcommittee at 8:30 p.m. in Conference Room 8, C Wing, and the Research Subcommittee at 8:30 p.m. in Conference Room 9, C Wing.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting of the Council will be closed to the public on December 5 from 9 a.m. to 5 p.m., and on December 6 from 9 a.m. to adjournment for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The Manpower Subcommittee of the above Council will be closed from 8:30 p.m. to 10:30 p.m., and the Research Subcommittee will be closed from 8:30 p.m. to 11 p.m. on December 3, 1975, also for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The closed portions of the meetings involve solely the internal expres-

sion of views and judgments of committee members on individual grant applications which contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries, and personal information concerning individuals associated with the applications.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart and Lung Institute, Building 31, Room 5A03, National Institutes of Health, Bethesda, Maryland 20014, (301) 496-4236, will provide summaries of the meetings and rosters of the Council members.

Dr. Jerome G. Green, Director of Extramural Affairs, NHLI, Westwood Building, Room 5A18, (301) 496-7416, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, 13.838, and 13.839, National Institutes of Health)

Dated: October 9, 1975.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27763 Filed 10-15-75; 8:45 am]

PERIODONTAL DISEASES ADVISORY COMMITTEE

Amended Meeting

Notice is hereby given of a change in the meeting dates of the Periodontal Diseases Advisory Committee, National Institute of Dental Research, which was published in the FEDERAL REGISTER on October 7, 1975 (40 FR 46341).

This Committee was to have convened on November 7, 1975 at 9 a.m., but has been changed to begin on November 6, 1975 from 9 a.m. to 5 p.m. and on November 7, from 9 a.m. to adjournment in Building 31-C, Conference Room 8.

The entire meeting will be open to the public. Attendance by the public will be limited to space available.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

OCTOBER 9, 1975.

[FR Doc.75-27764 Filed 10-15-75; 8:45 am]

TRANSPLANTATION AND IMMUNOLOGY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Transplantation and Immunology Committee, National Institute of Allergy and Infectious Diseases, November 20-21, 1975, Building 31A, Conference Room 6A-23, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public from 8:30 a.m. to 5 p.m. on November 20, 1975 to review and discuss transplantation and immunology collaborative studies and other Transplantation and Immunology Branch programs, progress and administrative reports. Attendance

by the public will be limited to space available. In accordance with the provisions set forth in sections 552(b)4 and 552(b)6, Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 8:30 a.m. to 5 p.m. on November 21, 1975 for review, discussion and evaluation of individual contractor's performance and review responses to Request for Proposal announcements. Discussions will contain information of a proprietary or confidential nature, including detailed research protocols, designs and other technical information, financial data, such as salaries; and personal information concerning individuals associated with existing contracts and with Request for Proposal responses.

Mr. Robert Schreiber, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A-32, National Institutes of Health, Bethesda, Maryland 20014, phone 496-5717 will furnish rosters of committee members, summary of the meeting and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.855, National Institutes of Health)

Dated: October 9, 1975.

SUZANNE L. FREMEAUX,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-27761 Filed 10-15-75; 8:45 am]

Office of Education

METRIC EDUCATION PROGRAM

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in section 403 of Title IV (Part C), of Pub. L. 93-380, applications are being accepted from local educational agencies, State educational agencies, institutions of higher education; and public and private non-profit agencies organizations, and institutions for grants and contracts for the development, continuation and expansion of metric education projects.

Applications must be received by the U.S. Office of Education Application Control Center on or before November 24, 1975.

A. *Applications by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.561. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 19, 1975, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail

rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW, Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4:00 p.m. on the closing date.

C. *Program information and forms.* Requests for additional information and application forms are to be addressed to the attention of: Dr. Floyd A. Davis, Project Manager, Metric Education Program, U.S. Office of Education, Regional Office Building Three, Room 5640, 7th and D Streets, SW, Washington, D.C. 20202.

D. *Applicable regulations.* Awards made pursuant to this notice will be subject to: (1) The Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and, (2) upon becoming effective, the regulations for the Metric Education Program published as Notice of Proposed Rulemaking on September 8, 1975 (40 FR 41670-41674).

(20 U.S.C. 1862)

(Catalog of Federal Domestic Assistance Number 13.561; Special Projects Act, Education for the Use of the Metric System of Measurement Programs)

Dated: October 8, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-27728 Filed 10-10-75; 11:00 am]

TEACHER CORPS PROJECTS

Rescission of Preapplication Requirements

Notice is hereby given that the U.S. Commissioner of Education has rescinded the requirement that potential grantees must submit preapplications in order to be eligible to submit applications for grants for Teacher Corps projects which begin July 1, 1976. This requirement was previously published in the FEDERAL REGISTER on July 18, 1975. No applicant will be denied the opportunity of submitting an application because of failure to submit a preapplication.

The authority for the Teacher Corps program is set forth in Part B-1 of the Education Professions Development Act (Title V of the Higher Education Act of 1965, as amended; 20 U.S.C. 1101-1107a).

A subsequent notice will be published in the FEDERAL REGISTER with respect to the funding criteria. The December 15, 1975 closing date for receipt of applications remains in effect.

Dated: October 8, 1975.

(Catalog of Federal Domestic Assistance Number 13.489; Teacher Corps Operations and Training)

T. H. BELL,

U.S. Commissioner of Education.

[FR Doc.75-27729 Filed 10-15-75;8:45 am]

Social and Rehabilitation Service

WORK INCENTIVE PROGRAM—SOCIAL AND SUPPORTIVE SERVICES

Revised Limits of Entitlement, for Fiscal Year 1975

Notice is hereby given of revised limits of entitlement for the period July 1, 1974 to June 30, 1975 for child care and supportive services under the Work Incentive (WIN) Program.

Pub. L. 94-41, the joint resolution making continuing appropriations for the Fiscal Year 1976, and for other purposes, appropriated an additional amount of \$70,000,000 for activities under Title IV Part C, of the Social Security Act. Of this amount \$35,000,000 is available for child care and supportive services, as authorized under section 402(a) (19) (G) of the Social Security Act, for Fiscal Years 1974 and 1975, \$5,462,176 for Fiscal Year 1974 expenditures and the remaining \$29,537,824 for Fiscal year 1975 expenditures. The total amount now available for FY 1975 expenditures is \$123,886,824 which consists of this \$29,537,824 and the \$94,349,000 made available in the Fiscal Year 1975 annual appropriation. Original limits of entitlement were published for the \$94,349,000 in the FEDERAL REGISTER on December 31, 1974 (39 FR 45308).

Accordingly, additional Federal financial participation is available under the revised limits of entitlement published herein for Fiscal Year 1975 expenditures under the Work Incentive Program in excess of the original limits of entitlement: *Provided*, That claims for Federal financial participation in all Fiscal Year 1975 expenditures are received by the Secretary with postmark dated prior to February 1, 1976. The revised limits of entitlement for FY 1975 are calculated using the same formula and data used by this Department to calculate the original Fiscal Year limits of entitlement.

If the total of the claims made by February 1, 1976 is less than \$123,886,824 all claims will be paid without regard to the revised limits of entitlement published herein. However, if the total of the claims exceeds \$123,886,824 and there are one or more States which do not claim the entire amount of the revised entitlement by February 1, 1976, the total of the unclaimed additional amounts provided in these revised limits will be redistributed among States having Fiscal Year 1975 expenditures in excess of the revised limits of entitlement published herein. Such redistribution will be made on the basis of the ratios each such State's revised limit of entitlement bears to the total of the revised limits of entitlement of all the States having Fiscal Year 1975 expenditures in excess of the revised

limits of entitlements. Such distribution involves a number of steps.

First, the amount available for distribution is determined. For example, if 51 States failed to claim the entire additional amount made available under these revised limits, then the unclaimed amounts would be available for redistribution to the 3 other States with Fiscal Year 1975 expenditures in excess of their revised limits. For example purposes assume the amount of Federal funds available for redistribution is \$5,000,000.

Second, in each of the three States the amount of the expenditures in excess of the revised limits is determined. For example purposes assume the excess is, State A—\$6,000,000, State B—\$4,000,000 and State C—\$2,000,000.

Third, the ratio of the revised limit of each of these three States to the total of the revised limits of all three States is calculated in order to determine each State's share of the \$5,000,000 available. If the revised limits were, State A—\$100,000, State B—\$300,000 and State C—\$600,000, then the share of the \$5,000,000 available to State A would be \$500,000 or 10 percent of \$5,000,000, State B's share would be \$1,500,000 and State C's share would be \$3,000,000.

Fourth, if any State's share of the Federal funds available for redistribution exceeds expenditures, then the excess Federal funds are available for further redistribution and steps one through four are repeated. In this example State C's share of the \$5,000,000 available for redistribution is \$3,000,000. However, the Fiscal Year 1975 expenditures of State C only exceeded the revised limit of entitlement of State C by \$2,000,000. Therefore State C receives \$2,000,000 from the \$5,000,000 available for redistribution and steps one through four are repeated for States A and B.

In this second redistribution, \$1,000,000 is available, the share of State A is \$250,000 and the share of State B is \$750,000. Since the amount of the expenditures in excess of the revised limits in both States exceeds the share of the Federal funds available for redistribution, both States will receive their share of the remaining \$1,000,000 available and be left with Fiscal Year 1975 expenditures for which there are no Federal matching funds available under the WIN appropriations.

The revised limits of entitlement for each State for Fiscal Year 1975 expenditures for child care and supportive services, as authorized under section 402(a) (19) (G) and 403(d) of the Social Security Act, 42 U.S.C. § 602(a) (19) (G) and 603(d), are as follows:

State:	Revised fiscal year 1975 limits of entitlement
Alabama	1,601,108
Alaska	567,936
Arizona	1,369,028
Arkansas	890,777
California	8,835,642
Colorado	1,594,853
Connecticut	1,631,053
Delaware	480,815
District of Columbia	2,131,179
Florida	3,040,089

State:	Revised fiscal year 1975 limits of entitlement
Georgia	3,680,687
Hawaii	444,090
Idaho	792,186
Illinois	3,330,992
Indiana	1,032,803
Iowa	1,245,513
Kansas	1,007,993
Kentucky	1,500,680
Louisiana	1,285,004
Maine	833,420
Maryland	2,947,827
Massachusetts	2,265,218
Michigan	13,861,803
Minnesota	2,094,690
Mississippi	776,364
Missouri	2,360,748
Montana	625,638
Nebraska	601,006
Nevada	135,633
New Hampshire	205,042
New Jersey	8,279,595
New Mexico	496,618
New York	17,196,980
North Carolina	1,784,456
North Dakota	294,514
Ohio	2,984,470
Oklahoma	1,060,307
Oregon	3,374,352
Pennsylvania	3,440,893
Rhode Island	908,441
South Carolina	1,265,846
South Dakota	335,329
Tennessee	1,619,946
Texas	3,847,588
Utah	1,550,611
Vermont	735,001
Virginia	1,752,447
Washington	2,323,323
West Virginia	1,886,621
Wisconsin	4,181,611
Wyoming	175,784
Guam	69,424
Puerto Rico	1,250,230
Virgin Islands	43,666
Total	123,886,824

Dated: October 10, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

[FR Doc.75-27829 Filed 10-15-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. N-75-445]

OYSTER BAY COMMUNITY

Order of Suspension

In the matter of Oyster Bay Community OILSR No. 0-1975-54-107, Land Sales Enforcement Division Docket No. Y-1016.

Notice is hereby given that: On or about November 15, 1974, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, mailed by certified mail to Oyster Bay Development Company, Inc., Box 232, Chincoteague, Virginia 23336, a letter¹ requesting certain documents and that the return receipt requested was returned showing delivery had been made; that the requested documents were not furnished and on or about

¹ Letter filed as part of the original document.

March 20, 1975, the Department attempted to serve upon Donald W. Gregg, President, Oyster Bay Development Company, Inc., a Voluntary Consent to Suspension by certified mail and service of process was not possible. Accordingly, pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), an Order of Suspension is being issued as follows:

ORDER OF SUSPENSION

1. The Developer, having filed a Statement of Record for the above captioned subdivision pursuant to the provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq. and the rules and regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718, had its Statement of Record become effective pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. As authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been delegated to the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Interstate Land Sales Administrator may make an examination to determine whether a Suspension Order should be issued under 15 U.S.C. 1706(d), and if a developer or any agents thereof shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of an order suspending the Statement of Record.

4. Under the authority of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), a letter dated on or about November 15, 1974, was sent to the Developer, the body of said letter being in the form and substance of the form letter attached hereto and made part hereof as Exhibit A. The Developer has failed to comply with the request for the documents referred to in the third paragraph of said letter.

5. Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Statement of Record filed by the Developer covering its subdivision is hereby suspended, effective as of the date of the receipt of this Order of Suspension by the Said Developer. This Order of Suspension shall remain in full force and effect until the Developer has complied with the requirements of the order.

6. If the Developer desires a hearing in this matter, he shall file a request for hearing accompanied by an answer and three copies thereof within fifteen days after service of this order pursuant to 24 CFR 1720.145 and 24 CFR 1720.165. Any request for hearing, answer, motion, amendment to pleading, offer of settlement or correspondence during the pendency of this proceeding shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street SW., Washington, D.C. 20410. All such papers shall clearly identify the subdivision, the type of matter and the docket number as set forth in this order.

Issued in Washington, D.C., October 9, 1975.

By the Secretary.

ALAN J. KAPPELER,
Acting Secretary of
Housing and Urban Development.
[FR Doc. 75-27801 Filed 10-15-75; 8:45 am]

[Docket No. N-75-448]

RINCON RESORTS OF COSTA RICA Order of Suspension

In the matter of Rincon Resorts of Costa Rica, OILSR No. 0-3280-60-102, Land Sales Enforcement Division Doc. No. Y-1039.

Notice is hereby given that: On or about November 15, 1974, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, mail by certified mail to Rincon Resorts, S.A., Calle 30, No. 145, San Jose, Costa Rica, Central America, c/o OSA, a letter¹ requesting certain documents and that the return receipt requested was returned showing delivery had been made; that the requested documents were not furnished and on or about March 3, 1975, the Department attempted to serve upon Donald Philip (Peterson) Allen, President, Rincon Resorts, S.A., an Order of Suspension by certified mail and service of process was not possible. Accordingly, pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), an Order of Suspension is being issued as follows:

ORDER OF SUSPENSION

1. The Developer, having filed a Statement of Record for the above captioned subdivision pursuant to the provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq. and the Rules and Regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718, had its Statement of Record become effective pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. As authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been delegated to the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Interstate Land Sales Administrator may make an examination to determine whether a Suspension Order should be issued under 15 U.S.C. 1706(d), and if a developer or any agents thereof shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of an order suspending the Statement of Record.

4. Under the authority of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), a letter dated on or about November 15, 1974 was sent to the Developer, the body of said letter being in the form and sub-

stance of the form letter attached hereto and made part hereof as Exhibit A. The Developer has failed to comply with the request for the documents referred to in the third paragraph of said letter.

5. Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Statement of Record filed by the Developer covering its subdivision is hereby suspended, effective as of the date of the receipt of this Order of Suspension by the Said Developer. This Order of Suspension shall remain in full force and effect until the Developer has complied with the requirements of the order.

6. If the Developer desires a hearing in this matter, he shall file a request for hearing accompanied by an answer and three copies thereof within fifteen days after service of this order pursuant to 24 CFR 1720.145 and 24 CFR 1720.165. Any request for hearing, answer, motion, amendment to pleading, offer of settlement or correspondence during the pendency of this proceeding shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street, SW., Washington, D.C. 20410. All such papers shall clearly identify the subdivision, the type of matter and the docket number as set forth in this order.

By the Secretary.

Dated: October 3, 1975.

ALAN J. KAPPELER,
Acting Secretary of
Housing and Urban Development.
[FR Doc. 75-27878 Filed 10-15-75; 8:45 am]

[Docket No. N-75-447]

HOLIDAY OUT IN AMERICA AT TANSI, INC.

Order of Suspension

In the matter of Holiday Out in America at Tansi, Campsite No. 1, OILSR No. 0-2255-48-46, Land Sales Enforcement Division Doc. No. Y-777.

Notice is hereby given that: On or about November 15, 1974, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, mailed by certified mail to Holiday Out in America at Tansi, Inc., Route 5, Box 231, Crossville, Tennessee 38555, a letter¹ requesting certain documents and that the return receipt requested was returned showing delivery had been made; that the requested documents were not furnished and on or about February 18, 1975, the Department attempted to serve upon W. Wayne Carr, President, Holiday Out in America at Tansi, Inc., an Order of Suspension by certified mail and service of process was not possible. Accordingly, pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), an Order of Suspension is being issued as follows:

¹ Filed as part of the original document.

¹ Filed as part of the original document.

ORDER OF SUSPENSION

1. The Developer, having filed a Statement of Record for the above captioned subdivision pursuant to the provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq. and the Rules and Regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718, had its Statement of Record become effective pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. As authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been delegated to the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Interstate Land Sales Administrator may make an examination to determine whether a Suspension Order should be issued under 15 U.S.C. 1706(d), and if a developer or any agents thereof shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of an order suspending the Statement of Record.

4. Under the authority of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), a letter dated on or about November 15, 1974, was sent to the Developer, the body of said letter being in the form and substance of the form letter attached hereto and made part hereof as Exhibit A. The Developer has failed to comply with the request for the documents referred to in the third paragraph of said letter.

5. Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Statement of Record filed by the Developer covering its subdivision is hereby suspended, effective as of the date of the receipt of this Order of Suspension by the Said Developer. This Order of Suspension shall remain in full force and effect until the Developer has complied with the requirements of the order.

6. If the Developer desires a hearing in this matter, he shall file a request for hearing accompanied by an answer and three copies thereof within fifteen days after service of this order pursuant to 24 CFR 1720.145 and 24 CFR 1720.165. Any request for hearing, answer, motion, amendment to pleading, offer of settlement or correspondence during the pendency of this proceeding shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street, SW., Washington, D.C. 20410. All such papers shall clearly identify the subdivision, the type of matter and the docket number as set forth in this order.

By the Secretary.

Dated: October 3, 1975.

ALAN J. KAPPELER,
Acting Secretary of
Housing and Urban Development.

[FR Doc.75-27877 Filed 10-15-75;8:45 am]

[Docket No. N-75-446]

TRANQUILITY FALLS

Order of Suspension

In the matter of Tranquility Falls OILSR No. 0-0434-44-16, Land Sales Enforcement Division Doc. No. Y-1242.

Notice is hereby given that: On or about November 15, 1974, the Department of Housing and Urban Development, Office of Interstate Land Sales Registration, mailed by certified mail to Tranquility Falls, Inc., R.D. 1 Box 76, Greentown, Pennsylvania 78426, a letter¹ requesting certain documents and that the return receipt requested was returned showing delivery had been made; that the requested documents were not furnished and on or about March 27, 1975, the Department attempted to serve upon Tranquility Falls, Inc., a Voluntary Consent to Suspension by certified mail and service of process was not possible. Accordingly, pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), an Order of Suspension is being issued as follows:

ORDER OF SUSPENSION

1. The Developer, having filed a Statement of Record for the above captioned subdivision pursuant to the provisions of the Interstate Land Sales Full Disclosure Act, 15 U.S.C. 1701 et seq. and the rules and regulations lawfully promulgated thereto pursuant to 15 U.S.C. 1718, had its Statement of Record become effective pursuant to 24 CFR 1710.21 of the Interstate Land Sales Regulations. Said Statement is still in effect.

2. As authorized by 15 U.S.C. 1715, the authority and responsibility for administration of the Interstate Land Sales Full Disclosure Act has been delegated to the Interstate Land Sales Administrator.

3. Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Interstate Land Sales Administrator may make an examination to determine whether a Suspension Order should be issued under 15 U.S.C. 1706(d), and if a developer or any agents thereof shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of an order suspending the Statement of Record.

4. Under the authority of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2) a letter dated on or about November 15, 1974, was sent to the Developer, the body of said letter being in the form and substance of the form letter attached hereto and made part hereof as Exhibit A. The Developer has failed to comply with the request for the documents referred to in the third paragraph of said letter.

5. Therefore, pursuant to the provisions of 15 U.S.C. 1706(e) and 24 CFR 1710.45(b)(2), the Statement of Record filed by the Developer covering its sub-

¹ Letter filed as part of the original document.

division is hereby suspended, effective as of the date of the receipt of this Order of Suspension by the Said Developer. This Order of Suspension shall remain in full force and effect until the Developer has complied with the requirements of the order.

6. If the Developer desires a hearing in this matter, he shall file a request for hearing accompanied by an answer and three copies thereof within fifteen days after service of this order pursuant to 24 CFR 1720.145 and 24 CFR 1720.165. Any request for hearing, answer, motion, amendment to pleading, offer of settlement or correspondence during the pendency of this proceeding shall be filed with the General Counsel's Clerk for Administrative Proceedings, Room 10150, HUD Building, 451 Seventh Street SW., Washington, D.C. 20410. All such papers shall clearly identify the subdivision, the type of matter and the docket number as set forth in this order.

By the Secretary.

ALAN J. KAPPELER,
Acting Secretary of
Housing and Urban Development.

[FR Doc.75-27802 Filed 10-15-75;8:45 am]

DEPARTMENT OF
TRANSPORTATIONNational Highway Traffic Safety
Administration

[Docket No. EX75-29; Notice 1]

ADVANCE MIXER, INC.

Petition for Temporary Exemption From
Federal Motor Vehicle Safety Standard

Advance Mixer, Inc. ("AMI"), Fort Wayne, Indiana, has petitioned for an exemption until March 1, 1976, from Federal Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, 49 CFR 571.121, on the basis that compliance would cause it substantial economic hardship.

From its incorporation in mid-1972 until November 1974 AMI was a final-stage manufacturer, adding its own patented front discharge mixer unit to truck chassis supplied by Walter Motor Truck Company, which certified the vehicle after completion as conforming to all applicable Federal motor vehicle safety standards. In November 1974 AMI became a manufacturer of motor vehicle by producing complete mixer trucks. It has manufactured 23 such vehicles between that time and September 5, 1975, 21 of which, according to petitioner, do not comply with Standard No. 121. The vehicles apparently cannot meet "stopping distances within the specified lane, the prohibition against wheel lock up and the required dynamometer tests on brake assemblies." It anticipates that it will have procured and introduced into production by March 1, 1976, "complying axles with proper anti-skid equipment attached." In the interim, 27 additional noncomplying trucks would be manufactured.

The company attributes its lack of compliance and tardiness in filing an exemption petition to its former general manager who did not contact "manufacturers of anti-skid equipment" until AMI became a vehicle manufacturer in November 1974.

As an alternate means of compliance, AMI contacted Oshkosh Truck Co. but has been unable to locate a complying "driven front steering axle." The company had a net profit of \$8,300 in July 1975 but a net loss of \$102,000 in the first 11 months of its 1975 fiscal year. Its cumulative net loss since incorporation in 1972 appears to be \$397,000 as of July 31, 1975. Denial of the petition allegedly would cause AMI to cease operations. The company argues that an exemption would be in the public interest because exempted vehicles would have braking characteristics substantially similar to its competitors, Rite-Way, Inc. of Indiana and Travel Batcher, which have already been exempted by NHTSA.

Thus, this petition raises the question whether a manufacturer who has knowingly manufactured nonconforming vehicles can be found to have attempted in good faith to meet the requirements of the standard, as the statute requires (15 U.S.C. 1410(a)(7)(A)).

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations on this subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition for exemption of Advance Mixer, Inc. Committee 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 five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent practicable. Notice of a final action on the petition will be published in the FEDERAL REGISTER.

Comment closing date: November 17, 1975.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8.)

Issued on October 10, 1975.

ELWOOD T. DRIVER,
Acting Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-27846 Filed 10-15-75; 8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 28381; Order 75-10-29]

CONTINENTAL AIRLINES, INC.

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 9th day of October 1975.

By tariff revisions¹ marked to become effective October 10, 1975, Continental Air Lines, Inc. proposes a general fare increase of 4.0 percent in its mainland-Hawaii markets.

Continental bases its justification on data for the year ended March 31, 1975. However, an evaluation of industry results for the year ended June 30, 1975 will be completed shortly, and the Board is of the opinion that it would be inappropriate to consider a fare increase proposal at this time based upon data which will soon be outdated.²

Upon consideration of all relevant matters, the Board has determined that the proposal may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposal should be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 294, 403, 404, and 1002 thereof:

It is ordered, That: 1. An investigation be instituted to determine whether the fares and provisions described in Appendix A attached hereto,³ and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions.

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including January 7, 1976 unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board; and

3. A copy of this order will be filed in the aforesaid tariff and be served upon Continental Air Lines, Inc.

¹Revisions to Airline Tariff Publishers Company, Agent, Tariff C.A.B. No. 247.

²We note that although the tariff pages containing Continental's proposal would become effective October 10, 1975, the fare increases would not be implemented until October 19, 1975, the same date on which two other carriers have also proposed mainland-Hawaii fare increases. The Board will dispose of all three tariffs based on an evaluation of year ended June 1975 data prior to that date.

³Filed as part of the original document.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL]

EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-27880 Filed 10-15-75; 8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[CP 74-177]

HOME WORKSHOP POWER SAWS

Denial of Petition To Require Safety Booklets

The purpose of this notice is to announce denial of a petition from Barry H. Limoges to require safety booklets to be distributed with home workshop power saws.

Section 10 of the Consumer Product Safety Act (15 U.S.C. 2059) provides that any interested person may petition the Consumer Product Safety Commission to commence a proceeding for the issuance of a consumer product safety rule. Section 10 also provides that if the Commission denies such petition, it shall publish in the FEDERAL REGISTER the reasons for the denial.

On April 15, 1974, the Commission received a petition (CP 74-17) from Barry H. Limoges requesting the Commission to require manufacturers of home workshop power saws to distribute booklets on the human and mechanical safety problems of operating home workshop power saws with these saws. In the request, Mr. Limoges referred to the July, 1973 NEISS News which reported 43,000 estimated hospital emergency room treated cases in the United States during the calendar year 1972 associated with the use of electrically powered saws.

In response to the petition, the Commission staff reviewed NEISS data and 339 in-depth injury investigations associated with power saws. Commission staff also held a meeting on this issue with the Power Tool Institute, and the National Bureau of Standards conducted an analysis of instruction booklets. As a result of the meeting with the Power Tool Institute and the National Bureau of Standards analysis, it was learned that power saw operation manuals discussing product safety are presently called for by Underwriters Laboratories standards and are distributed with power saws.

After considering this information and other staff comments, the Commission believes requiring safety booklets to be distributed with home workshop power saws at this time may be of marginal utility, since the practice of providing safety information with power saws is already widely adhered to by power saw manufacturers as recommended by voluntary standards. Therefore, the Commission has denied the petition.

The Commission intends to continue its research on the hazards associated with power saws and on the appropriate action to take regarding these hazards.

A copy of the petition may be seen during working hours, Monday through Friday, in the Office of the Secretary, Consumer Product Safety Commission, 1750 K Street NW., Washington, D.C. 20207.

Dated: October 10, 1975.

SHELDON D. BUTTS,
Acting Secretary,
Consumer Product Safety Commission.
[FR Doc.75-27890 Filed 10-15-75;8:45 am]

TECHNICAL ADVISORY COMMITTEE ON POISON PREVENTION PACKAGING

Meeting

Notice is given that the Technical Advisory Committee on Poison Prevention Packaging will meet on Tuesday, November 11, 1975, from 9 a.m. to 5 p.m., and Wednesday, November 12, 1975, from 9 a.m. to approximately 3 p.m. The meeting will be held at the Consumer Product Safety Commission, 1750 K Street NW., Washington, D.C., Sixth Floor Conference Room.

Tentative plans for the agenda include: a discussion of Advisory Committee Regulations (FR, 9/24/75, Vol. 40, No. 186); the requirements of the official compendia for tightly-closed containers; testing protocol; and ammonia and petroleum distillates as substances for possible regulation under the Poison Prevention Packaging Act.

Persons wishing to make oral or written presentations to the Technical Advisory Committee should notify the Secretary of the Consumer Product Safety Commission at least 5 days in advance of the meeting.

The meeting is open to the public, however, space is limited. Further information concerning this meeting and specific agenda topics may be obtained from the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207; phone (202) 634-7700.

Dated: October 10, 1975.

SHELDON D. BUTTS,
Acting Secretary, Consumer
Product Safety Commission.
[FR Doc.75-27891 Filed 10-15-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

JOINT INDUSTRY/GOVERNMENT COMMITTEE ON BROADCASTING SATELLITES

Schedule of Meetings

OCTOBER 10, 1975.

Pursuant to Pub. L. 92-463 notice is hereby given of the Working Group meetings and a meeting of the full Joint Industry/Government Committee (JI/GC) (on the use of the frequency band 11.7 to 12.2 GHz) in preparation of proposed United States position papers for

the 1977 World Administrative Radio Conference (WARC-77).

The meetings are as follows:

NOVEMBER 3, 1975

Joint meeting of JI/GC Working Group C on Sharing Criteria and CCIR Study Group 10/11B, 9:30 a.m. to 4:30 p.m., Room A-110, Howich Bldg., 1229 20th St., NW., Washington, D.C.

NOVEMBER 4, 1975

Joint meeting of Working Groups A and D (A on Definitions and Terminology and D on Evolution Requirements), 9:30 a.m. to 12:30 p.m., Room 752, 1919 "M" St., NW., Washington, D.C.

NOVEMBER 4, 1975

Meeting of Working Group B on Sharing Principles, 1:30 p.m. to 4:30 p.m., Room 712-A 1800 "G" Street, NW., Washington, D.C.

NOVEMBER 5, 1975

Joint meeting of Working Group E on International Non-Technical Implications, and a new Working Group F on Procedures, 9:30 a.m. to 1:30 p.m., Room 752, 1919 "M" St., NW., Washington, D.C.

NOVEMBER 5, 1975

US CCIR Study Group 10/11, 9:00 a.m. to 1:00 p.m., Room A-110, Howich Bldg., 1229 20th St., NW., Washington, D.C.

NOVEMBER 5, 1975

Full meeting of Joint Industry/Government Committee (JI/GC), 1:30 p.m. to 4:30 p.m., Room A-110, Howich Bldg., 1229 20th St., NW., Washington, D.C.

Agendas for the above meetings will be essentially the same, as follows:

1. Review of activities.
2. Submission and discussion of reports.
3. New assignments.
4. Main Committee only—discussion on tasks to be assigned to a new Working Group F on Procedures to govern the use of the frequency band 11.7 to 12.5 GHz in Region 1 and 11.7 to 12.2 GHz in Regions 2 and 3.

The Department of State authorizes CCIR meetings. They are included herein because of the close association with 1977 WARC activities.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] **VINCENT J. MULLINS,**
Secretary.

[FR Doc.75-27827 Filed 10-15-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

OIL IMPORT REGULATIONS

Extension of Licenses for Canadian Imports

Sections 213.28(d) (12) and 213.36(c) (2) of the Oil Import Regulations, dealing with imports from Canada into Districts I-IV and District V, respectively, provide that:

The Director [of Oil Imports] shall issue before May 1, 1975 to each eligible applicant a license equal to one half of the allocation calculated pursuant to [the respective applicable provisions]. Such licenses shall expire on October 31, 1975 unless extended by the Director. The Director shall issue before November 1, 1975 a second license to each eligible applicant equal to the remainder of

the allocation * * * Such licenses shall expire on April 30, 1976.

The purpose of the October 31, 1975 expiration date is to provide flexibility in the event that the method of allocating Canadian imports is changed during the annual allocation period.

It is now apparent, however, that no such change will be made prior to October 31, 1975. Accordingly, licenses issued pursuant to §§ 213.28 and 213.36 are hereby extended through April 30, 1976.

This action does not affect the Federal Energy Administration's (FEA) plans with respect to development of an allocation program for Canadian imports under the Emergency Petroleum Allocation Act (40 FR 17783, April 22, 1975). That program is presently being formulated in light of the needs of those importers dependent on Canadian oil.

Issued in Washington, D.C., October 10, 1975.

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

[FR Doc.75-27751 Filed 10-10-75;11:00 am]

FEDERAL HOME LOAN BANK BOARD

[No. AC-1]

FRANKLIN SAVINGS ASSOCIATION,
AUSTIN, TEXAS

Approval of Conversion

OCTOBER 10, 1975.

Notice is hereby given that on October 10, 1975, the Federal Home Loan Bank Board, as the operating head of the Federal Savings and Loan Insurance Corporation, by Resolution No. 75-924, approved the application of Franklin Savings Association, Austin, Texas, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Office of the Secretary of said Corporation, 320 First Street, N.W., Washington, D.C. 20552 and at the Office of the Supervisory Agent of said Corporation at the Federal Home Loan Bank of Little Rock, 1400 Tower Building, Little Rock, Arkansas 72201.

By the Federal Home Loan Bank Board,

[SEAL] **J. J. FINN,**
Secretary.

[FR Doc.75-27888 Filed 10-15-75;8:45 am]

[H. C. No. 201]

GIBRALTAR FINANCIAL CORP. AND GIBRALTAR SAVINGS AND LOAN ASSOCIATION

Receipt of Application for Permission To Acquire Control

OCTOBER 9, 1975.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from Gibraltar Financial Corporation and Gibraltar Savings and Loan Association, a savings

and loan holding company and its insured subsidiary, located in Beverly Hills, California for approval of acquisition of control of Western Loan Financial Corporation, San Francisco, California, a savings and loan holding company, and Cal-Western Savings and Loan Association, San Francisco, California, its insured subsidiary, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected through the purchase of the outstanding shares of Western Loan Financial Corporation's capital stock. Subsequent to such acquisition, Gibraltar Savings and Cal-Western Savings will be merged. Comments on the proposed acquisition should be submitted to the Director, Holding Companies Section, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, on or before November 17, 1975.

[SEAL]

J. J. FINN,
Secretary,
Federal Home Loan Bank Board.

[FR Doc.75-27850 Filed 10-15-75; 8:45 am]

[H.C. No. 202]

HOUSEHOLD FINANCE CO.**Receipt of Application for Permission To Acquire Control**

OCTOBER 9, 1975.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from Household Finance Company, Chicago, Illinois, a Delaware Corporation, for approval of acquisition of control of the Keystone Savings and Loan Association, Westminster, California, an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730a(e)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by a purchase of substantially all of the association's capital stock for cash from the working capital of the applicant. Comments on the proposed acquisition should be submitted to the Director, Holding Companies Section, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, on or before November 17, 1975.

[SEAL]

J. J. FINN,
Secretary,
Federal Home Loan Bank Board.

[FR Doc.75-27851 Filed 10-15-75; 8:45 am]

FEDERAL MARITIME COMMISSION

[Docket No. 75-40]

ACE MACHINERY CO. AND HAPAG-LLOYD AKTIENGESellschaft**Filing of Complaint**

OCTOBER 10, 1975.

Notice is hereby given that a complaint filed by Ace Machinery Company

against Hapag-Lloyd Aktiengesellschaft was served October 10, 1975. The complaint alleges that rates charged by respondent on a particular shipment of a Bliss Toledo Knuckle Joint Press were unlawful under sections 15, 16 and 17 of the Shipping Act, 1916.

Hearing in this matter shall commence on or before April 10, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-27861 Filed 10-15-75; 8:45 am]

FLOTA MERCANTE GRAN CENTROAMERICANA, S.A. AND PAN AMERICAN MAIL LINE, INC.**Agreement Filed****Correction**

In FR Doc. 75-27725, in the issue for Tuesday, October 14, 1975 appearing at page 48167, in the second paragraph, the thirteenth line, the date now reading "November 21, 1975" should be changed to read "October 21, 1975".

UNITED STATES GULF/JAPAN COTTON POOL**Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before November 5, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Elkan Turk, Jr., Esq., Burlingham Underwood & Lord, 25 Broadway, New York, New York 10004.

Agreement No. 8682-15, entered into by the American Companies and the Japanese Companies comprising the

membership of the United States Gulf/Japan Cotton Pool, modifies Article 12 thereof to (1) reduce the combined total minimum number of sailings to be maintained by the American and the Japanese Companies from 180 to 100 per annum; (2) allocate said 100 minimum number of sailings per annum to the American and Japanese Companies on the basis of 50 minimum sailings per annum each; and (3) allocate the 50 minimum sailings per annum of the American Companies on the basis of 33 to Lykes Bros. Steamship Co., Inc. and 17 to Waterman Steamship Corporation.

Dated October 10, 1975.

By order of the Federal Maritime Commission

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-27860 Filed 10-15-75; 8:45 am]

FEDERAL PREVAILING RATE ADVISORY COMMITTEE**COMMITTEE MEETINGS**

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, November 6, 1975.

Thursday, November 13, 1975.

Thursday, November 20, 1975.

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street, NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Pub. L. 92-392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C., section 552(b) (2), that the closing is necessary in order to provide the members with the opportunity to advance proposals and counter-proposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street, NW., Washington, D.C. 20415.

DAVID T. ROADLEY,
Chairman, Federal Prevailing
Rate Advisory Committee.

OCTOBER 10, 1975.

[FR Doc.75-27842 Filed 10-15-75; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-9480]

CITY OF MISHAWAKA, INDIANA AND
INDIANA & MICHIGAN ELECTRIC CO.

Staff Conference

OCTOBER 14, 1975.

On June 10, 1975 the City of Mishawaka, Indiana (Applicant) filed an "Application for an Order Directing the Establishment of Physical Connection of Facilities," pursuant to section 202(b) of the Federal Power Act, 16 U.S.C. 824a (b), seeking an order directing Indiana & Michigan Electric Company (I&M) to physically connect its facilities with those of Applicant. This application states that Applicant is a wholesale customer of I&M, is presently interconnected with I&M at several points and seeks further interconnection at a new substation, the Bercado Substation, which was completed in January, 1974 and capable of immediate operation to relieve the present load on Applicant's Twelfth Street Substation.

On August 14, 1975, the Commission issued a "Notice of Application for Order Directing Physical Interconnection." 40 FR 37093. On September 9, 1975, Indiana & Michigan Electric Co. filed with the Commission a "Protest and Petition to Intervene" which, *inter alia*, requested that I&M be permitted to intervene in this proceeding as a party participant. The Commission has not yet acted on these pleadings.

The nature of this case suggests that it would be in the public interest to convene a staff conference between the parties and the staff of the Federal Power Commission for the purpose of exploring the problems with and/or feasibility of the physical connection which is the subject of Applicant's petition. Therefore, a conference will be held at the Federal Power Commission, Rm. 8200, 825 North Capitol St., N.E. Washington, D.C. on November 6, 1975 at 10:00 a.m. All interested parties are requested to attend. This conference will be of record.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-27950 Filed 10-15-75;8:45 am]

[Docket No. RP75-56]

TEXAS GAS PIPE LINE CORP.

Conference

OCTOBER 14, 1975.

Take notice that on Monday, October 20, 1975, Commission Staff is convening an informal conference for the purpose of discussing the issues in the above-referenced docket with a view toward settling this proceeding. The conference will be held in Room 8402 of the Federal Power Commission offices, 825 North Capitol Street, N.E., Washington, D.C. 20426, at 10:00 a.m.

All parties in attendance will be expected to come fully prepared to discuss all issues involved in this proceeding, both procedural and substantive, and to

make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference.

Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, attendance at the conference will not be deemed to authorize intervention as a party in this proceeding. A petition to intervene filed pursuant to Section 1.8 of the Commission's rules of practice and procedure is required for that purpose.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-27949 Filed 10-15-75;8:45 am]

[Docket Nos. CP75-96, et al.]

EL PASO ALASKA CO., ET AL.

Notice of Intent To Partially Adopt Department of Interior's Draft Environmental Impact Statement

OCTOBER 16, 1975.

The Federal Power Commission Staff (Staff) is in the process of preparing a Draft Environmental Impact Statement (DEIS) for the proceeding pending in Docket Nos. CP75-96, et al. This proceeding involves proposals to bring Arctic gas from the Prudhoe Bay field in Alaska and from the MacKenzie Delta region of Canada to market areas in the lower forty-eight states. Two separate natural gas transportation systems have been proposed: The Alaskan Arctic Gas Pipeline System utilizing a land route through Canada and the El Paso Alaska Company System utilizing a land-sea route with liquefied natural gas facilities and tankers.

The Department of the Interior has currently before it, permit application from the participants of the Alaskan Arctic Gas Pipeline System requesting permission for their pipeline system to cross federal lands, and in this connection on July 28, 1975, has issued a DEIS. The FPC Commission Staff herein announces its intention to adopt partially the Department of the Interior's DEIS for the Alaskan Arctic Gas Pipeline System. The Staff's DEIS will be composed of Interior's draft for the Alaskan Arctic System; the Staff's comments and substantive analysis in those areas where the Staff believes modification is necessary to Interior's DEIS, the Staff's own environmental analysis of the El Paso Alaska Company and Western Terminal Company proposals; and a separate comparative analysis of all proposals in this proceeding. At the time the FPC's DEIS is issued all the aforesaid parts will be sent to the appropriate parties, except the Interior's DEIS. All persons who have not received a copy of the Interior's DEIS and feel they are entitled to because of their interest or relationship with the FPC proceeding should immediately notify either the FPC or the Department of the Interior.

Communications should be addressed in this regard to the following addresses.

Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, ATTN: Michael Sotak.

Department of the Interior, Bureau of Land Management, Washington, D.C. 20240, ATTN: Russel Soulen.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-28105 Filed 10-15-75;11:14 am]

[Docket No. E-7561]

HOLYOKE WATER POWER CO.
ET AL.

Order Fixing Places of Local Hearings

OCTOBER 9, 1975.

It is ordered that public hearing sessions be held at the Hampshire Superior Court, New District Court Room #2, Northampton, Massachusetts on October 28, 1975, at 2 PM and the Middlesex County Superior Court, Court Room 9A, Cambridge, Massachusetts on October 29, 1975 at 10 AM.

The matters to be considered are the installations, at dams of the New England Power Company and Western Massachusetts Electric Company at Hadley Falls and Turner's Falls on the Connecticut River in Hampshire County, of facilities to permit the passage of fish. All interested persons may present their views and testimony.

THOMAS L. HOWE,
Presiding Administrative
Law Judge.

[FR Doc.75-28104 Filed 10-15-75;11:14 am]

FEDERAL RESERVE SYSTEM

AVERAGE PREDOMINANT PRIME RATE

Determination

In accordance with provisions of section 6621 of the Internal Revenue Code (26 U.S.C. 6621), the Secretary of the Board, acting pursuant to delegated authority for the Board of Governors of the Federal Reserve System, has determined that the average predominant prime rate charged by commercial banks to large businesses in September, 1975, was 7.88 per cent.

Board of Governors of the Federal Reserve System, October 2, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-27840 Filed 10-15-75;8:45 am]

CLEVETRUST CORP.

Order Approving Acquisition of Bank

CleveTrust Corporation, Cleveland, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors qualifying shares) of the successor by merger to The Northeastern Ohio National Bank, Ashtabula, Ohio.

Notice of the application, affording opportunity for interested persons to sub-

mit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant, the largest bank holding company in Ohio, controls three banks with aggregate deposits of approximately \$3 billion,¹ representing 10 per cent of the total deposits in commercial banks in the State.² Acquisition of Bank would increase Applicant's share of State deposits by two-tenths of one per cent. Consummation of the proposal would not significantly affect State-wide concentration of banking resources in Ohio.

Bank is the second largest of four banking organizations in the Ashtabula banking market³ and controls approximately 36.7 per cent of total market deposits. On the basis of the record, it appears that some existing competition between Applicant's banking subsidiaries and Bank may be eliminated as a result of the proposal. However, the service areas of Applicant's subsidiaries and Bank do not appear to overlap, and the amount of any such competition that would be eliminated as a result of the proposal does not appear to be significant. Furthermore, it appears unlikely that Applicant would enter the market *de novo*, in view of the fact that the market's population and deposits per banking office ratios are below the respective State averages. Therefore, the Board concludes that consummation of the proposed transaction would not have a significant adverse effect on existing or potential competition in any relevant area.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank are regarded as satisfactory and consistent with approval of the application. Affiliation with Applicant will enable Bank to expand a number of its services such as equipment leasing, trust services and international banking services. These expanded services should provide some added convenience to the residents of the area. Therefore, convenience and needs considerations lend weight toward approval of the application. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, un-

less such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,
effective October 8, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.
[FR Doc.75-27836 Filed 10-15-75; 8:45 am]

FEDERAL OPEN MARKET COMMITTEE Domestic Policy Directive of August 19, 1975

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on August 19, 1975.¹

The information reviewed at this meeting suggests that output of goods and services bottomed out in the second quarter and is likely to increase appreciably in the current quarter. In July retail sales expanded further and industrial production rose moderately for the second consecutive month, following 8 months of decline. Conditions in labor markets improved further: Employment increased, the unemployment rate declined from 8.6 to 8.4 per cent, and the average workweek in manufacturing lengthened considerably. Average wholesale prices rose sharply in July, chiefly because of increases in prices of agricultural and energy products. The advance in average wage rates has continued to moderate over recent months.

In recent weeks the average exchange value of the dollar against leading foreign currencies has risen considerably further, reflecting additional increases in interest rates on U.S. dollar assets relative to rates on foreign currency assets. In June the U.S. foreign trade surplus rose substantially, as exports increased sharply while imports declined slightly further.

In July M₁ increased relatively little and growth in M₂ and M₃ slowed substantially, following a sharp increase in depositors' balances in May and June in connection with Federal income tax rebates and supplementary social security payments. Market interest rates in general have risen appreciably further in recent weeks, in association with indications of strengthening economic activity, more rapid inflation, and larger current and prospective Treasury financing requirements. Corporate bond offerings moderated somewhat in July but State and local government offerings continued large. Financial markets reflected considerable uncertainty stemming from New York City's financing problems. Business demands for short-term credit remained weak, although less so than in earlier months.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to stimulating economic recovery, while resisting inflationary pressures and contributing to a sustainable pattern of international transactions.

¹ Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Coldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Wallich.
² The Record of Policy Actions of the Committee for the meeting of August 19, 1975, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

To implement this policy, while taking account of developments in domestic and international financial markets, the Committee seeks to achieve bank reserve and money market conditions consistent with moderate growth in monetary aggregates over the months ahead.

By order of the Federal Open Market Committee, October 6, 1975.

ARTHUR L. BROIDA,
Secretary.
[FR Doc.75-27797 Filed 10-15-75; 8:45 am]

NEVADA BRICK AND TILE CO. Acquisition of Bank

Nevada Brick and Tile Co., Nevada, Iowa, 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 19.9 per cent and to hold 2.2 per cent of the voting shares of Nevada National Bank, Nevada, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 11, 1975.

Board of Governors of the Federal Reserve System, October 8, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.
[FR Doc.75-27796 Filed 10-19-75; 8:45 am]

FEDERAL OPEN MARKET COMMITTEE Authorization for Domestic Open Market Operations; Correction

OCTOBER 8, 1975.

FR Doc. 75-23769 should be corrected to read as follows:

In accordance with the Committee's rules regarding availability of information, notice is given that on August 6, 1975, paragraph (2) of the Committee's authorization for domestic open market operations was amended to raise from \$2 billion to \$3 billion the limit on System holdings of special short-term certificates of indebtedness purchased directly from the Treasury, for the period until the close of business on August 19, 1975.

NOTE: For paragraph (2) of the authorization see 40 FR 10660.

By order of the Federal Open Market Committee, October 5, 1975.

[SEAL] ARTHUR L. BROIDA,
Secretary.
[FR Doc.75-27839 Filed 10-15-75; 8:45 a.m.]

SOUTHEASTERN BANCSHARES, INC. Order Approving Formation of Bank Holding Company

Southeastern Bancshares, Inc., Broken Bow, Oklahoma, has applied for the

¹ Applicant has obtained Board approval to acquire but has not yet acquired The City Bank, Kent, Ohio.

² All banking data are as of December 31, 1974, and reflect bank holding company formations and acquisitions approved by the Board through September 9, 1975.

³ The Ashtabula banking market is approximated by Ashtabula County.

Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) of formation of a bank holding company through acquisition of 100 per cent of the voting shares, less directors' qualifying shares, of 1st Bank & Trust, Broken Bow, Oklahoma ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant is a recently organized corporation formed for the purpose of becoming a bank holding company through the acquisition of Bank. Bank (deposits of \$19.8 million)¹ is the second largest of five banks in the McCurtain banking market² and controls approximately 27 per cent of the total deposits in commercial banks in the market. Upon acquisition of Bank, Applicant would control 0.2 of one per cent of the total deposits in commercial banks in Oklahoma.

The principal shareholder of Applicant also controls First State Bank of Idabel ("Idabel Bank") Idabel, Oklahoma. Idabel Bank (deposits of \$27.0 million) is the largest bank in the McCurtain banking market. Idabel Bank is located in the town of Idabel approximately 12 miles south of Bank, and is separated from Bank by a natural barrier. Although Idabel Bank and Bank are both located in the McCurtain banking market, the Board notes that the principal of Applicant acquired Idabel Bank at a time when that bank was experiencing some financial and managerial problems, and that his subsequent control of Idabel Bank has been beneficial to that bank's overall operations. Accordingly, based on the facts of this case, particularly the fact that the transaction represents merely a reorganization of the existing ownership of Bank, the Board concludes that consummation of the proposal would not have any adverse effect on other banks in the relevant market, and that competitive considerations are consistent with approval of the application.

The future prospects of Applicant are entirely dependent upon the financial resources of Bank. Applicant proposes to service the debt it would assume incident to this proposal over a twelve year period through dividends from Bank. In light of Bank's past earnings and its anticipated growth, the projected earnings of Bank appear reasonable and would provide Applicant with the necessary financial flexibility to meet its annual debt servicing and preferred stock dividend requirements and to maintain an adequate capital position for Bank. Moreover, Applicant intends to inject \$300 thousand

in additional capital into Bank shortly after consummation of this transaction. The managerial resources of Applicant and Bank are considered satisfactory and the future prospects for each appear favorable.

As noted above, Applicant's principal is also involved with Idabel Bank. A factor lending weight toward approval of the subject application is the fact that permitting the principal of Applicant to place his interest in Bank in a holding company structure will relieve the principal from some additional debt associated with his initial acquisition of Bank. As a result, Applicant's principal will have greater financial flexibility in his efforts to strengthen the overall financial condition of Idabel Bank. Accordingly, on the basis of the foregoing and other facts of record, the Board concludes that, on balance, considerations relating to banking factors are consistent with approval of the subject application.

Although consummation of the proposal would effect no immediate changes in the banking services offered by Bank, considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,
effective October 8, 1975.

GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc. 75-27836 Filed 10-15-75; 8:45 am]

SOUTHERN BANCORPORATION, INC.
Proposed Acquisition of F. & I. Finance Company, Inc.

Southern Bancorporation, Inc., Greenville, South Carolina, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire, through a wholly owned direct subsidiary, World Acceptance Corporation, all of the assets of F. & I. Finance Company, Inc., Tyler, Texas. Notice of the application was published on September 24, 1975, in the Tyler Courier Times and the Tyler Morning Telegraph, newspapers circulated in Tyler, Texas.

Applicant states that the proposed subsidiary would engage in the activities of

making direct loans to individuals on an installment basis under the Consumer Finance Laws of Texas pursuant to a "B" Consumer Finance License, which will limit its operations to cash loans of \$100 or less. These activities will be conducted at offices in Tyler, Texas. 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 Richmond.

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 November 6, 1975.

Board of Governors of the Federal Reserve System, October 7, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.
[FR Doc. 75-27837 Filed 10-15-75; 8:45 am]

MARINE MAMMAL COMMISSION

MARINE MAMMAL COMMISSION AND COMMITTEE OF SCIENTIFIC ADVISORS ON MARINE MAMMALS

Meetings

Notice is hereby given that the Marine Mammal Commission and the Committee of Scientific Advisors on Marine Mammals will meet on November 13-15, 1975 in Anchorage, Alaska. Notice of the specific location, time, and agenda items of the meeting will be published in the near future.

The purpose of this notice is to invite the suggestions of interested persons concerning issues and subjects to be considered at the meetings. Suggestions should be submitted, in writing, to the Marine Mammal Commission, 1625 Eye Street NW., Washington, D.C. 20006 by October 24, 1975.

JOHN R. TWISS, Jr.,
Executive Director,
Marine Mammal Commission.

OCTOBER 8, 1975.

[FR Doc. 75-27820 Filed 10-15-75; 8:45 am]

¹ All banking data are as of December 31, 1974.

² The McCurtain banking market is approximated by McCurtain County, Oklahoma.

* Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Goldwell, and Jackson. Absent and not voting: Chairman Burns and Governor Wallich.

DEPARTMENT OF COMMERCE

National Advisory Committee on Oceans and Atmosphere

OPEN MEETING

OCTOBER 10, 1975.

The National Advisory Committee on Oceans and Atmosphere (NACOA) will hold a meeting Monday and Tuesday, November 17 and 18, 1975. The Monday session will be on Capitol Hill and the Tuesday session at the Department of Commerce. Both sessions are open to the public and will begin at 9:00 a.m.

The Committee, consisting of 25 non-Federal members appointed by the President from State and local governments, industry, science, and other appropriate areas, was established by Congress by Public Law 92-125, on August 16, 1971. Its duties are to (1) undertake a continuing review of the progress of the marine and atmospheric science and service programs of the United States, (2) submit a comprehensive annual report to the President and to the Congress setting forth an overall assessment of the status of the Nation's marine and atmospheric activities on or before 30 June of each year, and (3) advise the Secretary of Commerce with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration.

Times, locations, and topics are as follows:

Monday—Room 2318, Rayburn House Office Building, Washington, D.C., 9:00 a.m. to approximately 4:00 p.m. Expression of Congressional views on issues for future NACOA consideration.

Tuesday—Room 6802, Department of Commerce Building, 14th and E Streets, N.W., Washington, D.C., 9:00 a.m. to approximately 3:00 p.m. Reports on NACOA work in progress including such topics as a review of the Sea Grant Program, weather and air safety, and information requirements of coastal zone managers. Discussion of NACOA plans for the year.

The public is welcome at these sessions and will be admitted to the extent of the seating available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Written statements may be submitted before or after such session.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks, whose mailing address is National Advisory Committee on Oceans and Atmosphere, Department of Commerce Building, Room 5223, Washington, D.C. 20230. The telephone number is 967-3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc.75-27893 Filed 10-15-75;8:45 am]

ADDENDUM TO PREVIOUS NOTICE

OCTOBER 10, 1975.

The agenda for the meeting previously announced for October 20 and 21, 1975, in the FEDERAL REGISTER of September 19, 1975, will consist of the following:

Monday morning beginning at 9:00 a.m. Briefings on research and development aspects of renewable energy sources in the sea.

Afternoon until adjournment at approximately 4:00 p.m. Reports on NACOA work in progress. Briefings on legislation of current interest to NACOA.

Tuesday until adjournment at approximately 1:30 p.m. Briefings on urban air pollution effects on weather and EPA's atmospheric research programs. Continued discussion of NACOA work in progress.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Department of Commerce Building, Room 5223, Washington, D.C. 20230. The telephone is: (202) 967-3343.

DOUGLAS L. BROOKS,
Executive Director.

[FR Doc.75-27894; Filed 10-15-75;8:45 a.m.]

NATIONAL TRANSPORTATION
SAFETY BOARD

[N-AR 75-28]

ACCIDENT REPORTS; SAFETY RECOMMENDATIONS AND RESPONSES

Availability and Receipt

Aircraft accident reports. The crash of a Northwest Airlines jetliner near Thiells, New York, December 1, 1974, was the subject of an aircraft accident report released October 7 by the National Transportation Safety Board. The report, No. NTSB-AAR-75-13, states that the probable cause of the accident was the loss of control of the aircraft because the flightcrew failed to recognize and correct the aircraft's high-angle-of-attack, low-speed stall and its descending spiral. The stall was precipitated by the flightcrew's improper reaction to erroneous airspeed and Mach indications which had resulted from a blockage of the pitot heads by atmospheric icing. Contrary to standard operational procedures, the flightcrew had not activated the pitot heat heaters. Following investigation of the accident, the Safety Board last March 20 issued three recommendations, A-75-25 through 27, to the Federal Aviation Administration. These recommendations and FAA's response of May 27 (40 FR 25862) are reproduced in the report.

Also released last week was the report of the midair collision of a commuter flight and a private aircraft near Whittier, California, last January 9. The re-

port, No. NTSB-AAR-75-14 released October 8, concerns a Golden West Airlines DeHavilland DHC-6 and a Cessna Air Aviation Cessna 150. The Safety Board determined that the probable cause of the accident was the failure of both flightcrews to see the other aircraft in sufficient time to initiate evasive action. The Board was unable to determine why each crew failed to see and avoid the other aircraft when the late-afternoon weather was clear and visibility was 40 miles.

Safety recommendations. The Safety Board's investigation of the September 8, 1975, accident of an American Airlines Boeing 747 on approach to San Juan International Airport, Puerto Rico, prompted issuance on October 6 of recommendation A-75-79 to the Federal Aviation Administration. The Board recommends that the FAA promptly amend AD-75-20-05 to require that the inspection of the inboard foreflaps be conducted within the next 25 flights, effective on the date of issuance of the amended AD.

Subject of recommendation letter issued October 10 to the U.S. Coast Guard was the pumproom explosion aboard the tankship *Texaco North Dakota* en route October 2, 1973, from Tampa, Florida, to Port Arthur, Texas. The Board determined that the probable cause of this accident was the ignition of fuel-air vapors in the pumproom by hot gases, or other products of combustion, which were being ejected from a steam-driven air compressor. This accident, and several other marine casualties involving explosions, prompted the Safety Board to recommend that the Coast Guard (1) expedite the promulgation of regulations prohibiting the deliberate drainage of cargoes into the pumproom bilges of tankships; (2) insure that piping systems entering pumprooms are designed to preclude even accidental discharge of cargoes into the pumproom bilges; (3) expedite the promulgation of regulations prohibiting the installation of air compressors in the pumprooms of tankships and requiring the removal of air compressors already installed; (4) issue regulations concerning the operation of tankship pumproom power ventilation systems to insure removal of explosive vapors before any activities are begun in the pumproom; (5) prohibit workshops and the storage of tools in pumprooms of tankships in which the bilges are not prohibited by regulation from containing cargoes or cargo residue; (6) institute a procedure which would require an active Coast Guard search for technology available in other Federal agencies before approval is granted for new types of equipment installations which may affect hazardous materials aboard ship; (7) use formal hazard analysis during the next annual tankship inspection to identify pumproom explosion risks; (8) use formal hazard analysis to evaluate the possibility of an explosion be-

fore approval is given for the design or modification of tank vessels; and (9) issue regulations to require adequate management and shipboard supervision during the transportation and handling of hazardous cargoes on tankships. (Recommendations M-75-19 through 27)

Responses to safety recommendations. During the past week, the Safety Board received four letters from the Federal Aviation Administration in response to the following recommendations:

A-74-67 and 68. FAA's letter of September 18 is in reply to the Board's letter of September 3 requesting reconsideration of the FAA's response of January 13 concerning these recommendations (40 FR 42248). FAA notes further compliance efforts, such as distribution to their Accident Prevention Specialists of a slide-tape presentation, "Weather-wise—Go or No Go," which is being shown to the public at many accident prevention meetings and is made available to flight schools during sessions on meteorology. Also, FAA is encouraging industry advisory groups to further publicize weather involvement in general aviation accidents through their member companies and their own in-house publications. Regarding recommendations A-74-68, FAA states, "... we cannot justify making weather knowledge the deciding factor in determining if an applicant passes the written test for a certificate," and further comments, "We see no reason for singling out weather knowledge as being more important than these other basic airman skills."

A-75-61. FAA's letter of September 19 is in response to a recommendation issued July 31 following Board investigation of an emergency landing accident involving a Kodiak Western Airlines Cessna Model 207 at Egegik, Alaska, March 4, 1975. The Board recommended that the FAA issue an airworthiness directive requiring inspection of the throttle cable housing on Cessna Model 207 airplanes and appropriate corrective action as necessary. FAA replied, "Since the facts in this accident and two other occurrences of record indicate faulty or improper maintenance, we do not believe that issuance of an airworthiness directive is warranted at this time. However, we will insert an item in the publication, Inspection Aids, alerting all concerned of the potential hazard possible if inspection requirements are not observed. This is scheduled for the October 1975 issue."

A-75-64 (40 FR 36628). FAA's letter of September 19 describes the material which FAA distributes to the public pertaining to multiengine aircraft emergency procedures, and indicates FAA's belief that this information adequately deals with the subject and sufficiently supplements the material presented in AC 61-67. However, the FAA states that the General Aviation Division of Flight Standards Service is making copies of this recommendation available to the regional accident prevention coordinators, with the direction that they place greater emphasis on this subject area in their future public presentations.

A-75-78 (40 FR 42247). By letter of September 23, FAA indicates that Change 14 to Handbook 8260.19 is in preparation. This will include the following instruction: "On procedures when neither a procedure turn nor a one-minute holding pattern is authorized, the profile view shall include the intermediate fix and should be extended to include all fixes that are established on the final approach course extended." This will ensure a smooth transition from the airway structure to the profile of the instrument approach, FAA states:

Reports and recommendation letters are available to the general public; single copies may be obtained without charge. A \$4.00 user-service charge will be made for each recommendation response, in addition to a charge of 10¢ per page for reproduction. All requests must be in writing, identified by report and/or recommendation number and date of FEDERAL REGISTER notice. Address inquiries to: Publication Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of reports may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a) (2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93-833, 88 Stat. 2169, 2172) (49 U.S.C. 1903, 1906))

MARGARET L. FISHER,
Federal Register
Liaison Officer.

OCTOBER 10, 1975.

[FR Doc. 75-27862 Filed 10-15-75; 8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS WORKING GROUP ON PLUTONIUM SHIPPING PACKAGES

Meeting; Correction

The agenda for the meeting of the ACRS Working Group on Plutonium Shipping Packages published at 40 F.R. 47220, October 8, 1975 is corrected to read "Thursday, October 23, 1975 * * *" instead of "Monday, October 23, 1975 * * *"

All other matters pertaining to the meeting remain unchanged.

Dated: October 10, 1975.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 75-27811 Filed 10-15-75; 8:45 am]

[Docket No. 50-298]

NEBRASKA PUBLIC POWER DISTRICT (COOPER NUCLEAR STATION)

Order for Modification of License

I, Nebraska Public Power District (the licensee) is the holder of Facility Operating License No. DPR-46 which authorizes operation of the Cooper Nuclear Station (the facility) at steady-state reactor core power levels not in excess of 2381 megawatts thermal (rated power). The facility is a boiling water reactor (BWR) located near Brownville, Nemaha County, Nebraska.

II. 1. On July 22, 1975, the Nuclear Regulatory Commission (the Commission) issued an "Order for Modification of License" (40 F.R. 31837, July 29, 1975) which confirmed a plan for limited additional operation of the facility. As detailed in the Order, the facility's channel box wear, as indicated by the noise-to-signal ratio recorded by the traversing incore probe (TIP), had exceeded the remedial action threshold. The remedial plan confirmed by the Order limited operation of the facility at not more than 40 percent of rated core flow and with a maximum fuel bundle power of 3.20 MWt. In addition, the Order permitted operation up to full flow and power for a brief period of time as necessary to collect flow vibration and water quality data. The Order further stipulated that the licensee was to shutdown the facility following approximately 45 equivalent full flow days from April 26, 1975 unless within that period certain specified tests have been completed which demonstrated the efficacy of the 40 percent flow limit.

2. On August 1, 1975, the Commission issued an "Order for Modification of License" (40 F.R. 33739, August 11, 1975) which clarified the intent of the July 22, 1975 Order to explicitly allow continued operation for the balance of a period of 50 effective full flow days prior to demonstrating the efficacy of the 40 percent flow limit. The bases for this action were schedules for delivery of equipment needed for accelerometer tests and the desirability from a power demand standpoint to schedule the installation of the equipment during a weekend or other low load period. The Commission's staff, in its August 1, 1975 evaluation of the request, concluded that the recently obtained TIP traces did not show any accelerated channel box wear, and that operation of Cooper for the balance of a period of 50 effective full flow days prior to demonstrating the efficacy of the 40 percent flow limit was acceptable since no appreciable additional wear would be incurred.

3. By letter dated September 11, 1975, the licensee proposed a plan, previously discussed with the NRC staff, setting forth a course of remedial action, which would allow operation with flow rates above 40 percent of rated flow and maximum bundle power above 3.20 MWt. The plan would involve shutdown of the reactor and appropriate replacement of worn channel boxes and plugging of the core support plate bypass holes.

4. By its letter dated September 11, 1975,¹ the licensee provided details (by

¹ Copies of (1) the September 11, 1975 filing by the licensee, and (2) the NRC staff Safety Evaluation of Mechanical Plugs to be inserted in the Cooper Nuclear Station and the documents referenced therein, are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and are being placed in the Auburn Public Library, 1118 15th Street, Auburn, Nebraska 68305.

reference to previous staff evaluations for the Vermont Yankee and Duane Arnold plants) relating to the installation of core bypass flow plugs in the lower core plate and supplied analyses to demonstrate the adequacy of such plugs to minimize future channel box wear and the adequacy of the procedures for plug installation.

5. The installation of the core bypass flow plugs in the lower core plate is designed to reduce the instrument tube-channel box interaction that produced the unacceptable wear. The referenced reports in the licensee's letter of September 11, 1975, lists a total of 75 channels that were inspected during normal refueling outages in seven plants that have instrument thimbles similar to those in the Cooper reactor, but that do not have flow bypass holes. The bypass flow for these plants enters through clearances in the fuel assembly and fittings which are similar to the proposed Cooper configuration with plugged bypass flow holes. For this configuration, no significant wear was observed at the corners of the channel boxes adjacent to the instrument thimbles.

6. Plugs identical to those proposed for the Cooper reactor have previously been installed in the Vermont Yankee and Pilgrim reactors in 1973 and 1974, respectively, to eliminate the vibration of temporary control curtains that caused channel box wear in those reactors. They have also been installed in the Duane Arnold and Vermont Yankee reactors to mitigate channel box wear. The plugs in the Vermont Yankee reactor installed in 1973 were removed at the time that the temporary curtains were removed after ten months of successful service. In addition, the General Electric Company has conducted tests to demonstrate the adequacy of the plug design. These tests included full flow mockup tests which demonstrated negligible leakage flow through the plugged holes. The NRC staff has reviewed the design, the testing, and the previous experience with the proposed plugs in the Vermont Yankee and Pilgrim reactors, and in its concurrently issued Safety Evaluation of Mechanical Plugs to be Inserted in the Cooper Nuclear Station, the staff concluded that the mechanical design of the proposed bypass flow plugs is acceptable and that the plugs will reduce the vibration of the instrument thimbles caused by flow through the bypass holes and that installation of the plugs should be authorized. Subsequent operation of the facility with the plugs installed is under review.

III. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Rules and Regulations in 10 CFR Parts 2 and 50: *It is ordered*, that Facility Operating License No. DPR-46 is hereby amended by substituting the following provisions for the provisions set out in Appendix A to the Commission's Order for Modification of License dated July 22, 1975, as amended August 1, 1975:

1. The licensee is authorized to install bypass hole plugs in the facility's lower core plate. The licensee shall not, without prior written approval of the Director, Office of Nuclear Reactor Regulation, return the facility to operation following the installation of the bypass hole plugs.

Dated at Bethesda, Md., this 8th day of October 1975.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of
Nuclear Reactor Regulation.

[FR Doc. 75-27794 Filed 10-15-75; 8:45 am]

[Docket No. 50-271]

VERMONT YANKEE NUCLEAR POWER CORP.

Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 16 to Facility Operating License No. DPR-28 issued to Vermont Yankee Nuclear Power Corporation (the licensee) which revised Technical Specifications for operation of the Vermont Yankee Nuclear Power Station (the facility) located near Vernon, Vermont. The amendment is effective as of its date of issuance.

The amendment incorporates additional suppression pool water temperature limits: (1) During any testing which adds heat to the pool, (2) at which reactor scram is to be initiated, and (3) requiring reactor pressure vessel depressurization. It also adds surveillance requirements for visual examination of the suppression chamber during each refueling and following operations in which the pool temperatures exceed 160° F and adds monitoring requirements of water temperatures during operations which add heat to the pool.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on July 23, 1975 (40 FR 30886). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated March 31, 1975, (2) Amendment No. 16 to License No. DPR-28, with Change No. 27, and (3) the Commission's related Safety Evaluation issued July 15, 1975. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

and at the Brooks Memorial Library, 224 Main Street, Brattleboro, Vermont 05301.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md. this 8th day of October 1975.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors
Branch No. 4, Division of Reactor Licensing.

[FR Doc. 75-27795 Filed 10-15-75; 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 October 10, 1975 (44 U.S.C. 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(s), 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.

Requests for extension which appear to raise no significant issues 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), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control: Obstetrical Interview Regarding Amniocentesis, TF 4234, single-time, Atlanta obstetricians, Dick Eisinger, 395-6140.

National Institutes of Health: Pharmacy Utilization Validation, OS-NIH-IA-1, single-time, retirement community residents, Dick Eisinger, 395-6140.

National Center for Education Statistics: Survey of Recent College Graduates, OE 2385, OE 2385-1, single-time, recent college graduates, Joan Turek.

Social and Rehabilitation Service: Social Services Expenditures Under Title XX (SSA), SRS-OA-41.1, SRS-OA-41.1, SRS-OA-41.1, SRS-OA-41, quarterly, States' welfare agencies, human resources division, Caywood, D. P., 395-3532.

DEPARTMENT OF TRANSPORTATION

Departmental and Other: 1974 NTS—Update 1990 Plan, single-time, State governments, District of Columbia and territories, Strasser, A., 395-5867.

REVISIONS

DEPARTMENT OF AGRICULTURE

Farmers Home Administration: Certification of Disaster Losses—Farm Loans, FHA 441-22, on occasion, farms, Caywood, D. P., 395-3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Education in Librarianship, Application, Enrollment Data, fiscal report, OE-3095, 3096, 3097, annually, mostly institutions of higher education, Lowry, R. L., 395-3772.

EXTENSIONS

DEPARTMENT OF COMMERCE

Bureau of East-West Trade: Exceptions to Reporting Requirements for Exports to Switzerland and Other Specified Destinations, ECR 375.3, on occasion, commercial exporters, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-28014 Filed 10-15-75; 8:45 am]

ADVISORY COMMITTEE ON GNP DATA IMPROVEMENT

Public Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Advisory Committee on GNP Data Improvement to be held in Room 10103, New Executive Office Building, 726 Jackson Place, NW., Washington, D.C. on Wednesday, November 19, 1975 at 9:45 a.m.

The purpose of the meeting is to comment on additional draft chapters of the final report.

The meeting will be open to public observation and participation. Anyone wishing to participate should contact the GNP Data Improvement Project, Statistical Policy Division, Room 10222, New Executive Office Building, Washington, D.C. 20503, telephone (202) 395-6173.

VELMA N. BALDWIN,
Assistant to the Director
for Administration.

[FR Doc.75-27835 Filed 10-15-75; 8:45am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-11732; File No. 4-180]

EXCHANGE OFF-BOARD TRADING RULES

Revised Schedule of Oral Hearings

The Securities and Exchange Commission on October 14, 1975 announced the revised schedule of the oral hearings on rules of national securities exchanges which limit or condition the ability of members to effect transactions otherwise than on such exchanges ("off-board trading rules"). The hearings, which began on Tuesday, October 14, 1975, at 10 a.m., will now continue through October 23, 1975.

The revised schedule of witnesses for the hearings is as follows:

Tuesday, October 14, 1975

- 10:00 Harry M. Jacobson, Association for the Preservation of the Auction Market.
- 2:00 Jeffrey W. Casdin, Source Securities Corporation, New York, New York.
- 3:00 Margaret Cox Sullivan, Stockholders of America, Inc.

Wednesday, October 15, 1975

- 2:00 G. Robert Ackerman, Pacific Stock Exchange, Inc.

Thursday, October 16, 1975

- 10:00 Donald Regan, Merrill Lynch, Pierce, Fenner & Smith, Incorporated, New York, New York.
- 2:00 Ralph Saul, INA Corporation.

Friday, October 17, 1975

- 10:00 Donald E. Weeden, Weeden & Co. Incorporated, New York, New York.
- 2:00 Robert H. B. Baldwin, Morgan, Stanley and Co., Incorporated, New York, New York.
- 3:00 Tom O'Hara, National Association of Investment Clubs.

Monday, October 20, 1975

- 10:00 David W. Hunter, Ad Hoc Committee of Regional Firms.
- 11:00 James E. Dowd, J. Stephen Putnam, Boston Stock Exchange.
- 2:00 Gerald Parsky, Department of the Treasury.
- 3:00 H. Virgil Sherrill, Edward I. O'Brien, Securities Industry Association.

Tuesday, October 21, 1975

- 10:00 Paul Kolton, American Stock Exchange, Inc.
- 2:00 Michael E. Tobin, Midwest Stock Exchange, Inc.

Wednesday, October 22, 1975

- 10:00 James J. Needham, New York Stock Exchange, Inc.

Thursday, October 23, 1975

- 10:00 Alfred Elsenpreis, The City of New York.
- 11:00 Forrester A. Clark, H. C. Wainwright & Co.
- 2:00 Bernard H. Garil, Oppenheimer & Co., Inc.
- 3:00 J. Walter Sherman, Sherman, Dean & Co.

Copies of the transcripts of the hearings may be purchased through Technical Reporting Company, Inc., at a price of \$0.15 per page. Expedited and next day delivery service is available at additional cost. Requests should be made directly to Mr. Frank Stout, Technical Reporting Company, Inc., 300 Seventh Street, S.W., Washington, D.C. 20024, telephone (202) 628-2355.

Persons wishing to make written submissions of views, data or arguments should file 30 copies thereof with George A. Fitzsimmons, Secretary of the Commission, Room 892, 500 North Capitol Street, Washington, D.C. 20549, not later than October 31, 1975. Persons wishing to submit written views, data or arguments in respect of submissions made by others or in respect of views, data and arguments presented at the oral hearings may do so until November 10, 1975. All comments should refer to Securities and

Exchange Commission File No. 4-180 and will be available for public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

OCTOBER 14, 1975.

[FR Doc.75-28111 Filed 10-15-75; 11:29 am]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area No. 1189]

ALABAMA

Declaration of Disaster Area

As a result of the President's declaration I find that Barbour, Bullock, Chambers, Coffee, Covington, Dale, Geneva, Houston, Lee, Macon, Pike, Russell, and adjacent counties within the State of Alabama, constitute a disaster area because of damage resulting from high winds, tornadoes, heavy rains, and flooding resulting from Hurricane Eloise beginning about September 22, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on December 1, 1975, and for economic injury until the close of business on July 2, 1976, at:

Small Business Administration, District Office, 908 South 20th Street, Birmingham, Alabama 35205.

or other locally announced locations.

Dated: October 6, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-27788 Filed 10-15-75; 8:45 am]

[License No. 05/05-0097]

BANKIT FINANCIAL CORP.

Issuance of a Small Business Investment Company License

On February 8, 1974, a notice was published in the FEDERAL REGISTER (39 FR 4973) stating that an application had been filed by Bankit Financial Corporation, 733 Van Buren Street, Milwaukee, Wisconsin 53202 with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investment companies (13 CFR 107.102 (1974)) for a license as a small business investment company.

Interested parties were given until close of business February 25, 1974, to submit their comments to SBA. No comments were received. Issuance of the license was delayed until such time as Bankit Financial Corporation was capitalized, which was accomplished on September 2, 1975.

Notice is hereby given that, pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, SBA issued License No. 05/05-0097 on September 19, 1975, to Bankit Financial

Corporation to operate as a small business investment company.

Dated: October 8, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.75-27821 Filed 10-15-75;8:45 am]

[Declaration of Disaster Loan Area No. 1186]

CONNECTICUT

Declaration of Disaster Area

Fairfield and Litchfield and adjacent counties within the State of Connecticut, constitute a disaster area because of damage resulting from heavy rains and flooding, which occurred September 17 through September 27, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on December 1, 1975, and for economic injury until the close of business on July 2, 1976, at:

Small Business Administration, District Office, 450 Main Street, Hartford, Connecticut 06103.

or other locally announced locations.

Dated: October 2, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-27789 Filed 10-15-75;8:45 am]

[License No. 03/03-0119]

HOUSING CAPITAL CORP.

Issuance of Small Business Investment Company License

On May 5, 1975, a Notice of Application for a license as a small business investment company (SBIC) was published in the FEDERAL REGISTER (40 F.R. 19548) stating that an application had been filed with the Small Business Administration (SBA) pursuant to § 107.102 of the regulations governing small business investment companies (13 CFR 107.102 (1975)) for a license as a small business investment company by Housing Capital Corporation, Suite 700, 1133 Fifteenth Street N.W., Washington, D.C. 20005.

The applicant's plan of operations is designed to achieve the greatest degree of national impact in its efforts to restore and maintain the viability of operative builders and to assist National Corporation for Housing Partnership (NCHP) and National Housing Partnership (NHP), private organizations created by the Congress under Title IX of the Housing and Urban Development Act of 1968, in stimulating the production by private enterprise of low and moderate income housing. In this regard, the applicant will invest in and/or provide loans to operative builders, (meeting the size requirement of a small business concern) needing working capital to construct single family homes or condominium units which will be offered for sale to prospective occupants. These investments may involve stock interests in incorporated

entities or a limited interest in partnerships. The applicant will not manage or control the small concern.

The applicant will commence operations with an initial private capital of \$2,000,000 from the sale of its stock to NHP, instead of an initial proposed capital of \$750,000. The public offering as proposed, is not contemplated, at this time.

NCHP will serve as investment advisors to the applicant and may provide management services to portfolio concerns of the applicant in accordance with §§ 107.601, 107.809, and 107.1004 of SBA regulations.

NHP may participate in joint financings with the applicant in accordance with § 107.1004 of the regulations.

SBA approval of the applicant's proposal to invest up to 100 percent (from 66 2/3 percent) of its funds in eligible small business concerns classified in Major Group 15 and Industry Numbers 6531, 6541 and 6552 of the Standard Industrial Classification Manual is a special exemption to § 107.101(c) (1) and (2) of SBA rules and regulations, based on the fact that NCHP and NHP are entities created in the public interest and for a national purpose. The exemption was granted to accommodate the applicant's plans of operation to invest in "Operative Builders", and is not an exemption to SBA's prohibited real estate investment policy.

Interested persons were given until May 15, 1975, to submit their comments to SBA.

In the absence of any unfavorable comments and considering all factors involved, notice is hereby given that Housing Capital Corporation was issued License No. 03/03-0119 by SBA on September 2, 1975, pursuant to section 301 (c) of the Small Business Investment Act of 1958, as amended, to operate as a small business investment company.

Dated: October 3, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.75-27787 Filed 10-15-75;8:45 am]

[Proposed License No. 02/02-0314]

LLOYD CAPITAL CORP.

Application for a License to Operate as a Small Business Investment Company

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to § 107.102 of the regulations governing small business investment companies (13 CFR 107.102 (1975)) under the name of Lloyd Capital Corporation, 186 Riverside Drive, New York, New York 10024, for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (the Act), and the rules and regulations promulgated thereunder.

The proposed officers, directors and shareholders are as follows:

Name	Title
Solomon T. Scharf, 186 Riverside Drive, New York, New York 10024.	General Manager, Director, 100% owner of all stock.
Leah Scharf, 186 Riverside Drive, New York, New York 10024.	Vice President, Treasurer, Director.
Sherwood Gordon, 225 Brody Lane, Bellmore, New York 11710.	Secretary, Director.
Martin Schwarzschild, 144 West 86th Street, New York, New York 10024.	Director.
Alexander Scharf, 186 Riverside Drive, New York, New York 10024.	Director.

The company proposes to commence operations with a capitalization of \$350,000, to be further increased to \$500,000 within a year from time of licensing. Applicant proposes to finance small concerns primarily in the States of New York, New Jersey and Connecticut, but does not intend to limit itself in terms of any particular geographical areas within said states.

Matters involved in SBA's consideration of the application include the general business reputation and character of the owner and management, and the probability of successful operations of the new company, in accordance with the Act and regulations.

Notice is further given that any person may, not later than fifteen days from the date of publication of this notice, submit to SBA, in writing, relevant comments on the proposed licensing of this company. Any such communications should be addressed to: Deputy Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

Dated: October 6, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator
for Investment.

[FR Doc.75-27822 Filed 10-15-75;8:45 am]

[Declaration of Disaster Loan Area, No. 1186]

MICHIGAN

Declaration of Disaster Area

As a result of the President's declaration, I find that Allegan, Clare, Genesee, Gratiot, Ingham, Isabella, Mecosta, Midland, Montcalm, Muskegon, Newaygo, Oceana, Osceola, Ottawa, Saginaw, Shiawassee and adjacent counties within the State of Michigan, constitute a disaster area because of damage resulting from severe rain storms, high winds, and flooding beginning about August 21, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on December 1, 1975, and for economic injury until the close of business on June 30, 1976 at:

Small Business Administration, District Office, 1249 Washington Boulevard, Detroit, Michigan 48226.

or other locally announced locations.

Dated: October 3, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-27790 Filed 10-15-75;8:45 am]

[Declaration of Disaster Loan Area #1187]

NEW YORK

Declaration of Disaster Area

As a result of the President's declaration I find that Allegany, Broome, Cayuga, Chemung, Madison, Onondaga, Oswego, Queens, Rockland, Steuben, Tioga, Westchester and adjacent counties within the State of New York, constitute a disaster area because of damage resulting from severe storms, heavy rains, landslides, and flooding beginning about September 22, 1975. Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on December 1, 1975, and for economic injury until the close of business on July 2, 1976, at:

Small Business Administration, District Office, 26 Federal Plaza, Room 3110, New York, N.Y. 10007; Fayette and Salina Streets, Syracuse, N.Y. 13202.

or other locally announced locations.

Dated: October 6, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-27791 Filed 10-15-75;8:45 am]

[Declaration of Disaster Loan Area #1188]

VIRGINIA

Declaration of Disaster Area

The Independent City of Alexandria and the adjacent counties of Arlington and Fairfax within the State of Virginia, constitute a disaster area because of damage resulting from heavy rains and flooding September 22 through September 26, 1975. Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on December 4, 1975, and for economic injury until the close of business on July 6, 1976, at:

Small Business Administration, District Office, 1030 15th Street, N.W., Suite 250, Washington, D.C. 20416.

or other locally announced locations.

Dated: October 3, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-27792 Filed 10-15-75;8:45 am]

VETERANS ADMINISTRATION VOLUNTARY SERVICE NATIONAL ADVISORY COMMITTEE

Meeting

The Veterans Administration gives notice pursuant to Public Law 92-463

that the annual meeting of the Veterans Administration Voluntary Service National Advisory Committee, established in 1946 and composed of representatives from 46 national voluntary organizations, will be held at the Shoreham-American Hotel, 2500 Calvert Street, N.W., Washington, D.C., October 30-31, 1975. The meeting will convene at 8:30 a.m., October 30, 1975, in the Empire Room of the hotel. The purpose of the meeting is to constructively plan with the National Committee on the further promotion, development and coordination of volunteer assistance, channeled through national and local organizations, in the care and treatment of veteran patients in the Agency's nationwide medical program.

This business meeting of the National Committee is open to the general public and to volunteers who serve in the Veterans Administration Voluntary Service program in any of the Agency's health care facilities.

Date: October 10, 1975.

[SEAL] R. L. ROUDEBUSH,
Administrator.

[FR Doc.75-27889 Filed 10-15-75;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-209]

ELKTON FASHIONS, INDUSTRIES

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 2, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America on behalf of the workers and former workers of Elkton Fashions, Industries, Elkton, Maryland (TA-W-209).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits produced by Elkton Fashions, Industries or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before October 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 2nd day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc.75-27854 Filed 10-15-75;8:45 am]

[TA-W-206]

LOUSONS KNITTING MILLS, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 2, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Knit Goods Union on behalf of the workers and former workers of Lousons Knitting Mills, Incorporated and Marder Knitting Mills, Incorporated, a subsidiary of Lousons Knitting Mills, Incorporated, Philadelphia, Pennsylvania (TA-W-206). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's, boys', and ladies sweaters produced by Lousons Knitting Mills, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before October 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C. this 2nd day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade
Adjustment Assistance.

[FR Doc. 75-27855 Filed 10-15-75; 8:45 a.m.]

[TA-W-222]

MARYLAND HAMPSTEAD CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 3, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Maryland Hampstead Company, Hampstead, Maryland, a subsidiary of Paramount Clothing Company, Baltimore, Maryland (TA-W-222). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits, sport coats and slacks produced by Maryland Hampstead Company, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before October 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 3d day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade
Adjustment Assistance.

[FR Doc. 75-27856 Filed 10-15-75; 8:15 a.m.]

[TA-W-207]

ROBERT BRUCE

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On October 2, 1975, the Department of Labor received a petition filed under section 221(a) of the Trade Act of 1974 ("the Act") by the Knit Goods Union on behalf of the workers and former workers of Robert Bruce, Philadelphia, Pennsylvania (TA-W-207).

Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's and boy's sweaters produced by Robert Bruce or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before October 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW., Washington, D.C. 20210.

Signed at Washington, D.C., this 2d day of October 1975.

MARVIN M. FOOKS,
Acting Director, Office of
Trade Adjustment Assistance.

[FR Doc. 75-27853 Filed 10-15-75; 8:45 a.m.]

[TA-W-102; 150]

STACKPOLE CARBON CO.

Determinations Concerning Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-102 and TA-W-150; investigations regarding certification of eligibility to apply for worker adjustment assistance as prescribed in section 222 of the Act.

Investigations TA-W-102 and TA-W-150 were initiated on July 31, 1975 and September 16, 1975, respectively in response to worker petitions received on July 31, 1975 and September 12, 1975, respectively. Both petitions were filed by the International Union of Electrical, Radio and Machine Workers on behalf of workers formerly producing resistors, ferrites, brushes, and anodes at the St. Marys, Pennsylvania plant and workers producing resistors at the Kane, Pennsylvania plant of Stackpole Carbon Company, St. Marys, Pennsylvania.

Notices of investigation were published in the FEDERAL REGISTER (40 FR 33716) on August 11, 1975 and (40 FR 44211) on September 25, 1975 for the St. Marys, TA-102 and Kane, TA-W-150, plants, respectively. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Stackpole Carbon Company, its customers, the National Electrical Manufacturers Association, the U.S. International Trade Commission, the Department of Commerce and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant total or partial separations. The average number of production workers at the St. Marys and Kane plants declined 19 percent in the last half of 1974 compared to the last half of 1973.

Sales or production, or both, have decreased absolutely. Sales and production at the St. Marys and Kane plants of carbon composition resistors declined 6 percent and 7 percent respectively in 1974

compared to 1973. Sales and production of carbon composition resistors declined 45 percent and 49 percent respectively in the last quarter of 1974 compared to the last quarter of 1973. Sales and production of ferrites at the St. Marys plant declined 11 percent and 9 percent respectively in 1974 compared to 1973. Sales and production of ferrites declined 54 percent and 58 percent respectively in the last quarter of 1974 compared to the last quarter of 1973.

Increased imports contributed importantly. Imports of fixed composition resistors increased from 629 million units in 1973 to 1,417 units in 1974. The ratio of imports to domestic consumption and production increased from 13.7 percent and 15.2 percent, respectively in 1973 to 30.0 percent and 39.6 percent, respectively in 1974. The ratios of imports of ferrites to domestic consumption and production have increased from 15.3 percent and 15.5 percent, respectively in 1973 to 16.1 percent and 15.6 percent, respectively in 1974.

The evidence developed by the Department's investigation indicates that the separation of workers engaged in employment related to the production of carbon composition resistors was caused by the increase in competitive imports of such products. The evidence further indicates that while industry-wide imports of ferrites increased only marginally from 1973 to 1974, two major customers for Stackpole ferrites established overseas ferrite production facilities during the same period. The resultant loss of orders by Stackpole caused significant declines in its ferrite production and sales and resulted in the separation of workers engaged in employment related to the production of ferrites.

The evidence further developed that imports of anodes increased from \$2.8 million in 1973 to \$3.9 in 1974. The ratios of imports to consumption and production increased from 7.6 percent and 8.9 percent, respectively in 1973 to 14.4 percent and 16.1 percent, respectively in 1974. However, sales and production of anodes at the St. Marys plant of Stackpole also increased from 1973 to 1974. Imports of brushes increased from \$2.9 million in 1973 to \$3.2 million in 1974. The ratios of imports to consumption and production increased from 4.3 percent and 4.4 percent, respectively in 1973 to 4.7 percent and 4.8 percent, respectively in 1974. Sales and production

of brushes at the St. Marys plant of Stackpole decreased from 1973 to 1974. However, the decline was caused solely by domestic economic conditions and was not related to imports of brushes most of which are not competitive with those produced by Stackpole Carbon Company.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with carbon composition resistors and ferrites produced at the St. Marys and Kane, Pennsylvania plants of Stackpole Carbon Company contributed importantly to the total or partial separation of workers of those plants. It is further concluded that increases of imports like or directly competitive with brushes and anodes produced at the St. Marys, Pennsylvania plant of Stackpole Carbon Company did not contribute importantly to the total or partial separation of workers at such plant.

Section 223(b)(2) of the Trade Act of 1974 provides that a certification of eligibility to apply for worker adjustment assistance may not apply to any worker last separated from the firm or subdivision more than six months prior to April 3, 1975, the effective date of the new program.

In accordance with this provision of the Act, I make the following certification:

All hourly and salaried workers engaged in employment related to the production of carbon composition resistors and ferrites at the St. Marys and Kane, Pennsylvania plants of Stackpole Carbon Company who became totally or partially separated from employment on or after October 3, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 1st day of October 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation.

[FR Doc.75-27852 Filed 10-15-75; 8:45 am]

[TA-W-194]

SAGNER, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On September 26, 1975, the Department of Labor received a petition filed

under section 221(a) of the Trade Act of 1974 ("the Act") by the Amalgamated Clothing Workers of America, on behalf of the workers and former workers of Frederick, Md.; McConnellsburg, Pa.; and New Bern, N.C. plants of Sagner, Incorporated, Frederick, Maryland (TA-W-194). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with men's suits and sport coats produced by Sagner, Incorporated or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 20 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before October 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., NW, Washington, D.C. 20210.

Signed at Washington, D.C., this 26th day of September 1975.

MARVIN H. FOOKS,
*Acting Director, Office of
Trade Adjustment Assistance.*

[FR Doc.75-27857 Filed 10-15-75; 8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 885]

Assignment of Hearings

OCTOBER 10, 1975.

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.

MC 107295 Sub 785 Pre-Pab Transit Co., now assigned November 14, 1975, at Kansas City, Mo., is postponed indefinitely.

MC 2202 Sub 488, Roadway Express, now assigned for hearing, at Des Moines, Iowa, is postponed indefinitely.

MC-F 12485, Road Express, Inc.—Control and Merger—Howard Hall Company, Inc., now being assigned December 1, 1975, at Office of Interstate Commerce Commission, Washington, D.C.

MC 98742 Sub 12, The Rocket Freight Lines Company, continued to November 11, 1975 (2 days) at Tulsa, Oklahoma; in the Fairmont-Mayo Hotel, 115 West Fifth.

MC 115654 (Sub-No. 38), Tennessee Cartage Co., Inc., now assigned December 8, 1975, at Atlanta, Ga. is canceled and application dismissed.

MC 119789 Sub 248, Caravan Refrigerated Cargo, Inc., now assigned December 11, 1975, at Washington, D.C., is canceled and application dismissed.

MC 82492 Sub 118, Michigan & Nebraska Transiteco, Inc., now assigned December 5, 1975 at Chicago, Illinois, is canceled and transferred to Modified Procedure.

MC 118142 Sub 89, M. Bruenger & Co., Inc. and MC 139469 Sub 15, Donco Carriers, Inc., now being assigned November 14, 1975, (1 day), at Kansas City, Missouri, in Room 809, Federal Office Building, 911 Walnut Street.

MC 116763 Sub 315, Carl Subler Trucking, Inc., now being assigned December 1, 1975 (1 day) at New York, N.Y.; in a hearing room to be designated later.

MC 136408 Sub 25, Cargo Contract Carrier Corp., now being assigned December 2, 1975 (1 day) at New York, N.Y.; in a hearing room to be designated later.

MC 139539 Sub 4, Afro-Urban Transportation, Inc., now being assigned December 3, 1975 (3 days) at New York, N.Y.; in a hearing room to be designated later.

MC 117857 Sub 21, Matson, Inc., now being assigned December 5, 1975 (1 day), at Chicago, Ill.; in a hearing room to be designated later.

No. 35940, Investigation into the Lawfulness of Interchange Arrangements Between the Bangor and Aroostook Railroad and CP Rail at Brownville, Junction, Maine, No. 35987, Maine Central Railroad Company vs Bangor and Aroostook Railroad Company, and

No. 36013 Sub 1, Boston and Maine Corporation, Robert W. Meserve and Benjamin H. Lacy, Trustees vs Bangor and Aroostook Railroad Company, now assigned for continued hearing on October 21, 1975, is postponed until October 28, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 140053, TRK Transport, Inc., now being assigned December 2, 1975, at Los Angeles, Calif., (2 days), in a hearing room to be later designated.

MC 139134 Sub 2, Kennedy Motors, Inc., now being assigned December 4, 1975, at Los Angeles, Calif. (2 days); in a hearing room to be later designated.

MC-F-12510, Imperial Van Lines, Inc.—Control—Martin Van Lines, Inc., now being assigned December 8, 1975 (2 wks), at Los Angeles, Calif., in a hearing room to be later designated.

I & S M28751, General Increase, September 1975, M.W.M.F.B. and

I & S M28751 Sub 1, Increased Rates, McCarthy Truck Line, Inc., 1975, now being assigned December 2, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 119777 Sub 318, Ligon Specialized Hauler, Inc., now assigned October 15, 1975, at Chicago, Illinois, is canceled and the application is dismissed.

No. 36188, Idaho Rail Freight Rates and Charges—1975, now being assigned January 6, 1976, at Boise, Idaho, in a hearing room to be later designated.

MC 140217 Sub 1, Clyde Hunsaker, d/b/a Hunsaker Trucking, now assigned October 17, 1975, at Chicago, Illinois, is canceled and the application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27867 Filed 10-15-75; 8:45 am]

Assignment of Hearings

[Notice 885]

OCTOBER 10, 1975.

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.

Correction

MC 128763 Sub 11, P. L. Lawton, Inc., now being assigned November 5, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C., instead of November 11, 1975.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27868 Filed 10-15-75; 8:45 am]

[Ex Parte MC 96]

ENTRY CONTROL OF BROKERS

Extension of Time

OCTOBER 7, 1975.

At the request of James E. Wilson, Counsel for Trailways Travel Bureau Corporation, the time for filing representations in the above-entitled proceeding has been extended from October 23, 1975, to November 7, 1975.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27874 Filed 10-15-75; 8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

OCTOBER 10, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 55953, filed September 23, 1975. Applicant: AUTO FAST FREIGHT, INC., 194 W. Benedict Street, San Bernardino, Calif. 92402. Applicant's representative: Donald Murchison, 9454 Wilshire Blvd., Suite 400, Beverly Hills, Calif. 90212. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of General commodities as follows: (1) Between all points and places within the Los Angeles Basin Territory described in Note A and within the San Diego Territory described in Note B and between said territories, serving all points and places on and within ten (10) miles laterally of Interstate Highways 5 or 15, or U.S. Highway 395; (2) Between the Los Angeles Basin Territory and Newberry, serving all points and places on and within ten (10) miles laterally of Interstate Highways 15 and 40; (3) Between the Los Angeles Basin Territory and Boron, serving all points and places on and within ten (10) miles laterally of U.S. Highway 395 and California Highway 58; (4) Between the Los Angeles Basin Territory and Lucerne Valley, serving all points and places on and within ten (10) miles laterally of California Highway 18; and (5) Between the Los Angeles Basin Territory and the Coachella Valley Territory as described in Note C, serving all points and places on and within ten (10) miles laterally of Interstate Highway 10.

Except that pursuant to the authority herein granted, carrier shall not transport any shipments of: (1) Used household goods, personal effects, and office, store, and institution furniture, fixtures and equipment not packed in accordance with the crated property requirements set forth in Item 5 of Minimum Rate Tariff 4-B; (2) Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses, and bus chassis; (3) Livestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder

pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine, or wethers; (4) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles; (5) Commodities when transported in bulk in dump trucks or in hopper-type trucks; (6) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; (7) Logs; (8) Trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper; and (9) Commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment.

NOTE A: Los Angeles Basin Territory includes that area embraced by the following boundary: Beginning at the point the Ventura County-Los Angeles County boundary line intersects the Pacific Ocean; thence northeasterly along said county line to the point it intersects State Highway No. 118, approximately two miles west of Chatsworth, easterly along State Highway No. 118 to Sepulveda Boulevard; northerly along Sepulveda Boulevard to Chatsworth Drive; northeasterly along Chatsworth Drive to the corporate boundary of the City of San Fernando; westerly and northerly along said corporate boundary to McClay Avenue; northeasterly along McClay Avenue and its prolongation to the Los Angeles National Forest boundary; southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road; westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa; southerly along said county road to and including the unincorporated community of Yucaipa; westerly along Redlands Boulevard to U.S. Highway No. 99; northwesterly along U.S. Highway No. 99 to the corporate boundary of the City of Redlands; westerly and northerly along said corporate boundary to Brookside Avenue; westerly along Brookside Avenue to Barton Avenue; westerly along Barton Avenue and its prolongation to Palm Avenue; westerly along Palm Avenue to La Cadena Drive; southwesterly along La Cadena Drive to Iowa Avenue; southerly along Iowa Avenue to U.S. Highway No. 60; southwesterly along U.S. Highway No. 60 and 395 to the county road approximately one mile north of Perris; easterly along said county road via Nuevo and Lakeview to the corporate boundary of the City of San Jacinto; easterly, southerly, and westerly along said corporate boundary to San Jacinto Avenue; southerly along San Jacinto Avenue to State Highway No. 74; westerly along State Highway No. 74 to the corporate boundary of the City of Hemet; southerly, westerly, and northerly along said corporate boundary to the right-of-way of the Atchison, Topeka & Santa Fe Railway Company; southwesterly along said right-of-way to Washington Avenue; southerly along Washington Avenue, through and including the unincorporated community of Winchester to Benton Road; westerly along Benton Road to the county road intersecting U.S. Highway No. 395, 2.1 miles north of the unincorporated community of Temecula; southerly along said county road to U.S. Highway No. 395; southeasterly along U.S. Highway No. 395 to the Riverside County-San Diego County boundary line; westerly along said boundary line to the Orange County-San

Diego County boundary line; southerly along said boundary line to the Pacific Ocean northwesterly along the shoreline of the Pacific Ocean to point of beginning.

NOTE B: SAN DIEGO TERRITORY includes that area embraced by the following imaginary line starting at the northerly junction of U.S. Highway 101E and 101W (four miles north of La Jolla); thence easterly to Miramar on State Highway No. 395; thence southeasterly to Lakeside on the El Cagon-Ramona Highway; thence southerly to Bostonia on U.S. Highway No. 80; thence southeasterly to Jamul on State Highway No. 94; thence due south to the International Boundary Line; west to the Pacific Ocean and north along the coast to point of beginning.

NOTE C: COACHELLA VALLEY TERRITORY is defined as the area lying between the Little San Bernardino Mountains and Cottonwood Mountains, on the one hand, and the San Jacinto and Santa Rosa Mountains, on the other hand, and bounded on the northwest by West Palm Springs Village and on the southeast by the Riverside-Imperial County line on California Highways 86 and 111. Intrastate, interstate, and foreign commerce authority sought.

HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the Public Utilities Commission, State of California, State Bldg., Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

California Docket No. 55960, filed September 24, 1975. Applicant: NATION WIDE ENTERPRISES, INC., doing business as CAL-PACIFIC COMPANY, 1075 Bryant Street, San Francisco, Calif. 94103. Applicant's representative: Eldon M. Johnson, The Hartford Building, 650 California Street, Suite 2808, San Francisco, Calif. 94108. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, between all points and places on or within twenty (20) miles of the following routes and territory: (1) The San Francisco Territory (as described in Note 1 hereto); (2) Marysville and the San Francisco Territory (as described in Note 1 hereto), via State Highway 70 to its intersection with Interstate Highway 80 at Sacramento; thence via Interstate Highway 80 to the San Francisco Territory; (3) Sacramento and Modesto, via State Highway 99; (4) The San Francisco Territory (as described in Note 1 hereto) and Lodi, via Interstate Highway 580 to its intersection with Interstate Highway 205 near Bethany; thence via Interstate Highway 205 to its intersection with Interstate Highway 5 near Lathrop; thence via Interstate Highway 5 to its intersection with State Highway 12 near Kingdon; thence via State Highway 12 to Lodi; and (5) The San Francisco Territory (as described in Note 1 hereto) and Merced, via Interstate Highway 580 to its intersection with State Highway 132 near Vernalis; thence via State Highway 132 to its intersection with State Highway 99 at Modesto; thence via State Highway 99 to Merced. In performing the service herein described, the routes and territory listed above may be joined and combined, and use may be made of

any and all streets, roads, highways, and bridges necessary or convenient for the performance of said service. Except that, pursuant to the authority herein requested, no shipments of the following shall be transported:

(A) Used household goods, personal effects and office, store, and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, brief cases, hat boxes, valises, traveling bags, trunks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drum, bags, (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard or straw matting); (B) automobiles, trucks and buses, viz.: New and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; (C) Livestock, viz.: Barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, shows, steers, stags, swine or wethers; (D) liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles; (E) commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers; (F) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; (G) logs; (H) articles of extraordinary value; and (I) trailer coaches and campers, including integral parts and contents when the contents are within the trailer coach or camper.

NOTE 1.—The San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point of the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said county line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; north-easterly along Tully Road and the prolongation thereof to White Road; northwesterly

along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Boulevard) via Mission San Jose and Niles to Hayward; northerly along Foot-hill Boulevard and MacArthur Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard to Warren Boulevard (State Highway 13); northerly along Warren Boulevard to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly, and easterly, along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time, and place not yet fixed. Requests for procedural information should be addressed to the Public Utilities Commission, State of California, State Bldg., Civic Center, San Francisco, Calif. 94102 and should not be directed to the Interstate Commerce Commission.

Texas Docket No. 2674 (amended) (correction) filed August 4, 1975, published in the FEDERAL REGISTER issue of September 24, 1975, and republished as corrected this issue. Applicant: TEXAS TEX-PACK EXPRESS, INC., 150 E. Zavalla St., San Antonio, Tex. 78204. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of (A) General commodities, subject to the following restriction: No service shall be provided in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor at one location to one consignee at one location on any one day; and motion picture films and theater supplies, flowers, and potted plants, magazines and newspapers, to, from, and between all points along the routes set forth below, with service to all intermediate points unless otherwise specified: (1) F.M. Road 1304 between Aquilla and its intersection with I.S. 35; (2) F.M. Road 933 between Whitney and Waco; (3) F.M. Road 510 between its intersection with U.S. 77 B.R. and its intersection with State Highway 100, near Port Isabel; (4) F.M. Road 580 between San Saba and Lampasas; (5) F.M. Road 501 and F.M. Road 581 between Lometa and Pontotoc; (6) State Highway 22 between Laguna Park and Frost; (7) F.M. Road 667 between Italy and Frost; (8) State Highway 72 between Tilden and Three Rivers;

(9) U.S. Highway 83 and State Highway 55 between Uvalde and Rocksprings; (10) State Highway 21 between its intersection with State Highway 80 near San Marcos and its intersection with State Highway 71; (11) State Highway 286 and F.M. Road 70 between Corpus Christi and the intersection of F.M. Road 70 and U.S. Highway 77; (12) State Highway 97 between Jourdanton and Charlotte; (13) State Highway 7 between Kosse and its intersection with U.S. Highway 77; (14) State Highway 320 between its intersection with State Highway 7 near Chilton and its intersection with State Highway 53; (15) State Highway 53 between Temple and Rosebud; (16) F.M. Road 140 between Charlotte and Campbellton; (17) U.S. Highway 90 between Del Rio and Sanderson; (18) State Highway 95 between Taylor and Elgin; (19) F.M. Road 1854 between its intersection with State Highway 21 near Mendoza and its intersection with F.M. Road 20; (20) State Highway 31 between Dawson and its intersection with U.S. Highway 84; (21) State Highway 9 and I.S. 37 between Mathis and Corpus Christi; (22) F.M. Road 1021 and F.M. Road 2644 between Eagle Pass and the intersection of F.M. Road 2644 and U.S. Highway 277 near Carrizo Springs; (23) F.M. Road 812 between its intersection with U.S. Highway 183 near Austin and Red Rock; (24) State Highway 29 and F.M. Road 864 between Menard and Fort McKavett; (25) State Highway 97 and State Highway 72 between Cotulla and the intersection of State Highway 72 and State Highway 16 near Tilden; (26) State Highway 123 between Seguin and San Marcos; (27) State Highway 80 and State Highway 123 between Nixon and Karnes City; (28) F.M. Road 493 between its intersection with State Highway 107 near Elsa and its intersection with State Highway 186; (29) F.M. Road 413 between Rosebud and Kosse; (30) F.M. Road 308 between Elm Mott and its intersection with I.S. 35 near Milford; (31) F.M. Road 1431 between Jonestown and its intersection with U.S. Highway 183; (32) F.M. Road 1222 between Katemcy and its intersection with U.S. Highway 87 and U.S. Highway 377.

(33) F. M. Road 471 between Natalia and its intersection with U.S. Highway 90; (34) F.M. Road 755 between Rio Grande City and Rachel; (35) F.M. Road 1017 between La Gloria and its intersection with U.S. Highway 281; (36) State Highway 186 between Raymondville and its intersection with U.S. Highway 281; (37) F.M. Road 1015 between its intersection with State Highway 186 near Lasara and its intersection with F.M. Road 1422; (38) F.M. Road 1422 and F.M. Road 491 between the intersection of F.M. Road 1422 and R.M. Road 88 near Monte Alto and the intersection of F.M. Road 491 and U.S. Highway 77 near Lyford; (39) U.S. Highway 83 between Uvalde and Leakey; (40) State Highway 127 between Sabinal and Concan; (41) F.M. Road 337 between Leakey and Camp Wood; (42) U.S. Highway 87 between Fredericksburg and Mason; (43) F.M. Road 1604 between Somerset and its intersection with I.S. 10 east of San Antonio; (44) State Highway 218

between its intersection with I.S. 35 and its intersection with F.M. 78 at Randolph Air Force Base; (45) F.M. 973 between its intersection with U.S. Highway 290 and its intersection with State Highway 71 near Del Valle; (46) State Highway 80 between San Marcos and Luling; (47) F.M. Road 1346 between San Antonio and its intersection with U.S. Highway 87 near La Vernia; (48) State Highway 142 between Martindale and Lockhart; (49) U.S. Highway 190 between its intersection with U.S. Highway 77 and Hearne, excluding General commodity service to Hearne except for the purpose of interline with other carriers; (50) U.S. Highway 290 between Elgin and Giddings, including the nearby points of Butler and McDade; (51) F.M. Road 86 between its intersection with U.S. 183 near Luling and its intersection with F.M. Road 20 near Red Rock; (52) F.M. Road 20 between Fentress and its intersection with State Highway 71 near Bastrop.

(53) F.M. Road 2028 between Melvin and its intersection with U.S. Highway 87; (54) F.M. Road 88 between its intersection with U.S. Highway 281 near Progreso and its intersection with State Highway 186; (55) F.M. Road 339 between its intersection with F.M. Road 308 near Birome and its intersection with State Highway 164 east of Mart; (56) State Highway 9 between its intersection with U.S. 281 near Three Rivers and its intersection with U.S. Highway 59 east of George West; (57) State Highway 72 between Kenedy and Three Rivers; (58) F.M. Road 2114 between West and its intersection with State Highway 171 near Hubbard; (59) F.M. Road 1427 between Penitas and its intersection with U.S. Highway 83; (60) F.M. Road 1825 and F.M. Road 685 between the intersection of F.M. 1825 and I.S. 35 north of Austin and the intersection of F.M. 685 and U.S. Highway 79 near Hutto; (61) State Highway 71 between Llano and its intersection with U.S. Highway 87 and U.S. Highway 377 near Brady; (62) State Highway 186 between Raymondville and San Perlita; (63) F.M. Road 497 between Port Mansfield and its intersection with State Highway 186 near San Perlita; (64) State Highway 342 and U.S. Highway 77 between Red Oak and the intersection of U.S. Highway 77 and I.S. 35; (65) F.M. Road 106 between Harlingen and its intersection with State Highway 345 east of Rio Hondo; (66) State Highway 345 between San Benito and its intersection with F.M. 106 east of Rio Hondo.

(67) F. M. Road 535 between Cedar Creek and Rosanky; (68) State Highway 304 between Gonzales and its intersection with State Highway 21 and State Highway 71 near Bastrop; (69) F.M. Road 487 between Florence and Bartlett; (70) F.M. Road 1535 between San Antonio and its intersection with F.M. 1604 near Shavano Park; (71) F.M. Road 1518 between Schertz and Lytle; (72) F.M. Road 2241 between Llano and Tow; (73) State Highway 261 between Bluffton and its intersection with State Highway 29 near Buchanan Dam; (74) State Highway 359 between Mathis and Skidmore; (75) F.M. Road 187 between Sabinal and Utopia; (76) F.M. Road 1050

between Utopia and its intersection with U.S. Highway 83; (77) F.M. Road 972 between its intersection with I.S. 35 north of Georgetown and its intersection with State Highway 95 south of Bartlett; (78) F.M. Road 971 between Granger and its intersection with I.S. 35; (79) F.M. Road 12 between San Marcos and Wimberley; (80) F.M. Road 2200 between Devine and D'Hanis; (81) F.M. Road 462 between Hondo and Moore; (82) F.M. Road 2114 between Laguna Park and West; (83) F.M. Road 1242 between Bynum and its intersection with I.S. 35; (84) State Highway 171 and State Highway 14 between Coolidge and Groesbeck, excluding service to any intermediate point; (85) F.M. Road 107 between its intersection with I.S. 35 near Eddy and its intersection with U.S. Highway 77 near Chilton; (86) State Highway 317 between Moody and Belton; (87) State Highway 36 between Temple and its intersection with State Highway 317.

(88) Alternate U.S. Highway 90 between Seguin and Belmont; (89) State Highway 97 between Gonzales and Waelder; (90) U.S. Highway 281 between Johnson City and its intersection with State Highway 71 near Marble Falls; (91) I.S. 10 between Kerrville and Comfort; (92) State Highway 107 between Edinburg and Mission; and (93) State Highway 80 between Luling and Belmont. Applicant proposes to coordinate the service proposed above with service now performed under existing authority and to interline with other carriers at appropriate interline points. (B) *Motion picture films and theater supplies, flowers and potted plants, magazines and newspapers to, from and between all points along the routes shown below, serving all intermediate points thereon unless otherwise specified:* (1) I.S. 35 between Dallas and San Antonio (to be added to present authority over U.S. Highway 77 and U.S. Highway 81); (2) U.S. Highway 79 between Hearne and Taylor; (3) U.S. Highway 183 between Austin and Gonzales; (4) State Highway 80 and State Highway 97 and Alternate Route U.S. Highway 90 between Nixon and Gonzales; (5) F.M. Road 881 between Sinton and Rockport; (6) F.M. Road 136 between Woodboro and its intersection with F.M. Road 881; (7) U.S. Highway 183 between Lampasas and its intersection with State Highway 29 near Liberty Hill; (8) State Highway 29 between Llano and Mason; (9) State Highway 71 between its intersection with U.S. Highway 281 and Llano; (10) State Highway 361 between Gregory and Port Aransas; (11) U.S. Highway 77 between Waco and Victoria; (12) State Highway 39 between Hunt and Ingram; (13) State Highway 48, F.M. Road 1792 and State Highway 100 between Brownsville and Port Isabel; (14) State Highway 100 between Port Isabel and its intersection with U.S. Highways 83 and 77 near Olmito; (15) U.S. Highway 281 between Pharr and Brownsville, including Hidalgo; (16) F.M. Road 133 between Artesia Wells and its intersection with U.S. Highway 83 near Catarina;

(17) F.M. Road 190 between Asherton and Brundage; (18) F.M. Road 649 between Miranda City and its intersection with State Highway 359; (19) F.M. Road 1518 between Elmendorf and its intersection with U.S. Highway 181; (20) F.M. Road 1123 and F.M. Road 436 between Belton and Heidenheimer, via Little River.

(21) U.S. Highway 190 and State Highway 36 between Cameron and Temple; (22) F.M. Road 967 between Buda and its intersection with I.S. 35; (23) F.M. Road 1786 between its intersection with U.S. Highway 79 and Alcoa; (24) F.M. Road 1786 and F.M. Road 2116 between Alcoa and Rockdale; (25) State Highway 173 between Jourdan and its intersection with State Highway 16 near Kerrville; (26) State Highway 97 between Pleasanton and its intersection with U.S. Highway 87 near Stockdale; (27) State Highway 46 between Seguin and its intersection with State Highway 16 near Pipe Creek; (28) State Highway 202 and U.S. Highways 77A and 183 between Beeville and Refugio; (29) U.S. Highway 290 between Fredericksburg and its intersection with State Highway 27; (30) U.S. Highway 290 between Austin and Johnson City; (31) State Highway 71 between Austin and its intersection with U.S. Highway 281 near Marble Falls; (32) U.S. Highway 83 between Brownsville and Mission; (33) U.S. Highway 77 between Harlingen and San Benito; (34) U.S. Highway 281 between Edinburg and Pharr; and (35) U.S. Highway 84 and F.M. Road 73 between Waco and Coolidge. (C) *Motion picture films and theater supplies, flowers and potted plants, and magazines to, from and between all points along the routes shown below serving all intermediate points thereon unless otherwise specified:* (1) State Highway 16 between Kerrville and San Antonio; (2) I.S. 10 between Kerrville and San Antonio (added to present authority over State Highway 27 and U.S. Highway 87); (3) U.S. Highway 83 between Catarina and Laredo; (4) U.S. Highway 83 between Rio Grande City and Mission, including the nearby points of Grulla, Sullivan City, Los Ebanos, and La Joya.

(5) State Highway 16 between San Antonio and Poteet; (6) State Highway 16 between Jourdan and Freer; and (7) State Highway 27, I.S. 10 and U.S. Highway 290 between Comfort and Junction. (D) *Motion picture films and theater supplies and magazines to, from, and between all points along the routes shown below, serving all intermediate points thereon unless otherwise specified:* (1) U.S. Highway 90 between Seguin and Luling; (2) I.S. 10 between San Antonio and Houston (added to present authority over U.S. Highway 90 between San Antonio and Seguin, U.S. Highway 90 between Luling and Houston, alternate authority over U.S. Highway 90 between Seguin and Luling, and application immediately above); and (3) State Highway 44 between Robstown and Alice. (E) *Flowers and potted plants, magazines and newspapers to, from, and between all points along the routes shown below,*

serving all intermediate points thereon unless otherwise specified: (1) State Highway 123 between Seguin and Stockdale; and (2) U.S. Highway 87 between San Antonio and Nixon. (F) *Flowers, potted plants and newspapers to, from, and between all points along the routes shown below, serving all intermediate points thereon unless otherwise specified:*

(1) U.S. Highway 90 between Seguin and Luling; (2) U.S. Highway 90 between Waelder and Houston; (3) I.S. 10 between San Antonio and Houston (added to present authority and that requested immediately above over U.S. Highway 90); (4) U.S. Highway 181 between San Antonio and Corpus Christi; (5) State Highway 35 between Gregory and Fulton; (6) State Highway 44 between Corpus Christi and Alice.

(7) U.S. Highway 77 between Victoria and Brownsville; (8) State Highway 141 between Kingsville and its intersection with U.S. Highway 281; (9) U.S. Highway 281 between Alice and Edinburg; (10) U.S. Highway 59 between Victoria and Houston; (11) U.S. Highway 83 between Harlingen and Mission; and (12) State Highway 107 between Combes and Edinburg. (G) *Newspapers to, from, and between all points along the routes shown below, serving all intermediate points thereon unless otherwise specified:* (1) U.S. Highway 290 between Johnson City and Fredericksburg; (2) State Highway 16 between Fredericksburg and San Antonio; (3) State Highway 27, I.S. 10 and U.S. Highway 290 between Comfort and Junction; (4) U.S. Highway 87 and I.S. 10 between Fredericksburg and San Antonio; (5) U.S. Highway 90 between San Antonio and Del Rio; (6) U.S. Highway 277 between Del Rio and Carrizo Springs; (7) U.S. Highway 83 between Catarina and Mission, including the nearby points on Grulla, Sullivan City, Los Ebanos, and La Joya; (8) State Highway 85 between Carrizo Springs and Dilley; (9) F.M. Road 65 between Crystal City and Brundage; (10) State Highway 6 between Waco and Hearne, via Marlin and Calvert; (11) State Highway 164 between Waco and Groesbeck, via Mart; (12) State Highway 14 between Groesbeck and its intersection with State Highway 6 south of Bremond; (13) F.M. Road 107 between Moody and Eddy; (14) State Highway 16 between San Antonio and Freer; and (15) U.S. Highway 87 between Nixon and Victoria, serving only the intermediate points of Smiley and Westoff. Applicant proposes to coordinate the service proposed in (B), (C), (D), (E), (F), and (G) with service presently being performed under existing authorities and to interline with other carriers at appropriate interline points. (H) Applicant further proposes to delete the restrictions presently contained on page 3 and page 5 of Applicant's certificate, and substitute, in lieu thereof, the restrictions contained below:

(1) No service shall be rendered on any shipments originating in Houston and destined to Victoria, or any intermediate point located on U.S. Highway 59 between Victoria and Houston; nor on shipments originating at Victoria

destined to Houston, or any intermediate point located on U.S. Highway 59 between Victoria and Houston; nor on shipments originating at any intermediate point located on U.S. Highway 59 between Victoria and Houston destined to Houston, Victoria, or any other intermediate point along said route. (2) No service shall be rendered on shipments of general commodities as described herein moving to, from, or between the following named towns: Brownsville, Olmito, San Benito, McAllen, Pharr, Alamo, Donna, Weslaco, Mercedes, LaFeria, San Juan, and Mission. (3) No service shall be rendered on shipments of general commodities as described herein moving between Harlingen and Edinburg. (4) The holder of this authority is prohibited from serving LaGrange, Hallettsville, or any intermediate point on U.S. Highway 77 between Schulenburg and Victoria. (5) The holder of this authority is prohibited from serving Hearne in the transportation of General commodities as described herein except for the purpose of Interline with other carriers. (6) The holder of this authority shall operate with closed doors in the transportation of Motion Picture Films and Theater Supplies between Refugio and Houston, Tex., and is prohibited from transporting films originating in Dallas, Tex., over the route between Houston and Refugio, and vice versa. (7) The carrier is prohibited from transporting Magazines to or from Houston, Corpus Christi, Robstown, Sinton, Odem, Woodsboro, and Refugio except in interline service with Bluebonnet Express, Inc.

(8) In the transportation of motion picture films and theater supplies, the holder of this authority shall operate with closed doors between Waelder and Houston, serving Waelder and Houston in both directions. (9) The holder of this authority is prohibited from transporting motion picture films and theater supplies, flowers and potted plants, and magazines to or from LaGrange, Schulenburg, Victoria, or any intermediate point between Schulenburg and Victoria; and (10) The holder of this authority is prohibited from transporting motion picture films originating in Dallas moving through Houston to any point served by the holder hereof and vice versa, and prohibited from transporting motion picture films originating at Houston destined to Victoria or vice versa.

NOTE.—The purpose of this correction is to: (1) Indicate F.M. Road 29 under paragraph (A), sub-paragraph (51); (2) Add sub-paragraph (88) under paragraph (A); (3) Place sub-paragraphs (89), (90), and (92) in proper context under paragraph (A); (4) Indicate Los Ebanos, under paragraph (G), sub-paragraph (7); (5) Indicate Carrizo Springs, under paragraph (G), sub-paragraph (8); and (6) Indicate U.S. Highway 59, under paragraph (H), sub-paragraph (1), line 11. Interstate, interstate and foreign commerce authority sought.

HEARING: Date, time, and place will be scheduled on or before November 17, 1975. Requests for procedural information should be addressed to the Railroad

Commission of Texas, Capitol Station, P.O. Drawer 12967, Austin, Tex. 78711 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
[FR Doc. 75-27873 Filed 10-15-75; 8:45 am]

[Notice 37]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

OCTOBER 10, 1975.

The following letter-notices of proposals (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), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before November 17, 1975.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests. If any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 647 (Deviation No. 2), EXHIBITORS SERVICE COMPANY, 85 Helen St., McKees Rocks, Pa. 15136, filed October 1, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Altoona, Pa., over Pennsylvania Highway 36 to junction U.S. Highway 219, thence over U.S. Highway 219 to Gramplan, Pa., thence over Pennsylvania Highway 879 to Clearfield, Pa., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Altoona, Pa., over U.S. Highway 220 to Port Matilda, Pa., thence over U.S. Highway 322 to Clearfield, Pa., and return over the same route.

No. MC 2202 (Deviation No. 149), ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, Ohio 44309, filed October 2, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Shreveport, La., over U.S. Highway 71 to junction U.S.

Highway 190, thence over U.S. Highway 190 to Baton Rouge, La., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Shreveport, La., over U.S. Highway 80 to Ruston, La., thence over U.S. Highway 167 to Winfield, La., thence over U.S. Highway 84 to Ferriday, La., thence over U.S. Highway 65 to Vidalia, La., thence over U.S. Highway 61 to Baton Rouge, La., and return over the same route.

No. MC 33641 (Deviation No. 92), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Seattle, Wash., over Interstate Highway 90 to junction Interstate Highway 82 near Ellensburg, Wash., thence over Interstate Highway 82 (U.S. Highway 97) to Tappanish, Wash., thence over Washington Highway 22 to Prosser, Wash., thence over Interstate Highway 82 (using portions of Washington Highways 221 and 14 to Plymouth, Wash., thence over unnumbered highway across the Columbia River to Umatilla, Oreg., thence over U.S. Highway 395, where Interstate Highway 82 is incomplete) to junction Interstate Highway 80N near Pendleton, Oreg., thence over Interstate Highway 80N (using portions of U.S. Highway 30 where Interstate Highway 80N is not completed) to Ontario, Oreg., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Seattle, Wash., over U.S. Highway 99 and Interstate Highway 5 to Portland, Oreg., thence over Sandy Blvd. (formerly U.S. Highway 30) to junction By-Pass U.S. Highway 30 (formerly U.S. Highway 30), thence over By-Pass U.S. Highway 30 to junction U.S. Highway 30, thence over U.S. Highway 30 to Arlington, Oreg., thence over Oregon Highway 30, thence over U.S. Highway 30 (formerly U.S. Highway 28), thence over U.S. Highway 28 to junction Oregon Highway 201 (formerly U.S. Highway 28), thence over Oregon Highway 201 to Ontario, Oreg., and return over the same route.

No. MC 33641 (Deviation No. 93), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 90 to Rapid City, S. Dak. (using portions of U.S. Highway 16 where Interstate Highway 90 is not completed), thence over Interstate Highway 90 to Sheridan, Wyo. (using portions of U.S. Highway 14 where Interstate Highway 90 is not completed), thence over Interstate Highway 90 to Billings, Mont. (using portions of U.S. Highway 87 where Interstate Highway 90 is not

completed), thence over Interstate Highway 90 to Ritzville, Wash. (using portions of U.S. Highway 10 where Interstate Highway 90 is not completed), thence over U.S. Highway 395 to Wallula, Wash., thence over U.S. Highway 730 to junction Interstate Highway 80N near Boardman, Oreg., thence over Interstate Highway 80N to Arlington, Oreg., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., thence over U.S. Highway 34 to junction Highway 34 near Oswego, Ill., thence over Illinois Highway 34 to junction Illinois Highway 92, thence over Illinois Highway 92 to Moline, Ill., thence over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., and return over the same route.

No. MC 33641 (Deviation No. 94), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 94 (using portions of U.S. Highways 12, 52, and 10 where Interstate Highway 94 is incomplete) to Billings, Mont., thence over Interstate Highway 90 to Ritzville, Wash. (using portions of U.S. Highway 10 where Interstate Highway 90 is incomplete), thence over U.S. Highway 395 to Wallula, Wash., thence over U.S. Highway 730 to junction Interstate Highway 80N near Boardman, Oreg., thence over Interstate Highway 80N to Arlington, Oreg., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., thence over Illinois Highway 31 to junction U.S. Highway 34 near Oswego, Ill., thence over U.S. Highway 34 to junction Illinois Highway 92, thence over Illinois Highway 92 to Moline, Ill., thence over U.S. Highway 6 to Hastings, Nebr., thence over U.S. High-

way 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., and return over the same route.

No. MC 33641 (Deviation No. 95), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Council Bluffs, Iowa, over Interstate Highway 29 to junction Interstate Highway 90 near Sioux Falls, S. Dak., thence over Interstate Highway 90 (using portions of U.S. Highways 16, 14, 87, and 10 where Interstate Highway 90 is not completed) to Ritzville, Wash., thence over U.S. Highway 395 to Wallula, Wash., thence over U.S. Highway 730 to junction Interstate Highway 80N near Boardman, Oreg., thence over Interstate Highway 80N to Arlington, Oreg., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Council Bluffs, Iowa, over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26, thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., and return over the same route.

No. MC 33641 (Deviation No. 96), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Omaha, Nebr., over U.S. Highway 275 to junction U.S. Highway 30 near Fremont, Nebr., thence over U.S. Highway 30 to Columbus, Nebr., thence over U.S. Highway 81 to junction Interstate Highway 90, thence over Interstate

Highway 90 (using portions of U.S. Highways 16, 14, 87, and 10 where Interstate Highway 90 is not completed) to Ritzville, Wash., thence over U.S. Highway 395 to Wallula, Wash., thence over U.S. Highway 730 to junction Interstate Highway 80N near Boardman, Oreg., thence over Interstate Highway 80N to Arlington, Oreg., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Omaha, Nebr., over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26, thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., and return over the same route.

No. MC 33641 (Deviation No. 97), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over U.S. Highway 31 to junction U.S. Highway 30 near Plymouth, Ind., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Indianapolis, Ind., over U.S. Highway 52 to junction U.S. Highway 41, thence over U.S. Highway 41 to Schererville, Ind., thence over U.S. Highway 30 to junction U.S. Highway 31 near Plymouth, Ind., and return over the same route.

No. MC 33641 (Deviation No. 98), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 1, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 21 and U.S. Highway 250 over U.S. Highway 250 to Wooster, Ohio and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From junction U.S. Highway 250 and U.S. Highway 21 over U.S. Highway 21 to junction U.S. Highway 62, thence over U.S. Highway 62 to Canton, Ohio, thence over U.S. Highway 30 to Wooster, Ohio, and return over the same route.

No. MC 33641 (Deviation No. 99), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 2, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 90 (using portions of U.S. Highways 16, 14, 87, and 10 where Interstate Highway 90 is not completed) to Seattle, Wash., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., thence over Illinois Highway 31 to junction U.S. Highway 34 near Oswego, Ill., thence over U.S. Highway 34 to junction Illinois Highway 92, thence over Illinois Highway 92 to Moline, Ill., thence over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to junction By-Pass U.S. Highway 30, thence over By-Pass U.S. Highway 30 (formerly U.S. Highway 30) to junction Sandy Blvd., thence over Sandy Blvd. (formerly U.S. Highway 30) to Portland, Oreg., thence over Interstate Highway 5 and U.S. Highway 99 to Seattle, Wash., and return over the same route.

No. MC 33641 (Deviation No. 100), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 2, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 94 (using portions of U.S. Highways 12, 52, and 10 where Interstate Highway 94 is not completed) to Billings, Mont., thence over Interstate Highway 90 to Seattle, Wash. (using portions of U.S. Highway 10 where Interstate Highway 90 is not completed), and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 34 to junction Illinois Highway 65, thence over Illinois Highway 65 to Aurora, Ill., thence over Illinois Highway 31 to junction

U.S. Highway 34 near Oswego, Ill., thence over U.S. Highway 34 to junction Illinois Highway 92, thence over Illinois Highway 92 to Moline, Ill., thence over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to junction By-Pass U.S. Highway 30, thence over By-Pass U.S. Highway 30 (formerly U.S. Highway 30) to junction Sandy Blvd., thence over Sandy Blvd. (formerly U.S. Highway 30) to Portland, Oreg., thence over Interstate Highway 5 and U.S. Highway 99 to Seattle, Wash., and return over the same route.

No. MC 33641 (Deviation No. 101), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 2, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Omaha, Nebr., over U.S. Highway 275 to junction U.S. Highway 30 near Fremont, Nebr., thence over U.S. Highway 30 to Columbus, Nebr., thence over U.S. Highway 81 to junction Interstate Highway 90, thence over Interstate Highway 90 (using portions of U.S. Highways 16, 14, 87, and 10 where Interstate Highway 90 is not completed), to Seattle, Wash., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Omaha, Nebr., over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to junction By-Pass U.S. Highway 30, thence over By-Pass U.S. Highway 30 (formerly U.S. Highway 30), to junction

Sandy Blvd., thence over Sandy Blvd. (formerly U.S. Highway 30), to Portland, Oreg., thence over Interstate Highway 5 and U.S. Highway 99 to Seattle, Wash., and return over the same route.

No. MC 33641 (Deviation No. 102), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 2, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Council Bluffs, Iowa over Interstate Highway 29 to junction Interstate Highway 90 near Sioux Falls, S. Dak., thence over Interstate Highway 90 (using portions of U.S. Highways 16, 14, 87, and 10 where Interstate Highway 90 is not completed), to Seattle, Wash., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Council Bluffs, Iowa over U.S. Highway 6 to Hastings, Nebr., thence over U.S. Highway 34 to Brush, Colo., thence over U.S. Highway 6 to Denver, Colo., thence over U.S. Highway 40 to junction Alternate U.S. Highway 40, thence over Alternate U.S. Highway 40 to junction U.S. Highway 40, thence over U.S. Highway 40 to Salt Lake City, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to junction By-Pass U.S. Highway 30, thence over By-Pass U.S. Highway 30 (formerly U.S. Highway 30) to junction Sandy Blvd., thence over Sandy Blvd. (formerly U.S. Highway 30) to Portland, Oreg., thence over Interstate Highway 5 and U.S. Highway 99 to Seattle, Wash., and return over the same route.

No. MC 33641 (Deviation No. 103), IML FREIGHT, INC., 2175 So. 3270 West, P.O. Box 2277, Salt Lake City, Utah 84110, filed October 2, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cheyenne, Wyo., over Interstate Highway 25 to junction Interstate Highway 90 near Buffalo, Wyo., thence over Interstate Highway 90 (using portions of U.S. Highways 87 and 10 where Interstate Highway 90 is not completed), to Seattle, Wash., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Cheyenne, Wyo., over U.S. Highway 30 to junction U.S. Highway 287, thence over U.S. Highway 287 to junction

tion U.S. Highway 30, thence over U.S. Highway 30 to junction unnumbered highway, thence over unnumbered highway via Walcott, Wyo., to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 30S near Little America, Wyo., thence over U.S. Highway 30S to Ogden, Utah, thence over U.S. Highway 91 to Brigham City, Utah, thence over U.S. Highway 30S to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 near Caldwell, Idaho, thence over U.S. Highway 20 to junction Oregon Highway 201, thence over Oregon Highway 201 to junction U.S. Highway 26 near Ontario, Oreg., thence over U.S. Highway 26 to junction Oregon Highway 19, thence over Oregon Highway 19 to Arlington, Oreg., thence over U.S. Highway 30 to junction Bypass U.S. Highway 30, thence over Bypass U.S. Highway 30 (formerly U.S. Highway 30) to junction Sandy Blvd., thence over Sandy Blvd. (formerly U.S. Highway 30) to Portland, Oreg., thence over Interstate Highway 5 and U.S. Highway 99 to Seattle, Wash., and return over the same route.

No. MC 48958 (Deviation No. 69), ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Ave., Denver, Colo. 80218, filed October 1, 1975. Carrier's representative: Morris G. Cobb, P.O. Box 9050, Amarillo, Tex. 79105. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Albuquerque, N. Mex., over Interstate Highway 40 to Oklahoma City, Okla., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Albuquerque, N. Mex., over U.S. Highway 66 to Amarillo, Tex., thence over U.S. Highway 287 to Wichita Falls, Tex., thence over Texas Highway 79 to the Texas-Oklahoma State Line, thence over Oklahoma Highway 79 to junction U.S. Highway 70, thence over U.S. Highway 70 to junction Oklahoma Highway 76, thence over Oklahoma Highway 76 to junction U.S. Highway 277, thence over U.S. Highway 277 to Oklahoma City, Okla., and return over the same route.

No. MC 111383 (Deviation No. 36), BRASWELL MOTOR FREIGHT LINES, INC., P.O. Box 4447, Dallas, Tex. 75208, filed September 22, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions over a deviation route as follows: From Houston, Tex., over U.S. Highway 290 to Van Horn, Tex., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Houston, Tex., over U.S. Highway 90 to junction U.S. Highway 80 and return over the same route.

No. MC 111383 (Deviation No. 37), BRASWELL MOTOR FREIGHT LINES,

INC., P.O. Box 4447, Dallas, Tex. 75208, filed September 23, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Waco, Tex., over U.S. Highway 84 to junction U.S. Highway 79, thence over U.S. Highway 79 to Jacksonville, Tex., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Jacksonville, Tex., over U.S. Highway 175 to Dallas, Tex., thence over U.S. Highway 77 to Waco, Tex., and return over the same route.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27872 Filed 10-15-75; 8:45 am]

[Notice 81]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

OCTOBER 10, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) Grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under sections 5(2) and 212(b); (4) notices of filing of sections 5(2) and 210a(b) finance applications; and (5) notices of filing of section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 CFR 1100.250.

Protests to the granting of the requested authority must be filed with the Commission on or before November 17, 1975. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247 (d) or section 240(c) as appropriate of the Commission's general rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable

compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) or section 240(c) (4) of the special rules, and shall include the certification required therein.

No. MC 67646 (Sub-No. 73) (Republication), filed January 2, 1975, and published in the FEDERAL REGISTER February 6, 1975, and republished this issue. Applicant: HALL'S MOTOR TRANSIT COMPANY, 6060 Carlisle Pike, Mechanicsburg, Pa. 17055. Applicant's representative: John F. Fullerton, 407 North Front Street, Harrisburg, Pa. 17101. The Order dated July 1, 1975 is vacated and set aside, and the amendment tendered by applicant in its petition of August 20, 1975, is accepted in this proceeding, and the Supplemental Order of the Commission, Operating Rights Board, dated September 12, 1975 and served October 3, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of general commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Mercer, Pa., on the one hand, and, on the other, points in Ohio and Pennsylvania within 80 miles of Greenville, Pa., subject to the restriction that the authority granted herein shall not be severable by sale or otherwise from the irregular-route authority to operate between Greenville, Pa., on the one hand, and, on the other, points in Ohio and Pennsylvania within 80 miles of Greenville as set forth in Certificate No. MC 67646 (Sub-No. 64); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder.

The purpose of this republication is to indicate the grant of authority described above, and that the only purpose of the amended application is to provide an alternate gateway at Mercer in connection with applicant's present authority under Certificate No. MC 67646 (Sub-No. 64) to transport general commodities, with the usual exceptions, over irregular routes, between Greenville, Pa., on the one hand, and, on the other points in Ohio and Pennsylvania within 80 miles of Greenville. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, is-

suance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been prejudiced, by description of the base area in terms of Mercer, Pa.

No. MC 12721 (Notice of filing of petition to modify license), filed September 24, 1975. Petitioner: BECKHAM TRAVEL SERVICE, INC., 587 Washington Street, Canton, Mass. 02021. Petitioner's representative: Jeremy Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Petitioner holds a license to engage in operations as a broker at Canton, Mass., in MC 12721, issued June 18, 1968, to sell or offer to sell the transportation of *Passengers and their baggage*, beginning and ending at points in Massachusetts, Connecticut, Rhode Island, Maine, and points in that part of New Hampshire east of U.S. Highway 3, and points in Hillsboro County, N.H., and extending to points in the United States (except Alaska and Hawaii). By the instant petition, petitioner seeks to establish additional offices at Concord, Laconia, and Nashua, N.H., or alternatively, assign this matter for disposition under modified procedure, and issue such further order or orders as may be deemed necessary in the premises. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 130132 (Correction of notice of filing of petition to modify license), filed August 18, 1975, and published in the FEDERAL REGISTER issue of September 17, 1975, and republished as corrected this issue. Petitioner: THE DAYTON AUTOMOBILE CLUB, a Corporation, 825 South Ludlow St., Dayton, Ohio 45202. Petitioner's representative: Gene W. Satchell, (same address as petitioner). Petitioner holds a license to engage in operations as a broker at Enon (Clark County), Ohio, in No. MC 130132, issued February 7, 1974, to sell or offer to sell the transportation of *Passengers and their baggage*, in round-trip charter and special operations, beginning and ending at points in Clark, Champaign, Greene, Miami, and Montgomery Counties, Ohio, and extending to points in the United States, including Alaska, but excepting Hawaii. By the instant petition, petitioner seeks to substitute Dayton and Kettering, (Montgomery County), Ohio, for Enon (Clark County), Ohio, as places at which it is authorized to engage in the above operations. The purpose of this correction is to add Kettering, Ohio to the above request. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in sup-

port of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATION UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 58152 (Sub-No. 23) (PARTIAL CORRECTION), filed September 8, 1975, published in the FEDERAL REGISTER issue of October 1, 1975, and republished as corrected, in part this issue. Applicant: OGDEN & MOFFETT COMPANY, a Corporation, 1515 Busha Highway, Marysville, Mich. 48084. Applicant's representative: Walter N. Bieneman, 101 W. Long Lake Road, Bloomfield Hills, Mich. 48013. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) (5) Between Grand Rapids, Mich. and Manistee, Mich., serving all intermediate points and the off route points of North Muskegon, Whitehall, Montague, Hart, Pentwater and Luddington, (except no traffic originating at Muskegon or points intermediate to Grand Rapids shall be transported to Grand Rapids or vice versa): From Grand Rapids over Interstate Highway 96 to junction U.S. Highway 31, thence over U.S. Highway 31 to Manistee, and return over the same route.

NOTE.—The purpose of this partial republication is to correct the service restriction in Route (5) above. The purpose of this application is to convert a Certificate of Registration applicant seeks to acquire to a Certificate of Public Convenience and Necessity. This is a matter directly to a Section 5(2) proceeding in MC-F-12632 published in the FEDERAL REGISTER issue of September 24, 1975. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. 8958 (Sub-No. 30), filed September 29, 1975. Applicant: THE YOUNGSTOWN CARTAGE CO., a Corporation, 825 West Federal Street, P.O. Box 119, Youngstown, Ohio 44501. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Contractors' equipment, machinery, and iron and steel articles of the kind used in construction and manufacture*, which because of size or weight require specialized handling or rigging, between

points in Massachusetts, Connecticut, ette, Washington and Greene Counties, Pa., and points in Ohio and West Virginia, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, Ohio, West Virginia, the District of Columbia and points in Maryland on and east of U.S. Highway 15. The purpose of this filing is to eliminate the gateways at Ohio Turnpike Interchange No. 15, Niles, Ohio, Toledo, Ohio, Steubenville, Ohio and its commercial zone, Martins Ferry, Ohio and its commercial zone, any point in that part of Ohio on and east of U.S. Highway 21 and on and north of a line beginning at junction U.S. Highways 21 and 36 and extending eastward along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State Boundary line, points in New York, and those in Pennsylvania on and east of U.S. Highway 15.

(2) *Wire and wire products, steel steel ware, steel coal doors, steel channels, steel fence posts, solder, sheet steel, tinplate, andterne plate of the kind used in construction and manufacture*, between points in that part of Indiana south of a line beginning at the Ohio-Indiana State Boundary line and extending along U.S. Highway 30 to Etna Green, Ind., thence along Indiana Highway 19 to junction Indiana Highway 10, thence along Indiana Highway 10 to the Indiana-Illinois State Boundary line, and north of a line beginning at the Ohio-Indiana State Boundary line and extending along U.S. Highway 50 to junction Indiana Highway 7, thence along Indiana Highway 7 to Columbus, Ind., thence along Indiana Highway 46 to Bloomington, Ind., thence along Indiana Highway 45 to junction Indiana Highway 54, thence along Indiana Highway 54 to the Indiana-Illinois State Boundary line, including points in the indicated portions of the highways specified, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, West Virginia, District of Columbia, points in that part of Maryland on and east of U.S. Highway 15 and points in that part of Ohio on and east and north of U.S. Highway 250. The purpose of this filing is to eliminate the gateways at Columbus, Portsmouth and Niles, Ohio, Ohio Turnpike Interchange 15, any point in that part of Ohio on and east of U.S. Highway 21 and on and north of a line beginning at junction U.S. Highways 21 and 36 and extending eastward along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State Boundary line, Wheeling, W.Va., and points within 25 miles of Wheeling, W. Va., points in New York, and those in Pennsylvania on and east of U.S. Highway 15.

(3) *Wire and wire products, sheet steel ware, steel coal doors, steel channels, steel fence posts, solder, sheet steel, tinplate, andterne plate, from points in that part of Indiana south of a line beginning at the Ohio-Indiana State Boundary line*

and extending along U.S. Highway 30 to Etna Green, Ind., thence along Indiana Highway 19 to junction Indiana Highway 10, thence along Indiana Highway 10 to the Indiana-Illinois State Boundary line, and north of a line beginning at the Ohio-Indiana State Boundary line and extending along U.S. Highway 50 to junction Indiana Highway 7, thence along Indiana Highway 7 to Columbus, Ind., thence along Indiana Highway 46 to Bloomington, Ind., thence along Indiana Highway 45 to junction Indiana Highway 54, thence along Indiana Highway 54 to the Indiana-Illinois State Boundary line, including points on the indicated portions of the highways specified, to points in Ohio and those in that part of Michigan on and east of U.S. Highway 27 and on south of Michigan Highway 20. The purpose of this filing is to eliminate the gateways at Columbus and Portsmouth, Ohio, Niles, Ohio, Ohio Turnpike Interchange No. 15, and any point in that part of Ohio on and east of U.S. Highway 21 to its junction with U.S. Highway 30 and on and north of U.S. Highway 30.

(4) *Wire and wire products, sheet steel ware, steel coal doors, steel channels, steel fence posts, solder, sheet steel, tinplate and terne plate*, from points in Ohio and those in Michigan on and south of Michigan Highway 21 and on and east of U.S. Highway 27, to points in that part of Indiana south of a line beginning at the Ohio-Indiana State Boundary line and extending along U.S. Highway 30 to Etna Green, Ind., thence along Indiana Highway 19 to junction Indiana Highway 10, thence along Indiana Highway 10 to the Indiana-Illinois State Boundary line, and north of a line beginning at the Ohio-Indiana State Boundary line and extending along U.S. Highway 50 to junction Indiana Highway 7, thence along Indiana Highway 7 to Columbus, Ind., thence along Indiana Highway 46 to Bloomington, Ind., thence along Indiana Highway 45 to junction Indiana Highway 54, thence along Indiana Highway 54 to the Indiana-Illinois State Boundary line, including points on the indicated portions of the highways specified. The purpose of this filing is to eliminate the gateways at Niles, Ohio and Ohio Turnpike Interchange No. 15, Columbus and Portsmouth, Ohio, and points in that part of Ohio on and east of U.S. Highway 21 to its junction with U.S. Highway 30 and on and north of U.S. Highway 30. (5) *Flat rolled steel sheets and strip steel (flat or on coils)* from Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, West Virginia, points in that part of Maryland on and east of U.S. Highway 15 and points in that part of Ohio on and east of U.S. Highway 21 and on north of a line beginning at junction U.S. Highway 21 and 36 and extending eastward along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State Boundary line to Seymour, Ind. The purpose of this filing is to eliminate the gateways at points in New York and points in Pennsylvania on and

east of U.S. Highway 15 and Weirton, W. Va., and points in Ohio within the Weirton, W. Va. Commercial Zone.

(6) *Contractors' equipment, machinery, and iron and steel articles of the kind used in construction and manufacture which because of size or weight require specialized handling or rigging* between points in Allegheny, Westmoreland, Fayette, Washington, and Greene Counties, Pa.; points in West Virginia, and those in Ohio on and east of U.S. Highway 21, on the one hand, and, on the other, points in Michigan on and south of Michigan Highway 21 and on and east of U.S. Highway 27 and points in Lake and Porter Counties, Ind., which are on and north of U.S. Highway 30; Chicago, Ill., and points within 25 miles thereof; points in Cook County, Ill., which are on and south of U.S. Highway 34, points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Ill.; points in LaSalle County, Ill., which are within 50 miles of Oswego, Ill.; Libertyville, Grayslake, and Belvidere, Ill. and points in Kenosha and Walworth Counties, Wis. The purpose of this filing is to eliminate the gateways at Weirton, W. Va. and Steubenville, Ohio and points in Ohio and West Virginia within the commercial zones of each, Martins Ferry, Ohio and points in its commercial zone, Niles and Toledo, Ohio, and Ohio Turnpike Interchange No. 15 and points in that part of Ohio on and east of U.S. Highway 21 and on and north of a line beginning at junction U.S. Highways 21 and 36 and extending eastward along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State Boundary line.

NOTE.—This is a gateway elimination request and is directly related to a Section 5 (2) proceeding in MC-F-12532, published in the FEDERAL REGISTER issue of June 4, 1975.

No. MC 99521 (Sub-No. 5), filed August 7, 1975. Applicant: AIR FREIGHT, INCORPORATED, Highway 64-70, Hickory, N.C. 28601. Applicant's representative: Charles Ephraim, Suite 600, 1250 Connecticut Ave., NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture (except materials used in the manufacture of furniture and the manufactured products hauled to or from such manufacturing plants); fixtures; equipment; and the property of stores, offices, museums, institutions, hospitals, or other establishments when part of the stock, equipment, or supply of such stores, offices, museums, institutions, hospitals, or other establishments; and articles, including objects of art, displays, and exhibits, which because of their unusual nature or value, require specialized handling; and equipment usually employed in moving household goods, between points in North Carolina; and (2) express and freight shipments, from the Seaboard Air Line Railway and Piedmont*

and Northern Railway Stations in Mount Holly, N.C., to the consignees thereof at points within 5 miles of Mount Holly, N.C.; (3) *general commodities*, between Mount Holly, N.C. and Charlotte, N.C., restricted to traffic moving on bills of lading originating at or destined to the Sou-Tex Chemical Company, of Mount Holly, N.C.; and (4) *general commodities* (except those requiring special equipment, unmanufactured tobacco and accessories), (a) between points in Mecklenburg County, N.C.; (b) from points in Mecklenburg County, N.C., to points in North Carolina, and (c) from points in North Carolina, to points in Mecklenburg County, N.C.

NOTE.—The purpose of this application is to convert a Certificate of Registration applicant seeks to acquire to a Certificate of Public Convenience and Necessity. This is a matter directly related to a Section 5(2) Proceeding in MC-F-12601 published in the FEDERAL REGISTER issue of August 20, 1975. If a hearing is deemed necessary, the applicant requests it be held at Charlotte, N.C.

No. MC 107403 (Sub-No. 930) (Partial Correction), filed January 31, 1975, published in the FEDERAL REGISTER issues of March 6, 1975 and October 1, 1975, and in third republication, as corrected in part, this issue. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). (118) *Dry Chemicals*, in bulk, in tank vehicles, from points in Ashtabula, Cuyahoga, Lake, Summit, Muskingum, Licking, Franklin, and Wayne Counties, Ohio, to points in Kentucky, Arkansas, Kansas, Alabama, Louisiana, Mississippi, Oklahoma, and Texas. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

NOTE.—The purpose of this partial republication is to indicate the destination points sought, previously published in error. This application is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-No. 8) noticed in the FEDERAL REGISTER issue of December 9, 1974; and is directly related to MC-F-12302 published in the FEDERAL REGISTER issue of September 18, 1974.

No. MC-F-12627 (UNIVERSAL TRANSPORT, INC.—PURCHASE (PORTION)—THE WEICKER TRANSFER & STORAGE COMPANY), published in the September 17, 1975, issue of the FEDERAL REGISTER. Application filed October 1, 1975, for temporary authority under section 210a(b).

No. MC-F-12639 (E.K. MOTOR SERVICE, INC.—PURCHASE—JOE N. MOSELEY, BILLIE R. MOSELEY, AND VIRGIE D. MANKIN, doing business as M & M TRANSPORT), published in the October 1, 1975, issue of the FEDERAL REGISTER. Application filed September 23, 1975, for temporary authority under section 210a(b).

No. MC-F-12643 (ALL-AMERICAN, INC.—CONTROL AND MERGER—MORRISON MOTOR FREIGHT, INC.), published in the October 8, 1975, issue of the FEDERAL REGISTER. Application filed

October 2, 1975, for temporary authority under section 210a(b).

MOTOR CARRIER PASSENGERS

No. MC-F-12646. Authority sought for control by RED & TAN ENTERPRISES, ET AL, of 126 North Washington Ave., Bergenfield, N.J. 07621, of NORTH BOULEVARD TRANSPORTATION CO., 9261 Kennedy Blvd., North Bergen, N.J. 07047, and for acquisition by RICHARD A. CAPITANI, ERNEST CAPITANI, MARY CAPITANI, ERNEST A. CAPITANI, JR., ARLEEN SCHMIDT, MILDRED CAPITANI, AMELIA GERACE CAPITANI, RONALD GERACE, JANIS HANSENFLUGH, and LORI GERACE, all of 126 North Washington Ave., Bergenfield, N.J. 07621, of control of NORTH BOULEVARD TRANSPORTATION CO., through the acquisition by RED & TAN ENTERPRISES, ET AL. Applicants' attorneys: S. S. Elsen and W. C. Mitchell, 370 Lexington Ave., New York, N.Y. 10017. Operating rights sought to be controlled: Passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, as a common carrier over irregular routes, from points and places in Hudson and Bergen Counties, N.J., to New York, N.Y., and points and places in Orange, Rockland, Sullivan, Westchester, and Nassau Counties, N.Y.; passengers and their baggage, over regular routes, between North Bergen, N.J., and Manhattan, New York, N.Y., between Jersey City, N.J., and Manhattan, New York, N.Y., serving all intermediate points except those in New Jersey not on Hudson County Boulevard or Marginal Street, between North Bergen, N.J., and Fort Lee, N.J., between Underwood Place and Journal Square, both in Jersey City, N.J. RED & TAN ENTERPRISES, ET AL, holds no authority from this Commission. However, they are affiliated with (1) Rockland Coaches, Inc., 126 North Washington Ave., Bergenfield, N.J. 07621 (MC 29890), authorized to operate as a common carrier in New Jersey and New York; (2) The Hudson Bus Transportation Co., Inc., 437 Tonnell Avenue, Jersey City, N.J. 07306 (MC 29854), authorized to operate as a common carrier in New Jersey, New York, Connecticut, Virginia, Pennsylvania, Maryland, Delaware, and the District of Columbia, and under MC 134981 (Sub-No. 1) as a contract carrier in New Jersey and New York. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12650. Authority sought for control and merger by GENERAL TRANSPORTATION, INCORPORATED, P.O. Box 6484, Phoenix, AZ 85009, of the operating rights and property of FOPA TRANSPORT, INC., P.O. Box 6787, Phoenix, AZ 85005, and for acquisition by D. PARKER CROSBY, P.O. Box 670, Springerville, AZ 85933, of control of such rights and properties through the transaction. Applicants' attorney: A. Michael Bernstein, 1327 United Bank Bldg., Phoenix, AZ 85012. Operating rights sought to be controlled and merged: Stone, as a common carrier over irregular routes,

from points in Yavapai, Maricopa, Coconino, Pima, and Yuma Counties, Ariz., to points in California, from points in California, to points in Apache, Cochise, Coconino, Maricopa, Navajo, Pima, and Yavapai Counties, Ariz., from points in Apache, Cochise, Gila, Greenlee, Graham, Mohave, Navajo, Santa Cruz, and Pinal Counties, Ariz., to points in California, from points in California and Nevada, to points in Idaho, from points in Arizona, to points in Nevada, Oregon, Washington, and Idaho, between points in California, on the one hand, and, on the other, points in Nevada, from points in California and Nevada, to points in Washington and Oregon.

Lumber, from Medford, Ashland, White City, Wolf Creek, Grants Pass, Glendale, Riddle, Dillard, Roseburg, Remote, Cottage Grove, Eugene, Portland, Tillamook, and Wilbur, Oreg., and Redding, Ukiah, Eureka, Susanville, and Hoopa, Calif., to points in Apache, Cochise, Coconino, Maricopa, Navajo, Pima, and Yavapai Counties, Ariz., from points in Apache, Coconino, and Navajo Counties, Ariz., to points in Los Angeles, Riverside, Orange, San Bernardino, Ventura, San Francisco, San Mateo, and Santa Clara Counties, Calif., with restriction, from points in Oregon, to points in Arizona (except from Medford, Ashland, White City, Wolf Creek, Grants Pass, Glendale, Riddle, Dillard, Roseburg, Remote, Cottage Grove, Eugene, Portland, Tillamook, and Wilbur, Oreg.), to points in Apache, Cochise, Coconino, Maricopa, Navajo, Pima, and Yavapai Counties, Ariz., from points in Los Angeles County, Calif., and points in that part of California in and north of Inyo, Fresno, and Monterey Counties, Calif., to points in Arizona (except from Redding, Ukiah, Eureka, Susanville, Hoopa, Calif., to points in Apache, Cochise, Coconino, Maricopa, Navajo, Pima, and Yavapai Counties, Ariz.), from points in Arizona, to ports of entry on the United States-Mexico Boundary line located at San Luis and Nogales, Ariz., from points in Oregon, California, and Arizona, to points in Hidalgo County, N. Mex., from points in Washington, and points in Imperial, Kern, Kings, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties, Calif., to points in Arizona, from points in Arizona (except points in Apache, Coconino, and Navajo Counties, Ariz.) to points in California (except points in Los Angeles, Riverside, Orange, San Bernardino, Ventura, San Francisco, San Mateo, and Santa Clara Counties, Calif.), from points in Arizona, to points in Nevada, from Snowflake, Cutter, Fredonia, and Payson, Ariz., to points in New Mexico, and points in that part of Texas on and north of U.S. Highway 80 extending from El Paso, Tex., to Dallas, Tex., and on and west of U.S. Highway 75 extending from Dallas, Tex., to the Oklahoma-Texas State line; brick, from ports of entry on the United States-Mexico Boundary line located at San Luis and Nogales, Ariz., to points in Arizona; boards or sheets made from ground

wood, from points in Washington, Oregon, and California, to points in Arizona, and Hidalgo County, N. Mex.

GENERAL TRANSPORTATION INCORPORATED, is authorized to operate as a common carrier in Arizona, New Mexico, Texas, Oklahoma, Arkansas, Kansas, Nevada, and California. Application has been filed for temporary authority under section 210a(b).

PENN CENTRAL TRANSPORTATION COMPANY AND ERIE LACKAWANNA RAILWAY COMPANY, 6 Penn Center Plaza, Philadelphia, Pennsylvania 19104, and Midland Building, Cleveland, Ohio 44115, represented by Mr. Charles E. Mechem, Commerce Counsel, Penn Central Transportation Company, 6 Penn Center Plaza, Room 1138, Philadelphia, Pennsylvania 19104, and Mr. Richard Jackson, Vice President Law, Erie Lackawanna Railway Company, Midland Building, Room 1336, Cleveland, Ohio 44115, respectively, hereby gives notice that on the 11th day of September, 1975, they filed with the Interstate Commerce Act at Washington, D.C., an application under section 5(2) of the Interstate Commerce Act for an order or orders approving and authorizing exchange of trackage rights in Utica, New York, which application was assigned Finance Docket No. 27994. The proposed transaction covers the Erie Lackawanna Railway Company granting trackage rights to Penn Central Transportation Company over a segment of Erie Lackawanna's Utica Branch, 0.93 miles in length. Consideration for the rights granted to Penn Central is the reciprocal grant by Penn Central to Erie Lackawanna of trackage rights over a segment of Penn Central's West Shore Secondary Track, 0.47 miles in length.

The purpose of the exchange is to permit the achievement of a highway project by the Highway Department of the State of New York in the immediate vicinity. The highway project will entail as well the abandonment of certain portions of the lines of Penn Central and of Erie Lackawanna in the area and the abandonments are being made the subject of applications to the United States Railway Association under section 304(f) of the Regional Rail Reorganization Act of 1973, as amended. All lines are located within the City of Utica, County of Oneida, State of New York.

In the opinion of the applicants, the granting of the authority sought will 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. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant

factors set forth in Ex Parte No. 55 (Sub-No. 4), *supra*, Part (b)(1)-(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than 30 days from the date of first publication in the FEDERAL REGISTER.

PENN CENTRAL TRANSPORTATION COMPANY
AND ERIE LACKAWANNA RAILWAY COMPANY

By the Commission

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-27869 Filed 10-15-75; 8:45 am]

[Notice 115]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 9, 1975.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication on or before October 31, 1975. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

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.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 14702 (Sub-No. 70TA), filed September 26, 1975. Applicant: OHIO FAST FREIGHT, INC., 3893 Market St. NE., Warren, Ohio 44484. Applicant's representative: Michael Spurlock, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum sheets, from the plantsite and facilities of Alcan Aluminum Corporation, at South Kear-

ney, N.J., to the plantsite and facilities of Alcan Aluminum Corporation at Indianapolis, Ind., for 180 days. Supporting shipper: Alcan Aluminum Corporation, P.O. Box 6977, Cleveland, Ohio 44114. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 52861 (Sub-No. 40TA), filed September 29, 1975. Applicant: WILLIS TRUCKING, INC., 5755 Granger Road, Cleveland, Ohio 44131. Applicant's representative: Paul F. Beery, Ninth Floor, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such commodities as are usually transported in dump trucks, from the plantsites or facilities of Consolidated Dock, Inc., at Detroit, Mich., and Toledo, Ohio to points in Michigan, restricted against: (1) Traffic moving to or from Canada; (2) the transportation of salt; and (3) traffic from the plantsites of Consolidated Dock, Inc., to Lenawee and Monroe Counties, Mich., for 180 days. Supporting shipper: Consolidated Dock, Inc., 5755 Granger Road, Cleveland, Ohio 44131. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 69371 (Sub-No. 7TA), filed September 29, 1975. Applicant: NORMAN TRANSPORTATION LINES, INC., 6201 Lee Road, Cleveland, Ohio 44137. Applicant's representative: John H. Baker, 435 Delaware Ave., Buffalo, N.Y. 14202. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business (except commodities in bulk, in tank vehicles), between points in Cleveland and Salem, Ohio; Warren and McKean Counties, Pa., and Cattaraugus, Steuben, Livingston, and Chemung Counties, N.Y., under a continuing contract with The Great Atlantic & Pacific Tea Company, Inc., for 180 days. Supporting shipper: The Great Atlantic & Pacific Tea Company, Inc., 2 Paragon Drive, Montvale, N.J. 07645. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 103051 (Sub-No. 354TA), filed September 26, 1975. Applicant: FLEET TRANSPORT COMPANY, INC., 934 44th Ave., North, Nashville, Tenn. 37209. Applicant's representative: William G. North (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fuel oil, in bulk, in tank vehicles, from Nashville, Tenn., to Canton and Waynesville, N.C., for 180

days. Supporting shipper: Evans Oil Company, 403 Stonewall Drive, Thompson, Ga. 30824. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 109397 (Sub-No. 321TA), filed October 1, 1975. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: Max G. Morgan, 223 Ciudad Bldg., 3000 United Founders Blvd., Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned goods, (1) from the plantsites of NCC Foods at Hillister, San Jose, and Oakland, Calif.; (2) from the plantsites of Tri-Valley Growers at or near Modesto, Madera, and Stockton, Calif., to points in Iowa, Minnesota, Wisconsin, Illinois, Missouri, Indiana, Ohio, Michigan, and Kentucky, for 180 days. Supporting shippers: NCC Foods, 570 Race St., San Jose, Calif. 95150. Tri-Valley Growers, 100 California St., San Francisco, Calif. 94106. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 113959 (Sub-No. 6TA), filed September 26, 1975. Applicant: LEMON TRANSPORT COMPANY, INCORPORATED, P.O. Box 580, Marion, Va. 24354. Applicant's representative: Daryl J. Henry (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Chemicals, in bulk, in tank vehicles, from the plantsite and storage facilities of Olin Corporation at or near Charleston, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia (except Kanawha County, W. Va.), under a continuing contract with Olin Corporation, for 180 days. Supporting shipper: Olin Corporation, 120 Long Ridge Road, Stamford, Conn. 06904. Send protests to: Danny R. Beeler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Ave. SW., Roanoke, Va. 24011.

No. MC 117119 (Sub-No. 554TA), filed September 26, 1975. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Such articles as are dealt in by wholesale, retail, and discount stores (except in bulk), from Charlotte, N.C., to the facilities of Wal-Mart Stores, at Bentonville, Ark., for 180 days. Supporting shipper: Wal-Mart Stores, Inc., Bentonville, Ark. 72712. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 118535 (Sub-No. 69TA) filed October 1, 1975. Applicant: TIONA TRUCK LINE, INC., 111 S. Prospect, Butler, Mo. 64730. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lead oxide*, in bulk, in tank vehicles, from Terrell, Tex., to Kansas City and St. Joseph, Mo., for 180 days. Supporting shipper: Powerlab, Inc., P.O. Box 913, Terrell, Tex. 75160. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 123407 (Sub-No. 267TA) filed September 27, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flooring, and materials and supplies* used in the installation thereof, from the plantsite of A.G.A., Inc., at Amasa, Mich., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting Shipper: A.G.A., Inc., Abendroth-Gambel-Ahonen, Inc., Box 42, Amasa, Mich. 49903. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 124027 (Sub-No. 11TA) filed October 3, 1975. Applicant: MIDWEST BULK, INCORPORATED, 901 Lyndale Ave., Neenah, Wis. 54956. Applicant's representative: Frank M. Coyne, 25 W. Main St., Madison, Wis. 53703. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cinders*, in bulk, from Kaukauna, Wis., to West Chicago, Ill., for 180 days. Supporting shipper: Thilmany Pulp & Paper Co., a division of Hammermill Paper Company, Thilmany, Kaukauna, Wis. 54130. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 127355 (Sub-No. 17TA) filed October 1, 1975. Applicant: M & N GRAIN COMPANY, P.O. Box "P", Nevada, Mo. 64772. Applicant's representative: Donald J. Quinn, Suite 900-1012 Baltimore, Kansas City, Mo. 64105. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Compressed fireplace logs*, made of peanut hulls and wax, in boxes, from Camilla, Ga., to points in Alabama, Arkansas, Colorado, Florida, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas,

Virginia, Wisconsin and Wyoming, under a continuing contract with Camilla Cotton Oil Company, Camilla, Ga., for 180 days. Supporting shipper: Camilla Cotton Oil Company, Camilla, Ga. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 128383 (Sub-No. 64TA) filed September 26, 1975. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. 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 commodities in bulk, Classes A and B explosives, and motor vehicles requiring the use of special equipment), between John F. Kennedy International Airport at or near New York, N.Y., and O'Hare International Airport at or near Chicago, Ill., on the one hand, and, on the other, Memphis International Airport, at or near Memphis, Tenn., and St. Louis International Airport (Lambert Field) at or near St. Louis, Mo., restricted to the transportation of traffic having a prior or subsequent movement by air, for 180 days. Supporting shipper: Five Star Air Freight Corp., Sharon Hill, Pa. 19079. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 128866 (Sub-No. 56TA), filed September 29, 1975. Applicant: B & B TRUCKING, INC., P.O. Box 128, 9 Brade Lane, Cherry Hill, N.J. 08034. Applicant's representative: J. Michael Farrell, 1725 K St., NW, #814, Washington, D.C. 20006. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Aluminum food containers*, from the plantsites of Penny Plate, Inc., (1) at Cherry Hill, N.J., to Atkins, Ark.; Baltimore and Beaver Heights, Md.; Lawrence, Mass.; Bethlehem, Bowmansville, and Lake City, Pa.; Spartanburg, S.C.; Crossville, Tenn.; Darden and Oconomowoc, Wis.; (2) at Searcy, Ark., to Batesville, Ark.; Wethersfield, Conn.; Crossville and Memphis, Tenn.; and (3) at Deerfield, Ill., to Washington, Ind.; Detroit and L'Ansonia, Mich.; Wilmar, Minn.; Cherry Hill, N.J.; Bethlehem, Pa.; Darien, Milwaukee, and West Allis, Wis., under a continuing contract with Penny Plate, Inc., for 180 days. Supporting shipper: Penny Plate, Inc., P.O. Box 458, Haddonfield, N.J. 08033. Send protests to: Dieter H. Harper, Transportation Specialist, Interstate Commerce Commission, 428 East State St., Room 204, Trenton, N.J. 08608.

No. MC 135270 (Sub-No. 3TA), filed September 24, 1975. Applicant: WALTER LEMMONS, doing business as W. L. LEASING, Highway 41 North & John St., Ft. Branch, Ind. 47648. Applicant's representative: Walter P. Jones, Jr., 601 Chamber of Commerce Bldg., Indian-

apolis, Ind. 46204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fly ash*, from Sebree, Ky., to Evansville, Princeton, Vincennes, and Sullivan, Ind., and Lawrenceville, Mt. Carmel, Crossville, Flora, Fairfield, Olney, Newton, and Grayville, Ill., under a continuing contract with Amax Resource Recovery Systems, Inc., for 180 days. Supporting Shipper: Amax Resource Recovery Systems, Inc., Box 300 Bolton Road RR #1, West Terre Haute, Ind. 47885. Send protests to: Fran Sterling, Interstate Commerce Commission, Federal Bldg., & U.S. Courthouse, 46 East Ohio St., Room 429, Indianapolis, Ind. 46204.

No. MC 136220 (Sub-No. 24TA), filed October 1, 1975. Applicant: ROY SULLIVAN, doing business as SULLIVAN TRUCKING, CO., 1705 NE., Woodland, Ponca City, Okla. 74601. Applicant's representative: G. Timothy Armstrong, Suite 200, 6161 N. May Ave., Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Calcined petroleum coke* (except in tank vehicles), from the facilities of Conalco, Inc., Lake Charles, La., to the facilities of Conalco, Inc., Waverly, Tenn.; (2) *Carbon anode scraps* (except in tank vehicles), from the facilities of Conalco, Inc., Waverly, Tenn., to the facilities of Conalco, Inc., Lake Charles, La.; and (3) *Aluminum dross residue* (except in tank vehicles), from the facilities of Consolidated Aluminum Co., Lake Charles, La., and New Johnsonville, Tenn., to the facilities of Vulcan Materials Company (Metals Div.), Benton, Ark., for 180 days. Supporting shipper: Conalco, Inc., Ernest Claudel, P.O. Box LL, Lake Charles, La. 70601. Vulcan Materials Company (Metals Div.), Frank Bower, Distribution Mgt., P.O. Box 720, Sandusky, Ohio 44870. Send protests to: Marie Spiliars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 141137 (Sub-No. 3TA), filed October 2, 1975. Applicant: R & R TRUCKING COMPANY, INC., 3900 64th St., SW., P.O. Box 292, Grandville, Mich. 49418. Applicant's representative: Peter W. Steketee, 950 Union Bank Bldg., Grand Rapids, Mich. 49502. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is marketed by Home Products Distributors, including return of empty containers, pallets, similar shipping devices, and damaged, rejected, or returned goods*, from Ada, Mich., on the one hand, and on the other, points in Arlington, Tex.; Atlanta, Ga.; Dayton and Secaucus, N.J.; and Denver, Colo., under a continuing contract with Amway Corporation, for 180 days. Supporting shipper: Amway Corporation, 7575 East Fulton Road, Ada, Mich. 49301. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Com-

mission, 225 Federal Bldg., Lansing, Mich. 48933.

No. MC 141325TA filed October 1, 1975. Applicant: POLKINGHORN MOLASSES, INC., 907 East Wyatt Earp, Dodge City, Kans. 67801. Applicant's representative: Clyde N. Christey, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Urea*, from Sugar City, Colo.; Amarillo, Tex., and Neosho, Mo., to Spearville, Kans.; *limestone products*, from Weeping Water, Nebr., to Spearville, Kans.; *Potash*, from Carlsbad, N. Mex., to Spearville, Kans.; *alfalfa pellets*, from Jossland, Darr, Brule, Gothenburg and Brady, Nebr., and McClave, Colo., to Spearville, Kans.; *Calcium*, from Carthage, Mo., to Spearville, Kans.; *cottonseed meal*, from La Mesa and Lubbock, Tex., to Spearville, Kans.; *cottonseed products*, from Memphis, Tenn., to Spearville, Kans.; *feed ingredients*, from St. Joseph, Mo., and La Moure, N. Dak., to Spearville, Kans.; *rice pellets*, from Stuttgart, Ark., to Spearville, Kans., under a continuing contract with Central Milling, Inc., of Spearville, Kans., and (2) *Animal fats*, from Garden City, Liberal and Dodge City, Kans., to Houston, Tex., under a continuing contract with Polkinghorn Feed Yard, Inc., for 180 days. Supporting shippers: Central Milling, Inc., Spearville, Kans. 67876. Polkinghorn Feed Yard, Inc., Butter & Egg Road, Dodge City, Kans. 67801. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 141363 (Sub-No. 1 TA) filed October 1, 1975. Applicant: J. M. MARC TRANSPORTATION, INC., 253 Marylou Ave., Yonkers, N.Y. 10703. Applicant's representative: Bruce J. Robbins, One Lefrak City Plaza, Flushing, N.Y. 11368. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap and waste paper*, from Linden and Woodbridge, N.J., to the facilities of Clevepak Corp., at Piermont, N.Y., under a continuing contract with Clevepak Corporation, for 180 days. Supporting shipper: Clevepak Corporation, Main St., Piermont, N.Y. 10968. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 141365TA, filed September 24, 1975. Applicant: COUNTRYSTYLE, INC., 1025 Highway 45, Grayslake, Ill. 60030. Applicant's representative: Edward G. Bazelon, 39 S. La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packaged milk, packaged milk products, packaged ice cream, and packaged fruit drinks and juices*, from Sheboygan, Wis., to points in Lake, Cook (except Chicago), Kane, McHenry, DeKalb, Winnebago, Boone, Will, Ogle, Lee DuPage, Kendall, La Salle, Grundy, Stephenson, Kankakee, and Vermillion

Counties, Ill., under a continuing contract with Lake to Lake Dairy Cooperative, for 180 days. Supporting shipper: Lake to Lake Dairy Cooperative, Harry Flottman, Director of Marketing, 1606 Erie Ave., Sheboygan, Wis. 53081. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

APPLICATION OF PASSENGERS

No. MC 129969 (Sub-No. 2TA), filed October 3, 1975. Applicant: LAKELAND BUS LINES, INC., East Blackwell St., Dover, N.J. 07801. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* for the account of Nabisco, Inc., over irregular routes, between the Port Authority Bus Terminal, at New York, N.Y., and the plant-site of Nabisco, Inc., at East Hanover, N.J., under a continuing contract with Nabisco, Inc., for 180 days. Supporting shipper: Nabisco, Inc., 425 Park Ave., New York, N.Y. 10022. Send protests to: Joel Morrows, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.
[FR Doc. 75-27870 Filed 10-15-75; 8:45 am]

[Notice 116]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 10, 1975.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication on or before October 31, 1975. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

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.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Sub-No. 384TA), filed October 1, 1975. Applicant: PACIFIC INTERNATIONAL EXPRESS CO., 1417 Clay St., Oakland, Calif. 94612. Applicant's representative: R. N. Cooledge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Parachlorothophenol*, in bulk, in tank vehicles, from Henderson, Nev., to Mt. Pleasant, Tenn., for 180 days. Supporting shipper: Stauffer Chemical Company, 636 California St., San Francisco, Calif. 94119. Send protests to: A. J. Rodriguez, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

No. MC 15859 (Sub-No. 9TA), filed October 1, 1975. Applicant: THE HINE LINE, 247 Emmett St., Newark, N.J. 07114. Applicant's representative: Warren E. Hine (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, skins, and pelts and pieces thereof, and chromes*, between New Jersey and Canton, Ohio on the one hand, and, on the other, Florida, Georgia, South Carolina, and Tennessee, Tampa and Ocala, Fla.; Macon and Moultrie, Ga.; Wilson, S.C.; and Memphis, Bolivar, New Port, and Tallahoma, Tenn., for 180 days. SUPPORTING SHIPPERS: (1) Radel Leather Manufacturing Co., a Division of Seton Company, 445 Wilson Ave., Newark, N.J. 07105. (2) Seton Leather Company, a Division of Seton Company, 849 Broadway, Newark, N.J. 07104. SEND PROTESTS TO: Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9 Clinton St., Room 618, Newark, N.J. 07102.

No. MC 16502 (Sub-No. 18TA), filed September 30, 1975. Applicant: WILLIAM A. ROBINSON, HENRY CLAY ROBINSON, JR., RICHARD A. ROBINSON and FRANK TAYLOR ROBINSON, doing business as ROBINSON TRUCK LINES, P.O. Box 737, West Main St., West Point, Miss. 39773. Applicant's representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphorus pentasulfide*, in containers, and *empty containers* on return, from Columbus, Miss., to Port Arthur, Tex., for 180 days. SUPPORTING SHIPPER: Hooker Chemicals & Plastic Corp., M. P. O. Box 8, Niagara Falls, N.Y. 14302. SEND PROTESTS TO: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 30887 (Sub-No. 223TA), filed October 3, 1975. Applicant: SHIPLEY TRANSFER, INC., 1550 E. Patapsco Ave., Baltimore, Md. 21225. Applicant's representative: William B. Eckels (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Waste oil, in bulk, in pneumatic trailers, from Westville, N.J., to Sparrows Point, Md., for 180 days.* SUPPORTING SHIPPER: Del-Mar Pollution Control Corp., Box 340, Claymont, Del. 19703. SEND PROTESTS TO: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Bldg., Baltimore, Md. 21201.

No. MC 42011 (Sub-No. 18TA), filed October 1, 1975. Applicant: D. Q. WISE & CO., INC., P.O. Box 15125, Tulsa, Okla. 74115. Applicant's representative: Marvin J. McDonald (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal tubing and fabricated metal tubing, from Mannford and San Springs, Okla., to Houston, Tex.; St. Louis, Mo., and Chicago, Ill., for 180 days.* SUPPORTING SHIPPER: Southwest Tube Mfg. Co., James A. Brandt, II, Vice President, 1800 S. 83rd West Ave., Sand Springs, Okla. 74063. SEND PROTESTS TO: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 59640 (Sub-No. 47TA), filed September 30, 1975. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, N.J. 07106. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Health care products including disposable and non-disposable surgical and hospital supplies, equipment, and materials, oxygen administering apparatus, atomizers or nebulizers, plastic bags, tubing and fittings, sanitary belts, elastic bandages, plastic specimen bottles, canes, crutches, invalid chairs, walkers, laboratory glassware, disposable gowns, drapes, gowns, sheets, pillowcases, towels, leggings, bedding pads, caps other than millinery, made from non-woven fabric, in kits or packs with or without accessories, medical or surgical instruments, needles, paper or steel bottle tags, inpatient treatment kits and parts thereof, (1) between Billerica, Mass., Murray Hill, N.J., Fitzwilliam, N.H., Covington, Ga., and Upland, Calif.; (2) from Lawrence, Kans., to Billerica, Mass., Murray Hill, N.J., Covington, Ga., Dallas, Tex., Los Angeles, Calif., and Itasca, Ill., (3) from Billerica, Mass., Murray Hill, N.J., Covington, Ga., and Upland, Calif., to Dallas, Tex., Itasca, Ill., Chicago, Ill., Los Angeles, Calif., and Detroit, Mich.; (4) between Providence, R.I., and Murray Hill, N.J.* RESTRICTIONS: (1) The authority sought herein is limited to a transportation service to be performed, under

a continuing contract, or contract with C. R. Bard, Inc., and (2) between the plants, warehouses, and other facilities of C. R. Bard, Inc., at the above-named points, for 180 days. SUPPORTING SHIPPER: C. R. Bard, Inc., 731 Central Ave., Murray Hill, N.J. 07974. SEND PROTESTS TO: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Room 618, Newark, N.J. 07102.

No. MC 59640 (Sub-No. 48TA), filed September 30, 1975. Applicant: PAULS TRUCKING CORPORATION, 3 Commerce Drive, Cranford, N.J. 07106. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, and chain camping and sporting goods stores and in connection therewith, equipment, materials, and supplies used in the conduct of such business, between the facilities of Lionel Morsan, Inc., at Mahwah, N.J., on the one hand, and, on the other, Doraville, Decatur, and Forest Park, Ga., under a continuing contract or contracts with Lionel Morsan, Inc., for 180 days.* SUPPORTING SHIPPER: Lionel Morsan, Inc., Mahwah, N.J. SEND PROTESTS TO: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Room 618, Newark, N.J. 07102.

No. MC 82841 (Sub-No. 163TA), filed October 3, 1975. Applicant: HUNT TRANSPORTATION, INC., 10770 I St., Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fireplace logs, from Montrose, Colo., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, lower peninsula of Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, for 180 days.* Supporting shipper: Lothlorien Lumber & Logging Co., Inc., L. G. Broderick, President, P.O. Box 1066, Montrose, Colo. 81401. Send protests to: Carroll Russell, District Supervisor, Suite 620, Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 102817 (Sub-No. 25TA), filed September 30, 1975. Applicant: PERKINS FURNITURE TRANSPORT, INC., P.O. Box 24335, 5034 Lafayette Road, Indianapolis, Ind. 46254. Applicant's representative: Robert W. Loser, 320 North Meridian St., Indianapolis, Ind. 46204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Furniture stock, rough milled and/or rough sanded; furniture parts, panels, and squares; materials, supplies, machinery and ma-*

chinery parts used to manufacture furniture; chips, sawdust, wood scrap, and pallets, between the plantsites of Tell City Chair Company, Tell City, Ind., and the plantsite of Tell City Chair Company, Leitchfield, Ky., also chips, sawdust, and wood scrap, from Tell City, Ind., to Hawesville, Ky., for 180 days. Supporting shipper: Tell City Chair Company, 417 Seventh St., Tell City, Ind. 47586. Send protests to: Frances Sterling, Interstate Commerce Commission, Federal Bldg., & U.S. Courthouse, 46 East Ohio St., Room 429, Indianapolis, Ind. 46204.

No. MC 105733 (Sub-No. 54TA), filed September 24, 1975. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Ave., Rahway, N.J. 07065. Applicant's representative: Chester A. Zyblut, 1522 K St. NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Butadine, in bulk, in tank vehicles, from Paulsboro, N.J., to Sheswold, Del., for 180 days.* Supporting shipper: Standard Brands Chemical Industries, Inc., P.O. Drawer K, Dover, Del. 19901. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Room 618, Newark, N.J. 07102.

No. MC 160119 (Sub-No. 23TA), filed October 3, 1975. Applicant: ASSOCIATED PETROLEUM CARRIERS, P.O. Box 2808, Spartanburg, S.C. 29302. Applicant's representative: R. E. Littlejohn (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paving asphalt, from Douglasville, Ga. (Young Refining Company), to points in York and Kershaw Counties, S.C., and Union County, N.C., for 180 days.* Supporting shipper: Dickerson, Inc., P.O. Box 400, Monroe, N.C. 28110. Send protests to: E. E. Strotheld, District Supervisor, Interstate Commerce Commission, Room 302, 1400 Pickens St., Columbia, S.C. 29201.

No. MC 110525 (Sub-No. 1133TA), filed October 3, 1975. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sulphur dioxide, in bulk, in tank vehicles, from ports of entry on the International Boundary line, between the United States and Canada, located at Port Huron, Mich., to Marysville, Mich., for 180 days.* Supporting shipper: Detroit Edison Co., 2000 Second Ave., Detroit, Mich. 48226. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 115162 (Sub-No. 313TA), filed October 2, 1975. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought to oper-

ate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Particleboard*, from the plant and warehouse facilities of MacMillan Bloedel, Inc., at or near Pine Hill, Ala. (Wilcox County), to points in the District of Columbia, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: MacMillan Bloedel, Inc., 12th Floor Brown Marx Bldg., Birmingham, Ala. Send protests to: Clifford W. White, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 1616, 2121 Bldg., Birmingham, Ala. 35203.

No. MC 118806 (Sub-No. 40TA), filed October 3, 1975. Applicant: ARNOLD BROS. TRANSPORT LTD., 739 Lagimodiere Blvd., Winnipeg, Manitoba, Canada R2J 0T8. Applicant's representative: Daniel C. Sullivan, 327 South LaSalle Street, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in and distributed by lumber mills and lumber yards, from Franklin Park, Ill., to the port of entry on the International Boundary Line between Canada and the United States at or near Noyes, Minn., for 180 days. Supporting shipper(s): Canadian Forest Products, Ltd., 440 Cantor Avenue, New Westminster, British Columbia, Canada. Send protests to: Joseph H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 124117 (Sub-No. 16TA), filed October 1, 1975. Applicant: EARL FREEMAN, doing business as MID-TENN EXPRESS, P.O. Box 101, Eagleville, Tenn. 37060. Applicant's representative: Roland M. Lowell, 618 Hamilton Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap batteries, scrap parts thereof, scrap lead and recycled lead*, between College Grove, Tenn.; Bristol, Tennessee-Virginia; Louisville, Ky.; Paducah, Ky.; Evansville, Ind.; Chattanooga, Tenn.; Atlanta, Ga.; and Birmingham, Ala., for 180 days. Supporting shipper: General Smelting & Refining, Inc., P.O. Box 37, College Grove, Tenn. 37046. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 129526 (Sub-No. 5TA), filed October 2, 1975. Applicant: FACTOR TRUCK SERVICE, INC., 2607 Old Rodgers Road, Bristol, Pa. 19007. Applicant's representative: Robert B. Einhorn, 3220 PSFS Bldg., 12 South 12th St., Philadelphia, Pa. 19107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fluorescent lighting fixtures*, from Saddle Brook, N.J., to points in Wisconsin, Illinois, Kentucky, Tennessee,

Mississippi, Michigan, Indiana, Alabama, Ohio, West Virginia, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Delaware, Maryland, the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, and Florida; (2) *Electrical transformers*, from Mendenhall, Miss., and Chicago, Ill., to Saddle Brook, N.J.; and (3) *Plastic sheets and extrusions*, from Columbia, S.C., and Falsington, Pa., to Saddle Brook, N.J., under a continuing contract with Robert Manufacturing Company, for 180 days. Supporting shipper: Robert Manufacturing Company, Capital and Fifth Streets, Saddle Brook, N.J. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 138752 (Sub-No. 3TA), filed September 26, 1975. Applicant: BEAU-FERD SCHMIDT, P.O. Box 107, McPherson, Kans. 67460. Applicant's representative: Eugene W. Hiatt, 308 Casson Bldg., Topeka, Kans. 66603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Polyurethane foam*, between Newton, Kans., on the one hand, and, on the other, Tulsa, Edmond, Guthrie, Lawton, Chickasha, and Muskogee, Okla.; Gainesville, Amarillo, Arlington and Houston, Tex.; Little Rock, Fort Smith, and Siloam Springs, Ark.; Neosho, Mo.; Council Bluffs, Iowa; and Lincoln, Neb., under a continuing contract with Future Foam, Inc., for 180 days. Supporting shipper: Future Foam, Inc., 400 North 10th St., Council Bluffs, Iowa 51501. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 139388 (Sub-No. 1TA), filed September 30, 1975. Applicant: CONTRAN CARRIER CORP., 4537 Forest Lane, Garland, Tex. 75042. Applicant's representative: Robert K. Frisch, 4555 First National Bank Bldg., Dallas, Tex. 75202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Drugs, tobacco products, cosmetics, or other merchandise* dealt in by Ward Drug Stores, Inc., retail stores, known as Ward Drug Stores and Eckerd Stores, between the warehouse site of Ward Drug Stores, Inc., at Garland, Tex., on the one hand, and, on the other, Eckerd Drugs retail stores, at Aravada, Colo., under a continuing contract with Ward Drug Stores, Inc., for 180 days. Supporting shipper: Ward Drug Stores, Inc., 4409 Action St., Garland, Tex. 75042. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 140260 (Sub-No. 3TA), filed October 1, 1975. Applicant: MERRY SHIPPING COMPANY, INC., 310 Bay St., Savannah, Ga. 31402. 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: *General commodities* (except cement), between points in the Jacksonville, Fla., Commercial Zone, including Jacksonville, Fla. (except Yulee and Fernandina Beach, Fla.), for 180 days. Supporting shippers: Strachan Shipping Company, 931 Florida National Bank Bldg., Jacksonville, Fla. Sea-Land Service, Inc., P.O. Box 3281, Jacksonville, Fla. 32206. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 140677 (Sub-No. 7TA), filed October 2, 1975. Applicant: JOHN T. BREWER, JOHN R. BREWER, AND LEWIS L. BREWER, doing business as BREWER TRUCKING, 1603 East Tal-
lent, Rapid City, S. Dak. 57701. Applicant's representative: J. Maurice Andren, 1734 Sheridan Lake Road, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, sawdust, bark, shavings, and other sawmill products* (except lumber), and *additives thereto*, from points in Pennington, Custer, and Butte Counties, S. Dak., and Crook and Weston Counties, Wyo., to points in Colorado, Idaho, Iowa, Illinois, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota and Wyoming, for 180 days. Supporting Shipper: B & G, INC., 1603 East Talent, Rapid City, S. Dak. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 141366TA, filed September 26, 1975. Applicant: CENTRAL TRANSFER & STORAGE CO., 3060 Irving Blvd., Dallas, Tex. 75247. Applicant's representative: Clark and Tartaglia, 3212 Collinsworth, Fort Worth, Tex. 76107. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, (1) between points in Erath, Hood, Parker, Somerville, Denton, Palo Pinto, Wise, Cook, Fannin, Grayson, Delta, Hopkins, Hunt, Lamar, Rains, Henderson, Navarro, Van Zandt, Freestone, Anderson, Smith, Cherokee, Wood, Collin, Hill, Bosque, and Taylor Counties, Tex. and (2) between those points named in (1) above, on the one hand, and, on the other, points in Dallas, Tarrant, Rockwall, Johnson, Ellis, and Kaufman Counties, Tex. (1) Operations are restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points authorized; (2) operations are restricted to the performance of pickup and delivery service in connection with the packing, crating, and containerization or unpacking, uncrating or decontainerization of subject traffic, for 180 days. Supporting shipper: Department of Defense, Regulatory Law Office, OTJAG Department of the Army,

Washington, D.C. 20310. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27871 Filed 10-15-75; 8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Applications

OCTOBER 10, 1975.

The following applications 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(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of *verified statements* in opposition with the Interstate Commerce Commission on or before November 17, 1975. (This procedure is outlined in the Commission's report and order in *Gateway Elimination*, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 30045 (Sub-No. 3G) filed June 4, 1974. Applicant: KITCHELL TRUCK LINE, INCORPORATED, Ipswich, S. Dak. 57451. Applicant's representative: F. H. Kroeger, 1745 University Street, St. Paul, Minn. 55104. Authority by motor vehicle, over irregular routes, transporting: *Farm machinery*, from Sioux City, Iowa, Omaha, Nebr., Winona, Minn., and points in the Minneapolis-St. Paul, Minn. Commercial Zone as defined by the Commission, to points in Iowa west of U.S. Highway 63 and Minnesota. The purpose of this filing is to eliminate the gateway of points in South Dakota.

No. MC 109891 (Sub-No. 25G) filed June 12, 1974. Applicant: INFINGER TRANSPORTATION COMPANY, INC., P.O. Box 7398, Charleston Heights, S.C. 29405. Applicant's representative: Frank B. Hand, Jr., P.O. Box 163, Berryville, Va. 22661. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Charleston, S.C. and points within 10 miles thereof, to points in Georgia. The purpose of this filing is to eliminate the gateway of Belton, S.C.

Note: Although this application is filed on June 12, 1974, applicant previously

timely filed this request in No. MC 109891 (Sub-No. 24G). The request for authority is restrictively duplicative of that sought in MC 109891 (Sub-No. 24G).

No. MC 114273 (Sub-No. 237G) filed June 4, 1974. Applicant: CRST, INC., 3930 16th Ave., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315 Commerce Exchange Building, 2720 First Avenue N.E., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from points in Minnesota, Iowa, and Fargo, N. Dak., to points in Colorado, Connecticut, Illinois, Indiana, Kansas, Kentucky, Maine, Massachusetts, Maryland, Michigan, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, West Virginia, Wisconsin, Vermont, and Virginia. The purpose of this filing is to eliminate the gateways of California, Mo. and Moberly, Mo.

No. MC 114312 (Sub-No. 29G) filed June 4, 1974. Applicant: ABBOTT TRUCKING, INC., Route 3, Box 74, Delta, Ohio 43515. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fertilizer*, from Ft. Wayne, Ind., to points in Ohio, Pennsylvania, West Virginia, New York, Kentucky, Maryland, and New Jersey. The purpose of this filing is to eliminate the gateways of Toledo, Ohio (including the Michigan portion of Toledo, Ohio Commercial Zone), Maumee, Ohio and Spencerville, Ohio. (2) *Chemical fertilizer*, from points in Ohio, to points in Indiana, Pennsylvania, Illinois, Wisconsin, New York, Maryland, New Jersey, Iowa, Minnesota, and Missouri. The purpose of this filing is to eliminate the gateways of Toledo, Ohio (including the Michigan portion of the Toledo, Ohio Commercial Zone), Silica, Woodville and Spencerville, Ohio and Ft. Wayne, Ind.

(3) *Chemical fertilizer*, from points in the lower peninsula of Michigan, to points in Indiana, Pennsylvania, West Virginia, Illinois, Wisconsin, New York, Kentucky, Maryland, New Jersey, Iowa, Minnesota, and Missouri. The purpose of this filing is to eliminate the gateways of Toledo, Ohio (including the Michigan portion of the Toledo, Ohio Commercial Zone), Silica, Woodville, Maumee and Spencerville, Ohio and Ft. Wayne, Ind. (4) *fertilizer, fertilizer materials and fertilizer ingredients*, from Joliet, Ill., to points in Pennsylvania, West Virginia, New York, Kentucky, Maryland, and New Jersey. The purpose of this filing is to eliminate the gateways of Toledo, Ohio (including the Michigan portion of the Toledo, Ohio Commercial Zone), Maumee and Washington Court House, Ohio. (5) *fertilizer and fertilizer ingredients* in bulk (except in tank vehicles), from Whiteland, Ind., to points in Ohio, the lower peninsula of Michigan, Pennsylvania, West Virginia, New York, Maryland, and New Jersey. The purpose of

this filing is to eliminate the gateways of Toledo, Ohio (including the Michigan portion of the Toledo, Ohio Commercial Zone), Spencerville, Woodville, and Maumee, Ohio, and points in Allen, Auglaize, Champaign, Clark, Darke, Hancock, Marion, Mercer, Miami, Preble, Van Wert, Wood, and Wyandot Counties, Ohio.

No. MC 124711 (Sub-No. 29G) filed June 4, 1974. Applicant: BECKER CORPORATION, P.O. Box 1050, El Dorado, Kans. 67042. Applicant's representative: T. M. Brown, Suite 223, Ciudad Building, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in bulk, in tank vehicles, from points in that part of Texas on and north of U.S. Highway 66 to points in that part of Colorado on and east of a line beginning at the New Mexico-Colorado state line and extending along U.S. Highway 285 to Denver, Colo., thence along U.S. Highway 287 to junction Colorado Highway 7 to Estes Park, Colo., thence east along Colorado Highway 66 to junction U.S. Highway 287 and thence north along U.S. Highway 287 to the Colorado-Wyoming state line. The purpose of this filing is to eliminate the gateway of Elkhart, Kans. (2) *petroleum and petroleum products*, in bulk, in tank vehicles from points in that part of Oklahoma on and north of U.S. Highway 66 and on and west of U.S. Highway 183, to points in that part of Colorado on and east of a line beginning at the New Mexico-Colorado state line and extending along U.S. Highway 285 to Denver, Colo., thence along U.S. Highway 287 to junction Colorado Highway 7 to Estes Park, Colo., thence east along Colorado Highway 66 to junction U.S. Highway 287 and thence north along U.S. Highway 287 to the Colorado-Wyoming state line. The purpose of this filing is to eliminate the gateways of Liberal and Garden City, Kans.

(3) *Oil, gasoline, and grease*, in bulk, in tank vehicles, from Potter and Randall Counties, Tex., to points in that part of Colorado on and east of a line beginning at the New Mexico-Colorado state line and extending along U.S. Highway 285 to Denver, Colo., thence along U.S. Highway 287 to junction Colorado Highway 7 to Estes Park, Colo., thence east along Colorado Highway 66 to junction U.S. Highway 287 and thence north along U.S. Highway 287 to the Colorado-Wyoming state line. The purpose of this filing is to eliminate the gateway of Elkhart, Kans. (4) *petroleum and petroleum products*, in bulk, in tank vehicles between points in that part of Oklahoma on and north of U.S. Highway 66 and on and west of U.S. Highway 183, on the one hand, and, on the other, points in that part of Nebraska on and west of U.S. Highway 183 extending from Elm Creek, Nebr., through Holdrege and Alma, Nebr., to the Nebraska-Kansas state line, and on and south of U.S. Highway 30 extending from the Wyoming-

Nebraska state line through Kimball, Chappell, and North Platte, Nebr., to Elm Creek. The purpose of this filing is to eliminate the gateways of Shallow Water and Shamrock, Kans. (5) *petroleum and petroleum products*, in bulk, in tank vehicles from points in that part of Texas on and north of U.S. Highway 66, to points in that part of Nebraska on and west of U.S. Highway 183 extending from Elm Creek, Nebr., through Holdrege and Alma, Nebr., to the Nebraska-Kansas state line, and on and south of U.S. Highway 30 extending from the Wyoming-Nebraska state line through Kimball, Chappell, and North Platte, Nebr., to Elm Creek. The purpose of this filing is to eliminate the gateways of Shallow Water and Shamrock, Kans.

(6) *Oil, gasoline, and grease*, in bulk, in tank vehicles, from Borger and Sheerin, Tex., to points in that part of Kansas bounded by a line beginning at the Kansas-Oklahoma state line from the point of intersection with the Kansas-Colorado state line and extending along the Kansas-Colorado state line to intersection with U.S. Highway 36, thence along U.S. Highway 36 to Belleville, thence along U.S. Highway 81 to the Kansas-Oklahoma state line, and thence along the Kansas-Oklahoma state line to point of beginning. The purpose of this filing is to eliminate the gateway at Randall County, Tex.

OCTOBER 8, 1975.

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 Part 1065), 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 October 28, 1975. 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 106603 (Sub-E33), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Grand Rapids, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, which are building contractors' materials, from those points in Ohio on and east of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 127 to junction U.S.

Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 49, thence along U.S. Highway 49 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Ohio-Indiana State line, to those points in Illinois on and north of a line beginning at the Illinois-Indiana State line and extending along Illinois Highway 114 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of Whiting, Ind.

No. MC 106603 (Sub-E34), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials*, which are building contractors' materials, from those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction Illinois Highway 95, thence along Illinois Highway 95 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line, to those points in Illinois south of a line beginning at the Illinois-Iowa State line and extending along U.S. Highway 34 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 140, thence along Illinois Highway 140 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Whiting, Ind.

No. MC 106603 (Sub-E35), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 48167. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *roofing materials*, which are building contractors' materials, from those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Ohio Highway 39, thence along Ohio Highway 39 to junction U.S. Highway 250, thence along U.S. Highway 250 to junction U.S.

Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line, to those points in Illinois on, north and west of a line beginning at the Illinois-Missouri State line and extending along U.S. Highway 51 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 48, thence along U.S. Highway 48 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 140, thence along Illinois Highway 140 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Whiting, Ind.

No. MC 106603 (Sub-E36), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building contractors' materials*, restricted to insulated brick siding, from those points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 6 to junction Ohio Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-West Virginia State line to those points in Illinois on, south, and west of a line beginning at the Illinois-Indiana State line and extending along Illinois Highway 114 to junction Illinois Highway 17, thence along Illinois Highway 17 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Illinois Highway 127, thence along Illinois Highway 127 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Interstate Highway 57, thence along Interstate Highway 57 to the Illinois-Missouri State line, thence along the Illinois-Kentucky State line to Interstate Highway 24, thence along Interstate Highway 24 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 51, thence along U.S. Highway

51 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Illinois Highway 128, thence along Illinois Highway 128 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 74, thence along Interstate Highway 74 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of Lowell, Ind.

No. MC 106603 (Sub-E37), filed May 10, 1974. Applicant: DIRECT TRANSIT LINES, INC., P.O. Box 8008, Grand Rapids, Mich. 49508. Applicant's representative: Martin J. Leavitt, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Building and roofing materials*, which are building contractors' materials from the plantsite of Certain-teed Products Corporation at Avery, Ohio, to points in Illinois. The purpose of this filing is to eliminate the gateway of Indiana.

No. MC 107002 (Sub-E18), filed June 4, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *refined petroleum products* from Crupp, Miss., to points in North Carolina and South Carolina (Tuscaloosa, Ala.); (2) *petroleum and petroleum products* from Crupp, Miss., to points in Florida (Mobile, Ala.), and points within 10 miles thereof; and (3) *petroleum and petroleum products*, as defined by the Commission, from Crupp, Miss., to points in Illinois, Indiana, Ohio, Oklahoma, Virginia, West Virginia, Kentucky (Washington County, Miss.); and Texas (Natchez, Miss.).*, restricted against the transportation of asphalt and liquefied petroleum gas to points in Illinois, Indiana, Ohio, Oklahoma, Virginia, West Virginia and Kentucky. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107002 (Sub-E23), filed May 17, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *chemicals*, in bulk, in tank vehicles, from Vicksburg, Miss., to points in Florida (Mobile, Ala.); Illinois, Indiana, Iowa, Michigan, Ohio, Wisconsin (Barfield, Ark.), and points within 10 miles thereof; North Carolina, and South Carolina (Decatur, Ala.); restricted against the transportation of petrochemicals to points in North Carolina; (2) *liquid chemicals* (except liquefied petroleum gases), in bulk, in tank vehicles, from Vicksburg, Miss., to points in West Virginia (the plantsite of Monsanto Chemical Company in Anniston, Ala.); (3) *liquid chemicals* (except hy-

drogen peroxide from Vicksburg, Miss., to points in Missouri (points in Mississippi in the Memphis, Tenn., Commercial Zone or Barfield, Ark., and points within 10 miles thereof); (4) *chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Vicksburg, Miss., to those points in Tennessee on and west of U.S. Highway 27 (points in Mississippi within the Memphis, Tenn., Commercial Zone); (5) *dry fertilizer*, in bulk, from Vicksburg, Miss., to points in Tennessee (Canton, Hattiesburg, Meridian, and New Albany, Miss.);*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107002 (Sub-No. E346) filed May 12, 1974. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, Miss. 39205. Applicant's representative: John J. Borth, (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals* (except fertilizer and fertilizer ingredients), in bulk, in tank vehicles, from Taylorsville, Miss., to points in Indiana (except those in Clay, Floyd, and Harrison Counties), (points in Louisiana within the Vicksburg, Miss., Commercial Zone; points in Mississippi within the Memphis, Tenn., Commercial Zone, and Arlington, Tenn.);*, and *chemicals* (except petrochemicals), in bulk, in tank vehicles, from Taylorsville, Miss., to points in Clay, Floyd, and Harrison Counties, Ind. (Decatur, Ala.);*. The purpose of this filing is to eliminate the gateways as indicated by asterisks above.

No. MC 107107 (Sub-No. E37), (correction) filed April 16, 1975, published in the FEDERAL REGISTER September 4, 1975. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (3) *Meats, meat products, and meat by-products*, as defined by the Commission, *dairy products and frozen foods*, as defined by the Commission, from New York, N.Y., and points within 15 miles thereof, to those points in Georgia on and south of U.S. Highway 280 (except Savannah), and those in Alabama on and south of U.S. Highway 80 (Florida);*. The purpose of this filing is to eliminate the gateways as indicated by asterisks above. The purpose of this correction is to extend the commodity description above.

No. MC 107403 (Sub-No. E402), (correction), filed May 29, 1974, published in the FEDERAL REGISTER, August 21, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., 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 and petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except asphalt and except those commodities list-

ed in said appendix which are also listed as chemicals in Appendix XV of the same report), in bulk, in tank vehicles, from points in Ohio on and north of a line beginning at the West Virginia-Ohio State line, and extending along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to the Ohio-Indiana State line to points in Delaware, New Jersey, and New York. The purpose of this filing is to eliminate the gateways of Cleveland, Ohio, and Petrolia, Pa. The purpose of this correction is to include the destination areas.

No. MC 107496 (Sub-No. E820) filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., Keosauqua Way at 3rd Street, Des Moines, Iowa 50309. Applicant's representative: E. Check, P.O. Box 855, Des Moines, Iowa 50304. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Kansas City, Kans., points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Nebraska west of U.S. Highway 83.

No. MC 107496 (Sub-No. E821) filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., Keosauqua Way at 3rd Street, Des Moines, Iowa 50309. Applicant's representative: E. Check, P.O. Box 855, Des Moines, Iowa 50304. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from Mankato, Minn., to points in Washington. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 110149 (Sub-No. E1), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, W. Virginia, Wisconsin, Wyoming, and those points in New York on and south of a line beginning at Cape Vincent and Lake Ontario extending along New York Highway 13E to junction New York Highway 12, thence along New York Highway 23 to junction New York Highway 28, thence along New York Highway 28 to junction New York Highway 5, thence along New York Highway 5 to junction New York Highway 30A, thence along New York Highway 30A to junction New

York Highway 29, thence along New York Highway 29 to junction U.S. Highway 9, thence along U.S. Highway 9 to junction U.S. Highway 4, thence along U.S. Highway 4 to the New York-Vermont State line, on the one hand, and, on the other, points in Maine (except points in Oxford, Franklin, and Somerset Counties). The purpose of this filing is to eliminate the gateway of Beverly, Mass., and 20 miles thereof, and (1) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., (2) points in Montana, or (3) points in Georgia.

No. MC 110149 (Sub-No. E3), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, (1) between points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, W. Virginia, Wisconsin, Wyoming, and the District of Columbia, that part of Pennsylvania on, west and south of a line beginning at Lake Erie extending along Pennsylvania Highway 8 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Interstate Highway 83 to the Pennsylvania-Maryland State line, points in Maryland (except points in Harford and Cecil Counties), points in Delaware (except points in New Castle County), on the one hand, and, on the other, points in New Hampshire; (2) between points in Connecticut, Delaware, Maryland, New Jersey, Pennsylvania, Rhode Island, that part of Massachusetts on and east of a line beginning at the Massachusetts-Rhode Island State line extending along Massachusetts Highway 126 to junction Massachusetts Highway 62.

Thence along Massachusetts Highway 62 to junction Interstate Highway 93, thence along Interstate Highway 93 to the Massachusetts-New Hampshire State line, and that part of New York on, west and south of a line beginning at Lake Ontario extending along New York Highway 98 to junction New York Highway 63, thence along New York Highway 63 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 220, thence along U.S. Highway 220 to the New York-Pennsylvania State line, thence along the New York-Pennsylvania State line to junction New York Highway 17 at or near Hancock, thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York

Highway 23, thence along New York Highway 23 to the New York-Massachusetts State line, on the one hand, and, on the other, points in New Hampshire on and east of a line beginning at the Vermont-New Hampshire State line extending along New Hampshire Highway 18 to junction U.S. Highway 3, thence along U.S. Highway 3 to the Massachusetts-New Hampshire State line. The purpose of this filing is to eliminate the gateways of Beverly, Mass., and points within 20 miles thereof, and (1) points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex., (2) points in Montana, or (3) points in Georgia.

No. MC 110149 (Sub-No. E3), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Connecticut, Delaware, District of Columbia, Idaho, Maine, Maryland, Massachusetts, Montana, New Hampshire, New Jersey, North Carolina, North Dakota, Ohio (except Cincinnati), Oregon, Pennsylvania, Rhode Island, South Carolina, Virginia, Washington, West Virginia, Wyoming, those points in California on and north of a line beginning at the Pacific Ocean extending along California Highway 166 to junction California Highway 99, thence along California Highway 99 to junction California Highway 58, thence along California Highway 58 to junction California Highway 178, thence along California Highway 178 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, points in Nevada on and north of U.S. Highway 6, those in Utah on and north of a line beginning at the Utah-Nevada State line extending along U.S. Highway 6 to junction Utah Highway 26, thence along Utah Highway 26 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Utah-Colorado State line, those in Colorado on and north of a line beginning at the Utah-Colorado State line extending along U.S. Highway 6 to junction Interstate Highway 80S, thence along Interstate Highway 80S to the Colorado-Nebraska State line, those in Nebraska on, west and north of a line beginning at the Nebraska-Colorado State line extending along Interstate Highway 80S to junction Nebraska Highway 61.

Thence along Nebraska Highway 61 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Nebraska-South Dakota State line, those points in South Dakota on, west and north of a line beginning at the Nebraska-South Dakota State line extending along U.S. Highway 281 to junction South Dakota Highway

44, thence along South Dakota Highway 44 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 212, thence along U.S. Highway 212 to the South Dakota-Minnesota State line, those points in Minnesota on and north of a line beginning at the Minnesota-South Dakota State line extending along U.S. Highway 212 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction Minnesota Highway 95, thence along Minnesota Highway 95 to the Minnesota-Wisconsin State line, those points in Wisconsin on and north of a line beginning at the Wisconsin-Minnesota State line extending along U.S. Highway 8 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Lake Michigan, those points in Michigan on, north and east of a line beginning at Lake Michigan extending along U.S. Highway 10 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Indiana State line, those points in Kentucky on and east of Interstate Highway 75, those points in Tennessee on and east of U.S. Highway 27, on the one hand, and, on the other, points in Alabama; and between points in Nebraska, on the one hand, and, on the other, points in Alabama on and east of a line beginning at the Alabama-Tennessee State line extending along U.S. Highway 31 to junction Alabama Highway 55, thence along Alabama Highway 55 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateways of points in Georgia; or points in Georgia and (1) points in Montana, or (2) Beverly, Mass., and points in Massachusetts within 20 miles thereof, or (3) points in Wyoming, or (4) points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex.

No. MC 110149 (Sub-No. E4), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 California, Nevada, those in Utah on and west and north of the Colorado River, those in Arizona on and west of a line beginning at the United States-Mexico International Boundary line extending along Arizona Highway 85 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Interstate Highway 17, thence along Interstate Highway 17 to junction U.S. Highway 89, thence along U.S. Highway 89 to the Arizona-Utah State line, on the one hand, and, on the other, points in Alabama on and east of a line beginning at Mobile extending along U.S. Highway 43 to junction Interstate Highway 59, thence along Interstate Highway 59 to the Alabama-Georgia State line. The

purpose of this filing is to eliminate the gateways of points in Georgia; or points in Georgia and (1) points in Montana, or (2) points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex.

No. MC 110149 (Sub-No. E5), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Colorado, on the one hand, and, on the other, points in Alabama on and east of a line beginning at the Alabama-Tennessee State line extending along U.S. Highway 31 to junction Alabama Highway 55, thence along Alabama Highway 55 to the Alabama-Florida State line. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110149 (Sub-No. E6), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Arizona, California, Connecticut, Delaware, District of Columbia, Georgia, Idaho, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming, points in Colorado (except points in Costilla, Los Animas, and Baca Counties), points in Illinois on and north of U.S. Highway 50, those points in Indiana on and east of U.S. Highway 41, points in Kansas on and north of a line beginning at the Kansas-Colorado State line extending along U.S. Highway 50 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 156, thence along U.S. Highway 156 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Missouri State line, those points in Kentucky on and east of U.S. Highway 41, those points in New Mexico west of the Rio Grande River, points in Tennessee on and east of U.S. Highway 41, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateways of points in Georgia; or points in Georgia and (1) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., or (2) points in Montana, or (3) Beverly, Mass., and points in Massachusetts within 20 miles thereof, or (4) points in Wyoming.

No. MC 110149 (Sub-No. E7), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923,

Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in New Mexico, Colorado, Kansas, points in Texas on and west of a line beginning at the United States-Mexico International Boundary line extending along Texas Highway 118 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction Texas Highway 208, thence along Texas Highway 208 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Texas-Oklahoma Stateline, points in Oklahoma on, west and north of a line beginning at the Texas-Oklahoma State line extending along U.S. Highway 62 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction Oklahoma Highway 33, thence along Oklahoma Highway 33 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Oklahoma-Missouri State line, points in Missouri on and north of a line beginning at the Oklahoma-Missouri State line extending along Interstate Highway 44 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Missouri-Illinois State line, points in Illinois on and north of U.S. Highway 50, those points in Indiana on and east of U.S. Highway 41, points in Kentucky on and east of U.S. Highway 41, points in Tennessee on and east of U.S. Highway 41, on the one hand, and, on the other, points in Florida (except points in Escambia and Santa Rosa Counties); (2) between points in Arkansas, Illinois, Indiana, Kentucky, Louisiana, Missouri, Oklahoma, Tennessee, and Texas, on the one hand, and, on the other, points in Florida east of the Apalachicola River. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110149 (Sub-No. E8), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Connecticut, Delaware, District of Columbia, Massachusetts, Maryland, Maine, North Carolina, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Virginia and West Virginia, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate

points in Georgia; or points in Georgia and Beverly, Mass., and points in Massachusetts within 20 miles thereof.

No. MC 110149 (Sub-No. E9), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Michigan, Ohio, points in Minnesota on and east of U.S. Highway 53, points in Indiana on and east of U.S. Highway 31, points in Kentucky on and east of U.S. Highway 31E, points in Tennessee on and east of U.S. Highway 231, on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110149 (Sub-No. E10), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, points in Montana on and west of a line beginning at the United States-Canada International Boundary extending along U.S. Highway 89 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 191, thence along U.S. Highway 191 to the Montana-Wyoming State line, points in Teton, Lincoln and Uintah Counties, Wyo., points in Moffatt, Rio Blanco, Garfield, Mesa, Delta, Montrose, Ouray, San Miguel, Dolores, San Juan, Montezuma, La Plata, Archuleta, Hinsdale, Mineral, Rio Grande, Alamosa, Conejos Counties, Colo., points in New Mexico on, south and west of a line beginning at the New Mexico-Colorado State line extending along New Mexico Highway 3 to junction U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, points in Texas on and south of U.S. Highway 84, and points in Louisiana on and south of U.S. Highway 84, on the one hand, and, on the other, points in Alabama. The purpose of this filing is to eliminate the gateways of (A) Hattiesburg, Miss., or (B) Hattiesburg, Miss., and points in Louisiana; or (C) Hattiesburg, Miss., and points in Louisiana and (1) points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex., or (2) points in Montana, or (3) points in Wyoming.

No. MC 110149 (Sub-No. E11), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a common

zona-California State line extending along Arizona Highway 95 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Arizona-New Mexico State line, on the one hand, and, on the other, points in Nebraska, North Dakota, and South Dakota; (4) between points in Arizona on and southeast of a line beginning at the United States-Mexico International Boundary line extending along U.S. Highway 89 to junction Arizona Highway 77, thence along Arizona Highway 77 to junction Arizona Highway 177, thence along Arizona Highway 177 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Arizona-New Mexico State line, on the one hand, and, on the other, points in Colorado on and east of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Colorado Highway 119, thence along Colorado Highway 119 to junction U.S. Highway 287.

Thence along U.S. Highway 287 to the Colorado-Wyoming State line, and points in Wyoming on and east of a line beginning at the Wyoming-Colorado State line extending along U.S. Highway 287 to junction Wyoming Highway 34, thence along Wyoming Highway 34 to junction Interstate Highway 25, thence along Interstate Highway 25 to junction Interstate Highway 90, thence along Interstate Highway 90 to the Wyoming-Montana State line, and points in Montana on and east of a line beginning at the Montana-Wyoming State line extending along Interstate Highway 90 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction Montana Highway 204, thence along Montana Highway 204 to the United States-Canada International Boundary line; (5) between points in Arizona on and north of a line beginning at the Arizona-California State line extending along U.S. Highway 60 to the Arizona-New Mexico State line, on the one hand, and, on the other, points in Texas on and north of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 70 to the Texas-Oklahoma State line; (6) between points in Arizona on and south of Interstate Highway 10, on the one hand, and, on the other, points in New Mexico on north and east of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction Interstate Highway 40, thence along Interstate Highway 40 to the New Mexico-Texas State line. The purpose of this filing is to eliminate the gateways of (A) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., or (B) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., and (1) Hattiesburg, Miss., or (2) points in Georgia, or (3) Beverly, Mass., and points in Massachusetts within 20 miles thereof, or (4) points in Louisiana, or (5) points in Wyoming.

No. MC 110149 (Sub-No. E16), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission (1) between points in California, on the one hand, and, on the other, Trinidad, Colo., points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, points in Illinois on and southeast of a line beginning at the Illinois-Iowa State line extending along U.S. Highway 34 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, Indiana, Kansas on and south of a line beginning at the Kansas-Colo- rado State line extending along Kansas Highway 96 to junction U.S. Highway 156, thence along U.S. Highway 156 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line, points in Kentucky, Louisiana, Maine, Maryland, Massachusetts, the Lower Peninsula of Michigan on, west, and south of a line beginning at Lake Michigan extending along Michigan Highway 72 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Michigan Highway 32, thence along Michigan Highway 32 to Lake Huron, Mississippi, Missouri on, south and east of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 36 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 5, thence along Missouri Highway 5 to the Missouri-Iowa State line, points in New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, points in Texas on and east of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 84 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Texas Highway 16, thence along Texas Highway 16 to junction Texas Highway 649, thence along Texas Highway 649 to the United States-Mexico International Boundary line, points in Virginia, West Virginia, points in Wisconsin on, south, and east of a line beginning at the Wisconsin-Illinois State line extending along U.S. Highway 51 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction Wisconsin Highway 109, thence along Wisconsin Highway 109 to junction Wisconsin Highway 167.

Thence along Wisconsin Highway 167 to Lake Michigan, and points in the District of Columbia; (2) between points in California in and south of Inyo, Fresno, San Benito and Monterey Counties, on the one hand, and, on the other, points in Colorado on, south, and east of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 350, thence along U.S. Highway 350 to junction U.S. Highway 50, thence along

U.S. Highway 50 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Colorado-Kansas State line, points in Illinois, Iowa (except points in Lyon County), Kansas, Michigan, Minnesota on and east of a line beginning at the Minnesota-Iowa State line extending along Minnesota Highway 60 to the junction U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 72, thence along Minnesota Highway 72 to the United States-Canada International Boundary line, Missouri, Nebraska on, south, and east of a line beginning at the Nebraska-Kansas State line extending along Nebraska Highway 61 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Nebraska-South Dakota State line, and points in Wisconsin; (3) between points in California on, south, and west of a line beginning at the California-Arizona State line extending along Interstate Highway 40 to Barstow.

Thence along California Highway 58 to junction California Highway 99, thence along California Highway 99 to junction California Highway 140, thence along California Highway 140 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 152, thence along California Highway 152 to junction U.S. Highway 101, thence along U.S. Highway 101 to junction California Highway 17, thence along California Highway 17 to the Pacific Ocean, on the one hand, and, on the other, points in Colorado on, south, and west of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Colorado-Kansas State line; (4) between points in Imperial and San Diego Counties, Calif., on the one hand, and, on the other, points in Colorado on and east of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction Colorado Highway 1, thence along Colorado Highway 1 to junction Interstate Highway 25, thence along Interstate Highway 25 to the Colorado-Wyoming State line, points in Nebraska, Minnesota, South Dakota on, south, and east of a line beginning at the South Dakota-Wyoming State line extending along U.S. Highway 18 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction South Dakota Highway 73, thence along South Dakota Highway 73 to the South Dakota-North Dakota State line, and points in North Dakota on and east of a line beginning at the North Dakota-

South Dakota State line extending along U.S. Highway 12 to junction North Dakota Highway 22, thence along North Dakota Highway 22 to junction North Dakota Highway 23, thence along North Dakota Highway 23 to junction U.S. Highway 83, thence along U.S. Highway 83 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateways of (A) points in Quay County, N. Mex., or (B) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., and (1) Hattiesburg, Miss., or (2) points in Georgia, or (3) Beverly, Mass., and points in Massachusetts within 20 miles thereof.

No. MC 110149 (Sub-No. E17), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, (1) between points in Nevada, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, points in Illinois on and south of a line beginning at the Illinois-Missouri State line extending along Illinois Highway 140 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line, points in Indiana on and south of a line beginning at the Indiana-Illinois State line extending along U.S. Highway 36 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 47, thence along Indiana Highway 47 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Indiana-Ohio State line, points in Kansas on and south of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 56 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Kansas-Missouri State line, points in Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, points in Missouri on and south of a line beginning at the Missouri-Kansas State line extending along Interstate Highway 70 to junction Missouri Highway 140.

Thence along Missouri Highway 140 to the Missouri-Illinois State line, points in New Hampshire, New Jersey, New York, North Carolina, points in Ohio on, south, and east of a line beginning at the Ohio-Indiana State line extending along U.S. Highway 224 to junction Ohio Highway 18, thence along Ohio Highway 18 to junction Ohio Highway 4, thence along Ohio Highway 4 to Lake Erie, points in Oklahoma, Pennsylvania, Erie, points in Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee,

see, points in Texas on and east of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 285 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction Texas Highway 170, thence along Texas Highway 170 to the United States-Mexico International Boundary line, points in Virginia, West Virginia, and points in the District of Columbia; (2) between points in Nevada on and south-west of a line beginning at the Nevada-California State line extending along Interstate Highway 80 to junction U.S. Alternate Highway 95, thence along U.S. Alternate Highway 95 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Nevada Highway 25, thence along Nevada Highway 25 to the Nevada-Utah State line, on the one hand, and, on the other, points in Illinois, Indiana, Iowa on and southeast of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 169 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 137, thence along Iowa Highway 137 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 150, thence along Iowa Highway 150 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 76, thence along Iowa Highway 76 to junction Iowa Highway 9.

Thence along Iowa Highway 9 to the Mississippi River, points in Kansas on, south, and east of a line beginning at the Kansas-Colorado State line extending along Kansas Highway 96 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line, points in Michigan on, south, and east of a line beginning at the Michigan-Wisconsin State line extending along U.S. Highway 2 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Michigan Highway 67, thence along Michigan Highway 67 to junction Michigan Highway 94, thence along Michigan Highway 94 to Lake Superior, points in Missouri (except points in Atchison, Holt, and Nodaway Counties), points in Ohio and those in Wisconsin on and south of a line beginning at the Wisconsin-Iowa State line extending along Wisconsin Highway 82 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Wisconsin Highway 58, thence along Wisconsin Highway 58 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to junction Wisconsin Highway 49, thence along Wisconsin Highway 49 to junction Wisconsin Highway 22, thence along Wisconsin Highway 22 to junction U.S.

Highway 141, thence along U.S. Highway 141 to the Wisconsin-Michigan State line; (3) between points in Clark County, Nev., on the one hand, and, on the other, points in Iowa (except points in Lyon County), points in Kansas on and south of a line beginning at the Kansas-Colorado State line extending along Kansas Highway 96 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 283.

Thence along U.S. Highway 283 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line, points in Michigan, those in Minnesota on, south, and east of a line beginning at the Minnesota-Iowa State line extending along U.S. Highway 59 to junction Minnesota Highway 23, thence along Minnesota Highway 23 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 28, thence along Minnesota Highway 28 to junction Minnesota Highway 371, thence along Minnesota Highway 371 to junction Minnesota Highway 200, thence along Minnesota Highway 200 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line, points in Missouri, those in Nebraska on and south of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 81 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Iowa State line, and points in Wisconsin; (4) between Las Vegas, Nev., on the one hand, and, on the other, points in Colorado on and east of a line beginning at the Colorado-New Mexico State line extending along Interstate Highway 25 to junction U.S. Highway 350, thence along U.S. Highway 350 to junction Colorado Highway 71, thence along Colorado Highway 71 to junction Colorado Highway 96, thence along Colorado Highway 96 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 34.

Thence along U.S. Highway 34 to the Colorado-Nebraska State line, points in Iowa, Kansas, Minnesota, points in Nebraska on and east of a line beginning at the Nebraska-Colorado State line extending along U.S. Highway 34 to junction U.S. Highway 83, thence along U.S. Highway 83 to the Nebraska-South Dakota State line, points in New Mexico on and east of a line beginning at the New Mexico-Colorado State line extending along Interstate Highway 25 to junction U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, points in North Dakota on and east of a line commencing at the North Dakota-South Dakota State line

extending along North Dakota Highway 3 to junction North Dakota Highway 11, thence along North Dakota Highway 11 to junction U.S. Highway 281, thence along U.S. Highway 281 to the United States-Canada International Boundary line, and points in South Dakota on and east of a line beginning at the South Dakota-Nebraska State line extending along U.S. Highway 83 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to the South Dakota-North Dakota State line. The purpose of this filing is to eliminate the gateway of (A) points in Quay County, N. Mex., or (B) points in Lea, Eddy, Chaves, Roosevelt, Curry, and Quay Counties, N. Mex., and (1) Hattiesburg, Miss., or (2) points in Georgia, or (3) Beverly, Mass., and points in Massachusetts within 20 miles thereof, or (4) points in Louisiana.

No. MC 110149 (Sub-No. E18), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, the District of Columbia, that part of Colorado on and east of Interstate Highway 25, points in Texas (except points in El Paso, Hudspeth, Culberson, Loving, Winkler, Ward, Crane, Reeves, Pecos, Terrell, Brewster, and Presidio Counties), points in Laramie, Platte, Goshen, Niobrara, Campbell, Weston, and Crook Counties, Wyoming, on the one hand, and, on the other, points in Washington. The purpose of this filing is to eliminate the gateway of points in Montana or points in Montana and points in North Dakota, South Dakota, or Minnesota.

No. MC 110149 (Sub-No. E19), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Da-

kota, Tennessee, Virginia, West Virginia, Wisconsin, points in Nebraska (except points in Scottsbluff, Banner, Kimbell, Morrill, Cheyenne, Deuel, Garden, Arthur, McPherson, Logan, Keith, Lincoln, Perkins, Chase, Hayes, Frontier, Red Willow, Hitchcock, and Dundee Counties), points in that part of Kansas in and east of Phillips, Rooks, Ellis, Rush, Pawnee, Stafford, Pratt, and Barber Counties, Kans., points in that part of Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 281 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Interstate Highway 35, thence along Interstate Highway 35 to the Oklahoma-Texas State line, points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 77 to junction U.S. Highway 75, thence along U.S. Highway 75 to the Gulf of Mexico, on the one hand, and, on the other, points in Oregon. The purpose of this filing is to eliminate the gateway of points in Montana in and west of Blaine, Fergus, Golden Valley, Stillwater, and Carbon Counties, or points in the involved Montana Counties and points in North Dakota, South Dakota or Minnesota.

No. MC 110149 (Sub-No. E20) filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Connecticut, Delaware, the District of Columbia, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Rhode Island, points in that part of Virginia on and north of a line beginning at the Virginia-North Carolina State line extending along U.S. Highway 17 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line, points in that part of West Virginia on and northeast of a line beginning at the Virginia-West Virginia State line extending along U.S. Highway 60 to junction US Highway 19, thence along US Highway 19 to junction US Highway 250, thence along US Highway 250 to the West Virginia-Ohio State line, points in that part of Ohio on and north of a line beginning at the West Virginia-Ohio State line extending along US Highway 250 to junction US Highway 36, thence along US Highway 36 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction Ohio Highway 95, thence along Ohio Highway 95 to junction US Highway 308, thence along US Highway 308 to junction US Highway 30, thence along US Highway 30 to the Ohio-Indiana State line, points in Wisconsin (except points in Grant, Iowa, and Lafayette Counties), points in Iowa on and north of US Highway 18, and points in South Dakota on and north of Interstate Highway 90, on the one hand, and on the other, points in Utah on and west of a line beginning at the Utah-

Wyoming State line extending along US Highway 189 to junction US Highway 91, thence along US Highway 91 to the Utah-Arizona State line. The purpose of this filing is to eliminate the gateway of points in that part of Montana in and west of Blaine, Fergus, Golden Valley, Stillwater, and Carbon Counties, or points in the involved Montana Counties and points in North Dakota, South Dakota or Minnesota.

No. MC 110149 (Sub-No. E21), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, Wisconsin, points in that part of Nebraska on and northeast of a line beginning at the Nebraska-South Dakota State line and extending along U.S. Highway 83 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 275, thence along U.S. Highway 275 to junction U.S. Highway 31, thence along U.S. Highway 81 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Iowa State line, on the one hand, and, on the other, points in Idaho on and northwest of a line beginning at the Idaho-Wyoming State line and extending along U.S. Highway 20 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 93, thence along U.S. Highway 93 to the Idaho-Nevada State line. The purpose of this filing is to eliminate the gateways of points in that part of Montana in and west of Blaine, Fergus, Golden Valley, Stillwater, and Carbon Counties, or points in the involved Montana Counties and points in North Dakota, South Dakota, or Minnesota.

No. MC 110149 (Sub-No. E22) filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Arkansas, Missouri, and points in Shelby County, Tenn., on the one hand, and, on the other, points in Mobile and Baldwin Counties, Ala. The purpose of this filing is to eliminate the gateway of Hattiesburg, Miss.

No. MC 110149 (Sub-No. E23), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 Indiana, Iowa, Michigan, Minnesota, Wisconsin, points in that part of Illinois on, north and east of a line beginning at the Illinois-Iowa State line and U.S. Highway 136, thence along U.S. Highway 136 to junction Illinois Highway 121, thence along Illinois Highway 121 to junction Illinois Highway 130, thence along Illinois Highway 130 to the Illinois-Indiana State line, points in that part of Kentucky on and east of U.S. Highway 231, points in that part of Tennessee on and east of a line beginning at the Kentucky-Tennessee State line and U.S. Highway 231, thence along U.S. Highway 231 to junction Tennessee Highway 26, thence along Tennessee Highway 26 to junction Tennessee Highway 53, thence along Tennessee Highway 53 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Tennessee-Georgia State line, on the one hand, and, on the other, points in that part of Alabama on and southeast of a line beginning at the Alabama-Georgia State line and Interstate Highway 59, thence along Interstate Highway 59 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Alabama-Mississippi State line. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110149 (Sub-No. E24), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 that part of Indiana on and north of a line beginning at the Indiana-Ohio State line extending along Indiana Highway 67 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Indiana-Illinois State line, points in that part of Illinois on and north of Interstate Highway 70, points in that part of Missouri on, north and west of a line beginning at the Missouri-Illinois State line extending along U.S. Highway 66 to junction Missouri Highway 19, thence along Missouri Highway 19 to the Missouri-Arkansas State line, points in that part of Arkansas on and west of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 63 to junction U.S. Highway 167, thence along U.S. Highway 167 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Arkansas-Louisiana State line, on the one hand, and, on the other, points in Mississippi on and south of U.S. Highway 84. The purpose

of this filing is to eliminate the gateway of points in Louisiana.

No. MC 110149 (Sub-No. E25) filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission (1) between points in Indiana, on the one hand, and, on the other, points in Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Pearl River, Perry, Stone and Wayne Counties, Miss.; (2) between points in Kentucky on and east of a line beginning at the Indiana-Kentucky State line extending along U.S. Highway 41 to junction U.S. Alternate Highway 41, thence along U.S. Alternate Highway 41 to the Kentucky-Tennessee State line, points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Alternate Highway 41 to junction U.S. Highway 64, thence along U.S. Highway 64 to the junction Tennessee Highway 56, thence along Tennessee Highway 56 to the Tennessee-Alabama State line, on the one hand, and, on the other, points in Forrest, George, Greene, Hancock, Harrison, Jackson, Lamar, Pearl River, Perry, and Stone Counties, Miss. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110149 (Sub-No. E26), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Arkansas and points in Missouri (except points in Mississippi County), on the one hand, and, on the other, points in George, Jackson, Stone, Pearl River, Harrison, and Hancock Counties, Miss.; (2) between points in Illinois, on the one hand, and, on the other, points in Hancock, Harrison and Jackson Counties, Miss.; (3) between points in Ballard, Carlisle, Hickman, Fulton, McCracken and Graves Counties, Ky., on the one hand, and, on the other, points in Harrison County, Miss. The purpose of this filing is to eliminate the gateway of points in Louisiana.

No. MC 110149 (Sub-No. E27), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 that part of Wyoming on and east of a line beginning at the Colorado-Wyoming State line extending along U.S.

Highway 87 to junction Wyoming Highway 59, thence along Wyoming Highway 59 to junction Interstate Highway 90, thence along Interstate Highway 90 to the Wyoming-Montana State line, on the one hand, and, on the other, points in Idaho in and north of Idaho County. The purpose of this filing is to eliminate the gateway of points in that part of Montana in and west of Blaine, Fergus, Golden Valley, Stillwater and Carbon Counties, and points in South Dakota.

No. MC 110149 (Sub-No. E28), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission, (1) between points in Minnesota, North Dakota, that part of Michigan on and north of Michigan Highway 72, that part of Wisconsin on and north of a line beginning at Lake Michigan extending along Wisconsin Highway 60 to the Wisconsin-Iowa State line, and that part of South Dakota on and north of Interstate Highway 90, on the one hand, and, on the other, points in California; (2) between points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Dakota, West Virginia, Wisconsin, the District of Columbia, that part of Virginia on and east of U.S. Highway 52, that part of Indiana on and north of Interstate Highway 74, that part of Illinois on and north of U.S. Highway 136, that part of Iowa on and north of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 63 to junction Iowa Highway 163, thence along Iowa Highway 163 to junction Interstate Highway 235, thence along Interstate Highway 235 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Iowa Highway 175, thence along Iowa Highway 175 to the Nebraska-Iowa State line, that part of Nebraska on and north of a line beginning at the Nebraska-Iowa State line extending along Nebraska Highway 51 to junction U.S. Highway 275.

Thence along U.S. Highway 275 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Nebraska-Wyoming State line, on the one hand, and, on the other, points in California in and north of Mono, Fresno and Monterey Counties; (3) between points in Illinois, Indiana, Iowa, that part of Nebraska on, north and east of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 281 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Nebraska-Wyoming State line, on the one hand, and, on the other, points in that part of California on and west of a line beginning at the Oregon-California State line extending

along Interstate Highway 5 to junction Interstate Highway 505, thence along Interstate Highway 505 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 680, thence along Interstate Highway 680 to junction California Highway 17, thence along California Highway 17 to junction California Highway 9, thence along California Highway 9 to junction California Highway 236, thence along California Highway 236 to the Pacific Ocean. The purpose of this filing is to eliminate the gateway of points in that part of Montana in and west of Blaine, Fergus, Golden Valley, Stillwater, and Carbon Counties, or points in the involved Montana Counties, and points in Minnesota, North Dakota or South Dakota.

No. MC 110149 (Sub-No. E29) filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. 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 Texas on, south and west of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 180 to junction U.S. Highway 87, thence along U.S. Highway 87 to the Gulf of Mexico (except points in El Paso and Hudspeth Counties), on the one hand, and, on the other, points in Arizona, California, Nevada and Utah. The purpose of this filing is to eliminate the gateway of points in Eddy County, N. Mex.

No. MC 110149 (Sub-No. E30), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528. 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 California, Nevada, Utah, and points in Arizona on and west of a line beginning at the Arizona-New Mexico State line extending along U.S. Highway 160 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Interstate Highway 17, thence along Interstate Highway 17 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Arizona Highway 85, thence along Arizona Highway 85 to the United States-Mexico International Boundary line, on the one hand, and, on the other, points in Otero County, N. Mex. The purpose of this filing is to eliminate the gateway of points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex.

No. MC 110149 (Sub-No. E31), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. 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 that part of California in and north of Mono, Fresno, and Monterey Counties, points in Nevada (except points in Clark, Lincoln, Nye and Esmeralda Counties), points in that part of Utah in and north of Millard, Sevier and Carbon Counties, on the one hand, and, on the other, points in Dona Ana and Otero Counties, N. Mex. The purpose of this filing is to eliminate the gateway of points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex.

No. MC 110149 (Sub-No. E32) filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. 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 California on, north and west of a line beginning at the California-Oregon State line extending along U.S. Highway 97 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 299, thence along California Highway 299 to junction U.S. Highway 101, thence along U.S. Highway 101 to Eureka and the Pacific Ocean, on the one hand, and, on the other, points in Colfax, Union, Hardin, Mora, San Miguel, Santa Fe, Guadalupe, Torrance, and Bernalillo Counties, N. Mex. The purpose of this filing is to eliminate the gateway of points in Lea, Eddy, Chaves, Roosevelt, Curry and Quay Counties, N. Mex.

No. MC 110149 (Sub-No. E33), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison NY 10528. 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 El Paso and Hudspeth Counties, Tex., on the one hand, and, on the other, points in California (except points in Imperial, Inyo, Riverside, San Bernardino and San Diego Counties), points in Nevada on and north of a line beginning at the Nevada-California State line extending along U.S. Highway 6 to junction Nevada Highway 25, thence along Nevada Highway 25 to the Nevada-Utah State line, and points in Utah on and north of a line beginning at the Utah-Nevada State line extending along Utah Highway 56 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Utah Highway 20, thence along Utah Highway 20 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Utah-Colorado State line. The purpose of this filing is to eliminate the gateway of points in Chaves County, N. Mex.

No. MC 110149 (Sub-No. E34), filed May 30, 1974. Applicant: PAN AMERICAN VAN LINES, INC., P.O. Box 923, Long Beach, Calif. 90801. Applicant's representative: Edward M. Alfano, 550 Mamaroneck Ave., Harrison, NY 10528. 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 Kansas, Nebraska, Oklahoma, South Dakota, and that part of Colorado on and east of U.S. Highway 85, that part of Texas on and east of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 87 to junction U.S. Highway 277, thence along U.S. Highway 277 to the United States-Mexico International Boundary, on the one hand, and, on the other, points in Idaho in and north of Idaho County. The purpose of this filing is to eliminate the gateway of points in that part of Montana in and west of Blaine, Fergus, Golden Valley, Stillwater, and Carbon Counties, or points in the involved Montana Counties and points in North Dakota, South Dakota or Minnesota.

No. MC 112595 (Sub-No. E25) filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Ironton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dall (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases and natural gasoline*, in bulk, in tank vehicles, from points in Ohio in the area north and west of a line beginning at the Ohio-West Virginia State line at Bridgeport, Ohio and extending along U.S. Highway 40 to Cambridge, Ohio, thence along U.S. Highway 77 to its junction with Ohio Highway 78, thence along Ohio Highway 78 to its junction with Ohio Highway 13 (near Glouster, Ohio), thence along Ohio Highway 13 to Athens, Ohio, thence along U.S. Highway 33 to the Ohio-West Virginia State line (near Pomeroy, Ohio), and east of a line extending north and west from the Ohio-Indiana State line along Ohio Highway 73 to Hillsboro, Ohio, thence along Ohio Highway 72 to Springfield, Ohio, thence along U.S. Highway 68 to its junction with U.S. Highway 33 (near Bellefontaine, Ohio), thence along U.S. Highway 33 to the Ohio-Indiana State line (near Wilshire, Ohio), to points in Tennessee on and east of U.S. Highway 27. The purpose of this filing is to eliminate the gateways of Ashland, Ky., and the site of the plant of the Columbia Hydrocarbon Corporation at or near Siloan, Ky.

No. MC 112595 (Sub-No. E126) filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Ironton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dall (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, which is a liquid petroleum product, in bulk, in

tank vehicles, from points in Kentucky on, east and south of a line beginning at the Ohio-Kentucky State line at Wurtland, Ky., and extending along Kentucky Highway 1 to Grayson, Ky., thence along Kentucky Highway 7 to West Liberty, Ky., thence along U.S. Highway 460 to Marietta, Ky., thence along Kentucky Highway 77 to Kentucky Highway 715, thence along Kentucky Highway 715 to Torrent, Ky., thence along Kentucky Highway 11 to Gausdale, Ky., thence along Kentucky Highway 92 to Williamsburg, Ky., thence along U.S. Highway 25W to the Tennessee-Kentucky State line near Jellico, Tenn., to points in Michigan. The purpose of this filing is to eliminate the gateways of Van Wert, Ohio and Ashland, Ky.

No. MC 112595 (Sub-No. E127) filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail, (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, which is a liquid petroleum product, in bulk, in tank vehicles, from points in Kentucky east of U.S. Highway 31W and west of a line beginning at the Kentucky-Tennessee State line to its junction with U.S. Highway 25W near Jellico, Tenn., thence along U.S. Highway 25W to Corbin, Ky., thence along U.S. Highway 25 to Lexington, Ky., thence along U.S. Highway 27 to Cynthiana, Ky., thence along Kentucky Highway 19 to the Ohio-Kentucky State line at Augusta, Ky., to points in Michigan on, east and north of a line beginning at Holland, Mich., and extending along Michigan Highway 40 to Allegan, Mich., thence along Michigan Highway 89 to junction U.S. Highway 131, thence along U.S. Highway 131 to the Indiana-Michigan State line. The purpose of this filing is to eliminate the gateway of Van Wert, Ohio.

No. MC 112595 (Sub-No. E130) filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter D. Dail, (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, which is a liquid petroleum product, in bulk, in tank vehicles, from points in West Virginia in the area bounded on the north by a line extending east from the Ohio-West Virginia State line at Wheeling, W. Va., thence along U.S. Highway 40 to the Ohio-Pennsylvania State line, and on the south by a line extending west from the West Virginia-Maryland State line along U.S. Highway 219 to Elkins, W. Va., thence along U.S. Highway 33 to the Ohio-West Virginia State line at Mason, W. Va., to points in Indiana on and west of a line beginning at the Michigan-Indiana State line and extending along U.S. Highway 31 to South Bend, Ind., thence along Indiana Highway 23 to

Grovertown, Ind., thence along U.S. Highway 30 to Wanatah, Ind., thence along U.S. Highway 421 to Reynolds, Ind., thence along U.S. Highway 24 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateways of Marietta, Ohio and Van Wert, Ohio.

No. MC 112595 (Sub-No. E131), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail, (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, which is a liquid petroleum product, in bulk, in tank vehicles, from points in West Virginia on and south of a line beginning at the Ohio-West Virginia State line at New Martinsville, W. Va., and extending along West Virginia Highway 7 to the West Virginia-Maryland State line and on, north and west of a line beginning at the Maryland-West Virginia State line near Breedlove, W. Va., and extending along U.S. Highway 219 to Marlinton, W. Va., thence along West Virginia Highway 39 to Gauley Bridge, W. Va., thence along U.S. Highway 60 to Charleston, W. Va., thence along U.S. Highway 35 to the West Virginia-Ohio State line at Henderson, W. Va., to points in Indiana on and north of a line beginning at the Ohio-Indiana State line near Ft. Recovery, Ohio and extending along Indiana Highway 26 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateways of Van Wert, Ohio and Marietta, Ohio.

No. MC 112595 (Sub-No. E138), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid petroleum asphalt*, in bulk, in tank vehicles, from points in Kentucky on and east of U.S. Highway 31W and south of U.S. Highway 60, to points in West Virginia north of a line beginning at the Ohio-West Virginia State line at Parkersburg, W. Va., and extending along U.S. Highway 50 to Grafton, W. Va., thence along U.S. Highway 250 to Elkins, W. Va., thence along U.S. Highway 33 to the West Virginia-Virginia State line east of Brandywine, W. Va. The purpose of this filing is to eliminate the gateways of Iron-ton, Ohio, or Marietta, Ohio, and points in Ohio within 10 miles thereof, and Leach or Catlettsburg, Ky.

No. MC 112595 (Sub-No. E139) filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail, (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, and *liquid petroleum* (except petro-chemicals), in bulk, in tank vehicles, (a) from points

in Kentucky in the area bounded on the west by a line beginning at the Ohio-Indiana State line near Louisville, Ky., and extending along U.S. Highway 31W to the Kentucky-Tennessee State line, thence along the Kentucky-Tennessee State line to the Kentucky-Virginia State line, thence along the Kentucky-Virginia State line to the Kentucky-West Virginia State line, thence along the Kentucky-West Virginia State line to the Kentucky-Ohio State line, thence along the Kentucky-Ohio State line to Vanceburg, Ky., thence along Kentucky Highway 59 to Olive Hill, Ky., thence along U.S. Highway 60 to Mt. Sterling, Ky., thence along U.S. Highway 460 to Louisville, Ky., to points in Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania; and (b) from points in Kentucky on and west of a line beginning at the Kentucky-Ohio State line at Mentor, Ky., and extending along Kentucky Highway 10 to junction Kentucky Highway 159, thence along Kentucky Highway 159 to Falmouth, Ky., thence along U.S. Highway 27 to Lexington, Ky., thence along U.S. Highway 60 to Elizabethtown, Ky., thence along U.S. Highway 31W to the Ohio-Indiana State line at Louisville, Ky., to points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateways of (a) Iron-ton, Ohio and Congo, W. Va., and (b) Congo, W. Va., and Hamilton County, Ohio.

No. MC 112595 (Sub-No. E143), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid Petroleum products* (except petro-chemicals), in bulk, in tank vehicles, (a) from points in Ohio on, west and south of a line beginning at the Ohio-Indiana State line at Union City, Ohio and extending along Ohio Highway 571 to Greenville, Ohio, thence along U.S. Highway 36 to Marysville, Ohio, thence along Ohio Highway 38 to Washington Court House, Ohio, thence along U.S. Highway 35 to Jackson, Ohio, thence along Ohio Highway 93 to Iron-ton, Ohio, thence along U.S. Highway 52 to the Kentucky-Ohio State line at Coal Grove, Ohio, to points in Connecticut, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, and those points in New York and Pennsylvania on and east of a line beginning at the United States-Canadian Boundary near Wellesley, N.Y., and extending along U.S. Highway 81 to Wilkes Barre, Pa., thence along the Pennsylvania Turnpike extension to Plymouth Meeting, Pa., thence along U.S. Highway 422 to the Pennsylvania-New Jersey State line at Philadelphia, Pa., and (b) from points in Ohio on, west and south of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to Co-

lumbus, Ohio, thence along U.S. Highway 62 to the Ohio-Kentucky State line at Ripley, Ohio, to points in New York and Pennsylvania on and east of a line beginning at Lake Ontario near Pulaski, N.Y., and extending along New York Highway 13 to Elmira, N.Y., thence along New York Highway 17 to Waverly, N.Y., thence along U.S. Highway 220 to Dushore, Pa., thence along Pennsylvania Highway 487 to Red Rock, Pa., thence along Pennsylvania Highway 118 to Dallas, Pa., thence along Pennsylvania Highway 399 to Wilkes Barre, Pa., thence along the Pennsylvania Turnpike Extension to Pilgrim Meeting, Pa., thence along U.S. Highway 422 to the Pennsylvania-New Jersey State line at Philadelphia, Pa. The purpose of this filing is to eliminate the gateways of Marietta, Ohio and Congo, W. Va.

No. MC 112595 (Sub-No. E144), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products* (except petrochemicals) in bulk, in tank vehicles, (a) from points in Ohio on and south of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to Summerford, Ohio, thence along Ohio Highway 56 to Athens, Ohio, thence along U.S. Highway 50 to the Ohio-West Virginia State line at Belpre, Ohio, to points in Delaware, and (b) from points in Ohio on and south of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to Delphos, Ohio, thence along U.S. Highway 30S to Lima, Ohio, thence along Ohio Highway 117 to Huntsville, Ohio, thence along U.S. Highway 33 to the Ohio-West Virginia State line at Pomeroy, Ohio, to points in Delaware on and south of Delaware Highway 6. The purpose of this filing is to eliminate the gateways of Marietta, Ohio and Congo, W. Va.

No. MC 112595 (Sub-No. E163), filed April 11, 1974. Applicant: FORD BROTHERS, INC., P.O. Box 727, Iron-ton (Coal Grove), Ohio 45638. Applicant's representative: Walter S. Dail (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid petroleum asphalt*, in bulk, in tank vehicles, from points in Ohio, within an area bounded by a line beginning at the Ohio-Michigan State line north of Toledo, Ohio and extending south along U.S. Highway 23 to Delaware, Ohio, thence along U.S. Highway 36 to Coshocton, Ohio, thence along Ohio Highway 83 to Wooster, Ohio, thence along U.S. Highway 42 to Cleveland, Ohio, to points in West Virginia on and south of a line beginning at the Ohio-West Virginia State line at New Martinsville W. Va., and extending along West Virginia Highway 20 to Clarksburg, W. Va., thence along U.S. Highway 50 to the Virginia-West Virginia State line east of Capon

Bridge, W. Va., and east of a line beginning at Bluefield, W. Va., and extending along U.S. Highway 21 to the West Virginia-Ohio State line at Parkersburg, W. Va. The purpose of this filing is to eliminate the gateway of Marietta, Ohio.

No. MC 113459 (Sub-No. E114), filed May 14, 1975. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (Same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, except in connection with main or trunk pipelines, and *machinery, equipment, materials and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines, except in connection with main or trunk pipelines, between points in Nebraska, on the one hand, and, on the other, points in Wyoming. The purpose of this filing is to eliminate the gateways of points in Nebraska, west of U.S. Highway 83 or Colorado, east of U.S. Highway 87 and points in Wyoming on and east of a line beginning at the Colorado-Wyoming State line, and extending along U.S. Highway 287 through Laramie, Wyo., to Bosler, Wyo., thence along Wyoming Highway 34 to junction U.S. Highway 87, about 7 miles south of Wheatland, Wyo., thence along U.S. Highway 87 through Wheatland and Orin, Wyo., to Douglas, Wyo., thence along Wyoming Highway 59 through Bill and Verse, Wyo., to Gillette, Wyo., and thence along U.S. Highway 14 through Moorecroft, Sundance and Beulah, Wyo., to the Wyoming-South Dakota State line, and Casper, Wyo.

No. MC 113855 (Sub E143), filed May 31, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road, SE., Rochester, Minnesota 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *hay balers*, (2) *irrigation sprinklers and winches* designed for use with irrigation sprinklers, (3) *stump-cutting, cable-laying, trench-digging, trench-backfilling and tree-moving equipment*, (4) *parts for the commodities in (1), (2), and (3) and attachments for the commodities in (2) and (3)*, when moving in connection therewith, (5) *trailers designed to transport commodities in (2) and (3)*, restricted in (1), (2), (3), and (5) above to the transportation of commodities which because of size or weight require the use of special equipment, and (6) *Self-propelled hay balers and stump-cutting, cable-laying, trench-digging, trench-backfilling and tree-moving*

equipment, each weighing 15,000 pounds or more, and related parts and supplies moving in connection therewith, (A) from points in Montana to points in Arkansas, Louisiana, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, Vermont, New Hampshire, and Maine. (B) from points in Wyoming on and north of U.S. Highway 20 to points in Arkansas and points in Louisiana on and east of a line beginning at the Louisiana-Arkansas State line and extending along U.S. Highway 167 to junction Lafayette-Acadia County line, to junction Iberia-Vermillion County line to the Gulf of Mexico. (C) from points in Wyoming on and north of U.S. Highway 16, to points in Louisiana. (D) from points in Wyoming to points in Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, Vermont, New Hampshire, and Maine. (points in South Dakota east of the Missouri River or on and east of South Dakota Highway 73 (except Madison and points within 25 miles thereof) and Pella, Iowa) * II. (1) *hay balers and parts*, and (2) *stump-cutting, cable-laying, trench-digging, trench-backfilling, and tree-moving equipment and parts and attachments* therefor, restricted to transportation in foreign commerce, from the port of entry on the United States-Canada International Boundary line at Portal, N. D. (Pella, Iowa) * The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub E170), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 502 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *street sweeping machines* (except those which because of size or weight require the use of special equipment), in flat bed trailers, (1) from points in Arizona to points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Delaware, Michigan, Pennsylvania, Wisconsin, District of Columbia, and those points in Ohio and Indiana on and north of U.S. Highway 30. (2) from points in Arizona in and west of Coconino, Yavapai, Maricopa and Yuma counties, to points in Ohio south of U.S. Highway 30 (except in and south of Preble, Montgomery, Greene, Clinton, Highland, Pike, Scioto and Lawrence counties), points in Virginia on, north and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 301, to junction U.S. Highway 460, to junction Virginia Highway 32, to the Virginia-North Carolina State line, and points in West Virginia, on and north of U.S. Highway 33. (3) from points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Delaware, Michigan (except Battle Creek and Benton Harbor), and points in Indiana on and north of U.S. Highway 30 (ex-

cept Hammond, Whiting, Gary, and East Chicago), to points in Arizona. (4) from points in Virginia on, north and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 301, to junction U.S. Highway 460 to junction Virginia Highway 32 to the Virginia-North Carolina State line, to points in Arizona in and west of Coconino, Yavapai, Maricopa and Yuma counties. (Minneapolis, Minn.)*

(B) *Road construction machinery and equipment*, as defined by the Commission, and *lift trucks*, (except commodities which because of size or weight require the use of special equipment), in flat bed trailers, (1) from points in Arizona to points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Delaware, Michigan, and points in Indiana on and north of U.S. Highway 30, (2) from points in Arizona in and west of Coconino, Yavapai, Maricopa and Yuma counties, points in Virginia, on, north and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 301, to junction U.S. Highway 460, to junction Virginia Highway 32, to the Virginia-North Carolina State line, (3) from points in Maine, Vermont, New Hampshire, New York, Massachusetts, Connecticut, Rhode Island, Delaware, Michigan (except Battle Creek and Benton Harbor), and points in Indiana on and north of U.S. Highway 30 (except Hammond, Whiting, East Chicago and Gary), to points in Arizona. (4) from points in Virginia, on, north and east of a line beginning at the Virginia-West Virginia State line and extending along U.S. Highway 60 to junction U.S. Highway 301, to junction U.S. Highway 460, to junction Virginia Highway 32, to the Virginia-North Carolina State line, to points in Arizona in and west of Coconino, Yavapai, Maricopa and Yuma Counties. (Minneapolis-St. Paul, Minn., or points within 15 miles thereof)* (c) *road construction machinery and equipment*, as defined by the Commission, and *lift trucks*, in flat bed trailers, which require the use of special equipment, restricted so that, or provide that, the loading and/or unloading, which necessitates the special equipment, is performed by the consignor or consignee, or both, from points in Arizona to points in Wisconsin and points in Illinois on and north of U.S. Highway 6. (Minneapolis-St. Paul, Minn., or points within 15 miles thereof.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113855 (Sub E173), filed May 30, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Michael E. Miller, 520 First Nat'l Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *road construction machinery and equipment*, as defined by

the Commission and *lift trucks*, in flat bed trailer only, which require special equipment, restricted so that, or provide that, the loading and/or unloading, which necessitates the special equipment, is performed by the consignor or consignee, or both, between points in Nebraska, on the one hand, and, on the other, points in Maine, Vermont and New Hampshire (points in Minnesota within 50 miles thereof).* (B) (1) *Road construction equipment and machinery*, and *lift trucks*, which because of size or weight require the use of special equipment, and (2) *self-propelled articles* described in (1) above, which do not require special equipment, each weighting 15,000 pounds or more, restricted to commodities transported on trailers, from points in Nebraska to points in Maine, Vermont and New Hampshire (points in Minnesota within 50 miles of Sioux Falls, S.D., and Minneapolis-St. Paul, Minn., or points within 15 miles thereof).* (C) (1) *Street sweeping machines* (except those which because of size or weight require the use of special equipment), in flat bed trailers only, from points in Maine, Vermont and New Hampshire to points in Nebraska. (Minneapolis, Minn.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 114552 (Sub E55), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials* (except in bulk), from points in Virginia, on and south of a line commencing at the James River, and extending along Virginia Highway 31 to junction Virginia Highway 10, thence along Virginia Highway 40, thence along U.S. Highway 460, thence along U.S. Highway 301, to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, to points in Ohio, on and west of a line commencing at the Ohio-Michigan State line, and extending along Interstate Highway 75 to its intersection with U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Ohio-Kentucky State line. The purpose of this filing is to eliminate the gateway of the facilities of Celotex Corp., in Wayne County, North Carolina.

No. MC 114552 (Sub E56), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials* (except in bulk), from points in Virginia, on and south of a line commencing at the James River, and extending along Virginia Highway 31 to junction Virginia Highway 10, thence along Virginia Highway 40, thence along U.S. Highway 460, thence along U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, to points in Indiana. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E57), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials* (except in bulk), from points in Virginia, on and south of a line commencing at the James River, and extending along Virginia Highway 31 to junction Virginia Highway 10, thence along Virginia Highway 40, thence along U.S. Highway 460, thence along U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, to points in Kentucky. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, North Carolina.

No. MC 114552 (Sub E58), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials* (except in bulk), from points in Virginia, on and south of a line commencing at the James River and extending along Virginia Highway 31 to junction Virginia Highway 10, thence along Virginia Highway 40, thence along U.S. Highway 460, thence along U.S. Highway 460, thence along U.S. Highway 460

to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, to points in Illinois. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, North Carolina.

No. MC 114552 (Sub E 59), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-North Carolina State line, and extending along Interstate Highway 85 to junction Virginia Highway 138, thence along Virginia Highway 138 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction U.S. Highway 360, thence along U.S. Highway 360 to the Chesapeake Bay, to points in Illinois, on and south of a line commencing at the Illinois-Kentucky State line, thence extending along Illinois Highway 13 to junction Illinois Highway 3, thence along Illinois Highway 3 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E 61), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along Virginia Highway 259 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in Arkansas, on and west of a line beginning at the Arkansas-Missouri State line, thence extending along Arkansas Highway 9 to junction Arkansas Highway 69, thence along Arkansas Highway 69 to junction Arkansas Highway*

14, thence along Arkansas Highway 14 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 55, thence along Interstate Highway 55 to the Arkansas-Tennessee State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne, N.C.

No. MC 114552 (Sub E 62), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-District of Columbia line, and extending along Interstate Highway 95 to junction U.S. Highway 360, thence along U.S. Highway 360 to junction Virginia Highway 49, thence along Virginia Highway 49 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction Virginia Highway 46, thence along Virginia Highway 46 to the Virginia-North Carolina State line, to points in Tennessee, on and west of Tennessee Highway 13. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E 63), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and south of a line commencing at the James River, and extending along Virginia Highway 36 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction Virginia Highway 138, thence along Virginia Highway 138 to junction Interstate Highway 85, thence along Interstate Highway 85 to the Virginia-North Carolina State line, to points in Tennessee, on and west of a line commencing at the Tennessee-Kentucky State line, and extending along Interstate Highway 65 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Tennessee-Georgia State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E 64), filed August 27, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along Virginia Highway 259 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in Mississippi. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E 65), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along U.S. Highway 250 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in Louisiana. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E 66), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line*

and extending along U.S. Highway 60 to junction U.S. Highway 501, thence along U.S. Highway 501 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Virginia-North Carolina State line, to points in Florida. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E67), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along Virginia Highway 311 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Virginia-North Carolina State line, to points in Florida, on and east of a line commencing at the Georgia-Florida State line, and extending along U.S. Highway 221 to junction Florida Highway 361A, thence along Florida Highway 361A to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E68), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along U.S. Highway 250 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 521, thence along U.S. Highway 521 to junction U.S. Highway 301, thence along U.S. Highway 301 to the South Carolina-Georgia State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E69), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along Virginia Highway 55 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction Virginia Highway 609, thence along Virginia Highway 609 to junction Virginia Highway 614, thence along Virginia Highway 614 to junction Virginia Highway 625, thence along Virginia Highway 625 to junction Virginia Highway 46, thence along Virginia Highway 46 to the Virginia-North Carolina State line, to points in Georgia. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E70), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along U.S. Highway 50 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in Georgia on and south of a line commencing at the Georgia-South Carolina State line, and extending along U.S. Highway 301 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Georgia-Alabama State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E71), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and north of a line commencing at the Virginia-West Virginia State line and extending along U.S. Highway 33 to junction Virginia Highway 22, thence along Virginia Highway 22 to junction Virginia Highway 618, thence along Virginia Highway 618 to junction Virginia Highway 715, thence along Virginia Highway 715 to junction Virginia Highway 739, thence along Virginia Highway 739 to junction Virginia Highway 684, thence along Virginia Highway 684 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction Virginia Highway 30, thence along Virginia Highway 30 to junction Virginia Highway 33, thence along Virginia Highway 33 to the Chesapeake Bay, to points in Alabama, on and south of U.S. Highway 278. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

thane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-North Carolina State line, and extending along Interstate Highway 85 to junction Virginia Highway 138, thence along Virginia Highway 138 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 36, thence along Virginia Highway 36 to junction Virginia Highway 10, thence along Virginia Highway 10 to junction Virginia Highway 31, thence along Virginia Highway 31 to the James River, to points in Alabama. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E72), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and north of a line commencing at the Virginia-West Virginia State line and extending along U.S. Highway 33 to junction Virginia Highway 22, thence along Virginia Highway 22 to junction Virginia Highway 618, thence along Virginia Highway 618 to junction Virginia Highway 715, thence along Virginia Highway 715 to junction Virginia Highway 739, thence along Virginia Highway 739 to junction Virginia Highway 684, thence along Virginia Highway 684 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction Virginia Highway 30, thence along Virginia Highway 30 to junction Virginia Highway 33, thence along Virginia Highway 33 to the Chesapeake Bay, to points in Alabama, on and south of U.S. Highway 278. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

No. MC 114552 (Sub E73), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. N.W., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and north of a line commencing at the Virginia-West Virginia State line and extending along U.S. Highway 33 to junction Virginia Highway 22, thence along Virginia Highway 22 to junction Virginia Highway 618, thence along Virginia Highway 618 to junction Virginia Highway 715, thence along Virginia Highway 715 to junction Virginia Highway 739, thence along Virginia Highway 739 to junction Virginia Highway 684, thence along Virginia Highway 684 to junction U.S. Highway 1, thence along U.S. Highway 1 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction Virginia Highway 30, thence along Virginia Highway 30 to junction Virginia Highway 33, thence along Virginia Highway 33 to the Chesapeake Bay, to points in Alabama, on and south of U.S. Highway 278. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.*

are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Potomac River, thence extending along U.S. Highway 391 to junction U.S. Highway 360, thence along U.S. Highway 360 to junction Virginia Highway 49, thence along Virginia Highway 49 to junction Virginia Highway 138, thence along Virginia Highway 138 to junction Interstate Highway 85, thence along Interstate Highway 85 to the Virginia-North Carolina State line, to points in Alabama, on and south of a line commencing at the Alabama-Tennessee State line, and extending along Interstate Highway 65 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Alabama-Georgia State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E74), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in Virginia, on and east of a line commencing at the Virginia-West Virginia State line, and extending along U.S. Highway 250 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line, to points in Alabama, on and south of a line commencing at the Alabama-Georgia State line, and extending along Interstate Highway 85 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Alabama Highway 21, thence along Alabama Highway 21 to junction Alabama Highway 28, thence along Alabama Highway 28 to junction Alabama Highway 10, thence along Alabama Highway 10 to the Alabama-Mississippi State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E75), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribu-

tion of roofing and roofing materials (except in bulk), from points in South Carolina to points in New Jersey and Delaware. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E76), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina to points in Pennsylvania on and east of a line commencing at the Pennsylvania-New York State line and extending along U.S. Highway 62 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 321, thence along Pennsylvania Highway 321 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction Pennsylvania Highway 153, thence along Pennsylvania Highway 153 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 350, thence along Pennsylvania Highway 350 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 522, thence along U.S. Highway 522 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114522 (Sub-No. E77), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina on and east of U.S. Highway 321 to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E78), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roof-

ing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Louisiana, on and west of a line commencing at the Louisiana-Arkansas State line, and extending along U.S. Highway 167 to junction Louisiana Highway 82, thence along Louisiana Highway 82 to junction Louisiana Highway 333, thence along Louisiana Highway 333 to the Vermillion Bay. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E79), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Arkansas. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E80), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Kentucky, on, north, and west of a line commencing at the Kentucky-West Virginia State line, and extending along Interstate Highway 64 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Kentucky Highway 84, thence along Kentucky Highway 84 to junction U.S. Highway 31-E, thence along U.S. Highway 31-E to junction Kentucky Highway

88, thence along Kentucky Highway 88 to junction Interstate Highway 65, thence along Interstate Highway 65 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E81), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Illinois. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E82), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction South Carolina Highway 261, thence along South Carolina Highway 513, thence along South Carolina Highway 41, thence along South Carolina Highway 41 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction South Carolina Highway 700, thence along South Carolina Highway 700 to the Atlantic Ocean, to points in Illinois, on and north of a line commencing at the Illinois-Indiana State line and extending along U.S. Highway 24 to junction Interstate Highway 74, thence along Interstate Highway 74 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Illinois-Iowa State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E83), filed August 18, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along Interstate Highway 95 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Atlantic Ocean, to points in Illinois, on and north of a line commencing at the Illinois-Indiana State line, and extending along U.S. Highway 150 to junction Illinois Highway 16, thence along Illinois Highway 16 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp. in Wayne County, N.C.

No. MC 114552 (Sub-No. E84), filed August 21, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Indiana. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E85), filed August 18, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)* from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line and extending along U.S. Highway 701 to junction

South Carolina Highway 261, thence along South Carolina Highway 261 to junction South Carolina Highway 513, thence along South Carolina Highway 513 to junction South Carolina Highway 41, thence along South Carolina Highway 41 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction South Carolina Highway 700, thence along South Carolina Highway 700 to the Atlantic Ocean, to points in Indiana, on and north of a line commencing at the Indiana-Ohio State line, and extending along U.S. Highway 224, to junction Indiana Highway 9, thence along Indiana Highway 9 to junction U.S. Highway 33, thence along U.S. Highway 33 to the Indiana-Michigan State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E86), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along Interstate Highway 95 to junction U.S. Highway 52, thence along junction U.S. Highway 52 to the Atlantic Ocean, to points in Indiana, on and north of a line commencing at the Indiana-Ohio State line, thence extending along Indiana Highway 38 to junction Indiana Highway 32, thence along Indiana Highway 32 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E87), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Box 385, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 17, thence along U.S. Highway 17 to the Winyah Bay, to points in Ohio. The purpose of this filing is to eliminate the gateway of the facilities

ties of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E90), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line and extending along Interstate Highway 95 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Atlantic Ocean, to points in Ohio, on and north of a line commencing at the Ohio-Pennsylvania State line, and extending along U.S. Highway 30 to junction Ohio Highway 21, thence along Ohio Highway 21 to Lake Erie. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E92), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, thence extending along Interstate Highway 95 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction South Carolina Highway 45, thence along South Carolina Highway 45 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction South Carolina Highway 63, thence along South Carolina Highway 63 to junction U.S. Highway 278, thence along U.S. Highway 278 to junction U.S. Highway 601, thence along U.S. Highway 601 to the South Carolina-Georgia State line, to points in West Virginia, on and north of U.S. Highway 33.

No. MC 114552 (Sub E93), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and*

such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk), from points in South Carolina, on and east of a line commencing at the South Carolina-North Carolina State line, and extending along U.S. Highway 701 to junction U.S. Highway 521, thence along U.S. Highway 521 to junction U.S. Highway 301, thence along U.S. Highway 301 to the South Carolina-Georgia State line, to points in Virginia on and east of a line commencing at the Virginia-West Virginia State line, and extending along U.S. Highway 250 to junction Virginia Highway 6, thence along Virginia Highway 6 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. Highway 501, thence along U.S. Highway 501 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E94), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in South Carolina, to points in Maryland, on and east of Interstate Highway 81. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E96), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in North Carolina, on and east of a line beginning at the North Carolina-Virginia State line, and extending along U.S. Highway 15 to junction Interstate Highway 85, thence along Interstate Highway 85 to junction North Carolina Highway 55, thence along North Carolina Highway 55 to junction U.S. Highway 401, thence along U.S. Highway 401 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 421, thence along U.S. Highway 421 to the Atlantic Ocean, to points in Mississippi. The purpose of this filing is to eliminate the

gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E97), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in North Carolina, on and east of a line commencing at the Virginia-North Carolina State line and extending along North Carolina Highway 62, to junction North Carolina Highway 49, thence along North Carolina Highway 49 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 421, thence along U.S. Highway 421 to junction U.S. Highway 1, thence along U.S. Highway 1 to the North Carolina-South Carolina State line, to points in Louisiana. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E98), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials (except in bulk)*, from points in North Carolina, on and east of a line commencing at the North Carolina-Virginia State line, and extending along U.S. Highway 401 to junction U.S. Highway 301, thence along U.S. Highway 301 to the North Carolina-South Carolina State line, to points in Mississippi, on and west of a line commencing at the Tennessee-Mississippi State line, and extending along U.S. Highway 45 to junction U.S. Alternate Highway 45, thence along U.S. Alternate Highway 45 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 80, thence along U.S. Highway 80 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

No. MC 114552 (Sub E99), filed August 22, 1975. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, S.C. 29108. 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 ir-

regular routes, transporting: *Gypsum and gypsum products, composition board, urethane and urethane products, and such insulation materials and roofing and roofing materials and supplies as are useful in the manufacture and distribution of roofing and roofing materials*, (except in bulk), from points in North Carolina, on and east of U.S. Highway 501, to points in Arkansas. The purpose of this filing is to eliminate the gateway of the facilities of the Celotex Corp., in Wayne County, N.C.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc. 75-27832 Filed 10-15-75; 8:45 am]

[Notice 82]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

OCTOBER 10, 1975.

The following applications are governed by Special Rule 1100 247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joiner, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d) (4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its

application have been filed, on or before December 15, 1975, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

Evidence respecting how equipment is expected to be returned to an origin point, as well as other data relating to operational feasibility (including the need for dead-head operations), must be presented as part of an applicant's initial evidentiary presentation (either at oral hearing or in its opening verified statement under the modified procedure) with respect to all applications filed on or after December 1, 1973.

If an applicant states in its initial evidentiary presentation that empty or partially empty vehicle movements will result upon a grant of its application, applicant will be expected (1) to specify the extent of such empty operations, by mileage and the number of vehicles, that would be incurred, and (2) to designate where such empty vehicle operations will be conducted.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 531 (Sub-No. 323), filed September 22, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Equilibrium catalyst*, in bulk, in tank vehicles, from the plantsite of Mobil Oil Company located at or near Beaumont, Tex., to the plantsite of Mobil Oil Company at or near Joliet, Ill.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex., or Chicago, Ill.

No. MC 1759 (Sub-No. 35) filed September 22, 1975. Applicant: FROELICH TRANSPORTATION CO., INC., Federal Road, Danbury, Conn. 06810. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a common carrier, by mo-

tor vehicle, over irregular routes, transporting: (1) *Bakery products* (except unleavened and frozen bakery products, and except commodities in bulk): (a) from Danbury, Conn., to points in New York, Massachusetts, Rhode Island, Vermont, and New Hampshire, and points in Erie County, Pa.; and (b) from Marysville, Pa., to points in New Jersey, New York, Vermont, New Hampshire, Rhode Island, Massachusetts, and Connecticut; and (2) *ingredients and supplies* (except commodities in bulk) used in the manufacture of the commodities in (1) above, from points in New York, to Danbury, Conn.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.; Harrisburg, Pa.; or New York, N.Y.

No. MC 2368 (Sub-No. 51) filed September 26, 1975. Applicant: BRALLEY-WILLETT TANK LINES, INC., 2212 Deepwater Terminal Rd., P.O. Box 495, Richmond, Va. 23204. Applicant's representative: William T. Marshburn, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vegetable oil and vegetable oil products* (except vegetable oil products which are chemicals), in bulk, in tank vehicles, from the plantsite of Cargill, Inc., at or near Fayetteville, N.C., to points in Alabama, Connecticut, Florida, Georgia, Massachusetts, New Jersey, New York, North Carolina, Tennessee, Virginia, and West Virginia; and (2) *vegetable oil*, in bulk, in tank vehicles, from the plantsites of Cargill, Inc., at or near Chesapeake, Va., and Gainesville, Ga., to the plantsite of Cargill, Inc., at or near Fayetteville, N.C.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Richmond, Va.

No. MC 2392 (Sub-No. 101) filed September 22, 1975. Applicant: WHEELER TRANSPORT SERVICE, INC., 7722 F Street, P.O. Box 14248 West Omaha Station, Omaha, Nebr. 68114. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the terminal site of Agrico Chemical Company at or near Falls City, Nebr., to points in Iowa, Missouri and Kansas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 2862 (Sub-No. 60) filed September 15, 1975. Applicant: ARROW TRANSPORTATION COMPANY OF DELAWARE, a Corporation, 3125 N.W. 35th Avenue, Portland, Oreg. 97210. Applicant's representative: Robert R. Hollis, 400 Pacific Building, Portland, Oreg. 97204. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Whitman County, Wash., to points in Washington.

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg., or Spokane, Wash.

No. MC 2900 (Sub-No. 280), filed September 19, 1975. Applicant: RYDER TRUCK LINES, INC., 2050 Kings Road, P.O. Box 2408, Jacksonville, Fla. 32200. Applicant's representative: S. E. Somers, Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Swatz, La. and Cities Service Company located at or near Swatz, La., as off-route point in connection with applicant's presently authorized regular routes.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Shreveport, La., New Orleans, La., or Washington, D.C.

No. MC 9325 (Sub-No. 70), filed September 25, 1975. Applicant: K LINES, INC., P.O. Box 1348, Lake Oswego, Oreg. 97034. Applicant's representative: Eugene A. Feise (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Granulated slag (abrasive grit), from Riddle, Oreg., to points in California, Oregon, Washington, Idaho and Nevada.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at either Portland, Oreg., or San Francisco, Calif.

No. MC 10343 (Sub-No. 30), filed September 22, 1975. Applicant: CHURCHILL TRUCK LINES, INC., U.S. Highway 36 West, Chillicothe, Mo. 64601. Applicant's representative: Frank W. Taylor, Jr., Suite 200, 1221 Baltimore Ave., Kansas City, Mo. 64105. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving the plantsite and other facilities of Minnesota Mining and Manufacturing Company at or near Knoxville, Iowa, as off-route points in connection with applicant's regular routes operations to and from Ottumwa, Iowa.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 14702 (Sub-No. 69), filed September 22, 1975. Applicant: OHIO FAST FREIGHT, INC., 3893 Market Street, N.E., Warren, Ohio 44484. Applicant's representative: Michael Spurlock, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum sheets, from plantsite and facilities of Alcan Aluminum Corporation, at South Kearney, N.J., to plantsite and facilities of Alcan Aluminum Corporation, at Indianapolis, Ind.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 29079 (Sub-No. 84), filed September 23, 1975. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Richard H. Streeter, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Heat exchangers and equalizers for air, gas or liquids; and machinery and equipment for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids; and (2) parts, materials, equipment and supplies used in the manufacture, distribution, installation, or operation of the items listed in (1) above (except in bulk), between points in Monroe, Randolph, and Perry Counties, Ill., and points in St. Clair County, Ill. on and south of a line beginning at the intersection of Illinois Highway 177 and the St. Clair County Boundary line and extending along Illinois Highway 177 to intersection Illinois Highway 158, thence along Illinois Highway 158 to intersection the St. Clair County Boundary line, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to the transportation of traffic originating at or destined to the plantsite and warehouse facilities of the Singer Company at points in Monroe, Randolph, Perry and St. Clair Counties, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Springfield, Ill., or Washington, D.C.

No. MC 35628 (Sub-No. 377) filed September 22, 1975. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 135 Grandville, S.W., Grand Rapids, Mich. 49502. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General Commodities (except household goods as defined by the Commission, Classes A and B explosives, commodities in bulk and those requiring special equipment), serving the plantsite of Onan Corporation at or near Madison, Ala., as an off-route point in connection with applicant's regular route operations.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 42487 (Sub-No. 840), filed September 25, 1975. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: E. T. Lilfert, Suite 1100, 1660 L Street, N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Charlotte, N.C. and Columbia, S.C.: From Charlotte over U.S. Highway 21 to Columbia, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 42487 (Sub-No. 841), filed September 25, 1975. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: E. T. Lilfert, Suite 1100, 1660 L Street, N.W., Washington, D.C. 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, livestock, green hides, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Stroudsburg, Pa. and Newburgh, N.Y.: From Stroudsburg over U.S. Highway 209 to junction Interstate Highway 84 near Port Jervis, N.Y., thence over Interstate Highway 84 to junction U.S. Highway 9W near Newburgh, N.Y., thence over U.S. Highway 9W to Newburgh, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations; and (2) Between Stroudsburg, Pa. and Waterbury, Conn.: From Stroudsburg over U.S. Highway 209 to junction Interstate Highway 84 near Port Jervis, N.Y., thence over Interstate Highway 84 to Waterbury, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 50069 (Sub-No. 503), filed September 24, 1975. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, a corporation, 445 Earlwood Avenue, Oregon, Ohio 43616. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Hot roofing asphalt, in bulk, in tank vehicles, from Hazlewood, Mo., to points in Illinois and Kentucky.

NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 52460 (Sub-No. 178), filed September 22, 1975. Applicant: ELLEX

TRANSPORTATION INC., 1420 West 35th Street, P.O. Box 9637, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising material and empty containers returned, from the Pabst Brewing Co. facility near Perry, Ga., to points in Texas.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Houston, Tex.

No. MC 56244 (Sub-No. 39), filed September 25, 1975. Applicant: KUHN TRANSPORTATION COMPANY, INC., P.O. Box 98, R.D. #2, Gardners, Pa. 17324. Applicant's representative: John M. Musselman, 410 North Third Street, P.O. Box 1149, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs (except frozen), and materials, supplies and equipment used in the production, distribution or sale of foodstuffs, between the plantsites and warehouses of California Canners and Growers in the township of Conewago (Adams County), Pa., on the one hand, and, on the other, points in Pennsylvania on and west of U.S. Highway 15, restricted to the transportation of traffic having a prior or subsequent movement by rail or water.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Harrisburg, Pa., or Washington, D.C.

No. MC 56244 (Sub-No. 40), filed September 26, 1975. Applicant: KUHN TRANSPORTATION COMPANY, INC., P.O. Box 98, R.D. #2, Gardners, Pa. 17324. Applicant's representative: John M. Musselman, 410 North Third Street, P.O. Box 1146, Harrisburg, Pa. 17108. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flour, in containers, from the plantsite and facilities of Fuhrer-Ford Mill Co., division of ADM Milling Co., located at Mt. Vernon, Ind., to Hershey, Pa.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Harrisburg, Pa., or Washington, D.C.

No. MC 59129 (Sub-No. 38), filed September 29, 1975. Applicant: EAZOR EXPRESS, INC., Eazor Square, Pittsburgh, Pa. 15201. Applicant's representative: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving points in Fayette, Greene and Somerset Counties, Pa. as off-route points in connection with applicant's presently authorized regular route operations to and from Pittsburgh, Pa.*

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 59531 (Sub-No. 103), filed September 22, 1975. Applicant: AUTO CONVOY CO., 3020 S. Haskell Avenue, Dallas, Tex. 75223. Applicant's representative: Walter N. Bieneman, 100 West Long Lake Road, Suite 102, Bloomfield Hills, Mich. 48013. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Motor vehicles, in secondary movements, in truckaway service, restricted to traffic having an immediately prior movement by rail or water, (1) from Houston, Tex. and Shreveport, La. to points in Texas, Oklahoma, Louisiana, Mississippi, Arkansas, Tennessee and Alabama; (2) from Tulsa, Okla., to points in Oklahoma, Texas, Arkansas, Missouri, Kansas, and Colorado; (3) from Amarillo, Tex. to points in Texas, Oklahoma, Kansas, Colorado, New Mexico and Arizona; and (4) from El Paso, Tex., to points in Texas, New Mexico, Arizona, and Colorado.*

NOTE.—Any duplicating authority shall create only one operating right. If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex. or Washington, D.C.

No. MC 61396 (Sub-No. 290), filed September 22, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions, in bulk, in tank vehicles, from the terminal site of Agrico Chemical Company, located at or near Falls City, Nebr., to points in Iowa, Missouri and Kansas.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., or Kansas City, Mo.

No. MC 61396 (Sub-No. 291), filed September 25, 1975. Applicant: HERMAN BROS. INC., 2565 St. Marys Ave., P.O. Box 189, Omaha, Nebr. 68101. Applicant's representative: John E. Smith, II (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, in bulk, in tank vehicles, from Sioux City, Iowa, to points in Union, Clay, Yankton, Turner, Bon Homme, Hutchinson, Douglas, Lincoln, Charles Mix, Gregory and Tripp Counties, S. Dak.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., or Kansas City, Mo.

No. MC 69397 (Sub-No. 17), filed September 29, 1975. Applicant: JAMES H. HARTMAN & SON, INC., P.O. Box 85, Pocomoke City, Md. 21851. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Treated and untreated piling, from Bridgeville, Del., to points in New York, New Jersey, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, and the District of Columbia.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 74321 (Sub-No. 113), filed September 22, 1975. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt making machinery, storage systems, storage silos, surge systems, control centers, heaters and equipment, parts, materials and supplies used in the construction thereof, from the plantsite of C.M.I. Systems, Inc., located at Oklahoma City, Okla., to points in the United States (except Alaska and Hawaii).*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Oklahoma City, Okla., or Dallas, Tex.

No. MC 74321 (Sub-No. 114), filed Sept. 24, 1975. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Valves and regulators, from the plantsite of Grove Valve & Regulator Company, located in Washoe County, Nev., to points in the United States including Alaska, but excluding Hawaii.*

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Reno, Nev., or Denver, Colo.

No. MC 83539 (Sub-No. 415), filed September 8, 1975. Applicant: C & H TRANSPORTATION CO., INC., 1936-2010 West Commerce Street, P.O. Box 5976, Dallas, Tex. 75222. Applicant's representative: Thomas E. James (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Cooling towers, and fluid coolers, and parts and accessories, for cooling towers and fluid cooling towers and fluid coolers, between Houston, Tex., Henderson, Ky., Tulsa, Okla., and points in Sonoma County, Calif., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and (2) materials, equipment and supplies used in the manufacture, sale and distribution of commodities in (1) above (except in bulk), between points in the United States (except Alaska and Hawaii).*

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Houston, Tex., or Washington, D.C.

No. MC 93840 (Sub-No. 21), filed September 22, 1975. Applicant: W. W. GLESS, doing business as GLESS BROS., Blue Grass, Iowa 52726. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid feed supplements, from the*

production facilities utilized by Hubbard Milling Co. at or near Durant, Iowa, to points in Illinois and points in Wisconsin on and south of U.S. Highway 18.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 96925 (Sub-No. 6), filed September 22, 1975. Applicant: JACKSONVILLE TRANSFER & STORAGE, INC., 127 Willowbranch Avenue, Jacksonville, Fla. 32205. Applicant's representative: Gregory A. Presnell, 17th Floor, CNA Building, P.O. Box 231, Orlando, Fla. 32802. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Ocala, Fla., and Tampa, Fla.: From Ocala over Florida Highway 200 to junction Interstate Highway 75, thence over Interstate Highway 75 to Tampa, and return over the same route, serving no intermediate points, but serving points in Pinellas County, Fla., and points within the Commercial Zone of Tampa as off-route points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Tampa, or Orlando, Fla.

No. MC 99625 (Sub-No. 6), filed September 25, 1975. Applicant: LUCIEN BISSON, INC., P.O. Box 262, West Bath, Maine 04530. Applicant's representative: William P. Jackson, Jr., 919 18th St. NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used household goods and unaccompanied baggage*, as defined by the Commission, from West Bath, Augusta, and Portland, Maine, to points in Maine. Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103498 (Sub-No. 45) (Amendment), filed August 18, 1975, published in the FEDERAL REGISTER issue of September 25, 1975, and republished as amended this issue. Applicant: W. D. SMITH TRUCK LINE, INC., P.O. Drawer C, De Queen, Ark. 71832. Applicant's representative: Bruce J. Kinnee (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Particleboard*, from Miami, Okla., to points in Arkansas, Tennessee, Georgia, Louisiana, Alabama, Mississippi, Missouri, Kansas, Ohio, Illinois, Texas, and Florida. Note: The purpose of this republication is to indicate that applicant seeks to transport particleboard in lieu of lumber and lumber products as previously noticed. If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La.

No. MC 104832 (Sub-No. 11), filed September 18, 1975. Applicant: HOLMAN TRANSFER COMPANY, 49 SE. Clay Street, Portland, Ore. 97214. Appli-

cant's representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, Ore. 97210. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Sugar*, dry, in bulk, from Portland, Ore., to points in Washington.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Portland, Ore.

No. MC 104896 (Sub-No. 45), filed September 24, 1975. Applicant: WOMEL-DORF, INC., P.O. Box G, Knox, Pa. 16232. Applicant's representative: James W. Patterson, 2100 The Fidelity Building, Philadelphia, Pa. 19109. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by chain retail variety stores, and materials, supplies, and equipment used in the conduct of such business, from the warehouse facilities of G. C. Murphy Company at McKeesport, Pa., to the facility of G. C. Murphy Company at Erwin (Steuben County), N.Y.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC 105045 (Sub-No. 59), filed September 18, 1975. Applicant: R. L. JEFFRIES TRUCKING CO., INC., P.O. Box 3277, Evansville, Ind. 47701. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers and equalizers* for air, gas, or liquids; and *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids, and parts, from points in Monroe, Perry, Randolph, and St. Clair Counties, Ill., to points in the United States (except Alaska and Hawaii); and (2) *parts, materials, equipment, and supplies* used in the manufacture, distribution, installation, or operation of those items named in (1) above (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii), to points in Monroe, Perry, Randolph, and St. Clair Counties, Ill., restricted to shipments originating at or destined to the plantsites, warehouses, and facilities of the Singer Company. Note: If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C., or Chicago, Ill.

No. MC 105813 (Sub-No. 205), filed August 7, 1975. Applicant: BELFORD TRUCKING CO., 3500 NW. 79th Ave., Miami, Fla. 33148. Applicant's representative: Arnold L. Burke, 180 N. La Salle St., Chicago, Ill. 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* which are at the time moving on Bills of Lading of Freight Forwarders, as defined in Section 402(a), Part IV of the Act, between New York, N.Y., and points in Rockland, Westchester, Nassau, and

Suffolk Counties, N.Y., and Bergen, Monmouth, Morris, Somerset, Hudson, Essex, Union, Passaic, Middlesex, and Mercer Counties, N.J., on the one hand, and on the other, points in Florida. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either New York, N.Y., or Miami, Fla.

No. MC 105813 (Sub-No. 208), filed September 17, 1975. Applicant: BELFORD TRUCKING CO., INC., 1759 SW. 12th Street, P.O. Box 1936, Ocala, Fla. 32670. Applicant's representative: Arnold L. Burke, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy and confectionery products*, from Frankfort, Ind., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. Note: Common control was approved in MC-F-7806. If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 106009 (Sub-No. 9), filed September 15, 1975. Applicant: CAUSTIC SODA TRANSPORTATION COMPANY, a Corporation, 792 1/2 Haywood Rd., Asheville, N.C. 28806. Applicant's representative: James N. Golding, 4 South Pack Square, P.O. Box 7316, Asheville, N.C. 28807. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Ethylene glycol*, in bulk, in tank vehicles, from Penrose, N.C., to Cedar Mountain, N.C.; and (2) *ethylene glycol, used or recovered*, suitable only for refining, from Cedar Mountain, N.C., to Penrose, N.C., on traffic having a subsequent out-of-state movement.

Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Asheville, Charlotte, or Raleigh, N.C.

No. MC 106497 (Sub-No. 123), filed September 26, 1975. Applicant: PARK-HILL TRUCK COMPANY, a Corporation, Post Office Box 912, Bus. Rte. I-44 East, Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and materials, equipment, and supplies* used in the manufacture and distribution of iron and steel articles, between points in Liberty County, Tex., on the one hand, and, on the other, points in the United States, including Alaska but excluding Hawaii, restricted to the transportation of traffic originating at or destined to points in Liberty County, Tex. Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex. or Birmingham, Ala.

No. MC 106943 (Sub-No. 117), filed September 22, 1975. Applicant: EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind. 47808. Applicant's representative: Peter M. Witham (same

address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, grain, petroleum products, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), serving the distribution center of the London Fog Division of the Londontown Corporation at Eldersburg (Carroll County), Md., as an off-route point in connection with applicant's regular route operations to and from Baltimore, Md. Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Wichita, Kans.

No. MC 108341 (Sub-No. 37), filed September 22, 1975. Applicant: MOSS TRUCKING COMPANY, INC., P.O. Box 8409, Charlotte, N.C. 28208. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts, and materials, accessories, and supplies* used in the installation, erection and construction of buildings, building panels, and building parts (except commodities in bulk), from Anville (Lebanon County), Pa., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, Kentucky, West Virginia, Virginia, Tennessee, North Carolina, and Ohio, restricted to traffic originating at the plantsite and storage facilities of Butler Manufacturing Company. Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 108631 (Sub-No. 6), filed September 12, 1975. Applicant: BOB YOUNG TRUCKING, INC., Schoenersville Road at Industrial Drive, Bethlehem, Pa. 18017. Applicant's representative: Morris Mindlin, 1509 Easton Avenue, Bethlehem, Pa. 18017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* which because of size, shape, dimension, or weight require the use of special equipment, and related parts and accessories when their transportation is incidental thereto, between the plantsites and warehouses of the Fuller Company at or near Allentown and Catasauqua (Lehigh County), Pa., on the one hand, and, on the other, piers and wharves located in (1) the Harbor of New York, N.Y., and harbors contiguous thereto as defined in 49 CFR 1070.1; (2) the Harbor of Philadelphia, Pa., and harbors contiguous thereto as defined in 49 CFR 1070.1; and (3) the Harbor of Baltimore, Md., and harbors contiguous thereto. Note: If a hearing is deemed necessary, the applicant requests it be held at Allentown, Bethlehem, Easton, or Philadelphia, Pa.

No. MC 108835 (Sub-No. 33), filed September 17, 1975. Applicant: HYMAN FREIGHTWAYS, INC., 3030 Harbor Lane, Minneapolis, Minn. 55427. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) (1) Between Knoxville, Iowa and Des Moines, Iowa: From Knoxville over Iowa Highway 5 to Des Moines, and return over the same route; (2) Between Knoxville, Iowa and Davenport, Iowa: From Knoxville over Iowa Highway 92 to junction U.S. Highway 61, thence over U.S. Highway 61 to Davenport, Iowa and return over the same route; (3) Between Knoxville, Iowa and junction Interstate Highway 35 and U.S. Highway 34 near Osceola, Iowa: From Knoxville over Iowa Highway 14 to junction U.S. Highway 34, and thence over U.S. Highway 34 via Osceola, Iowa to junction Interstate Highway 35, and return over the same route; (4) Between Knoxville, Iowa and Des Moines, Iowa: From Knoxville over Iowa Highway 14 to junction Interstate Highway 80; thence over Interstate Highway 80 to Des Moines and return over the same route; (5) Between Knoxville, Iowa and Davenport, Iowa: From Knoxville over Iowa Highway 14 to junction Interstate Highway 80, thence over Interstate Highway 80 to Davenport, and return over the same route. Restriction: Service to intermediate points on routes 1, 2, 4, and 5 above is limited to points already authorized. Service in connection with route 3 at Osceola and junction Interstate Highway 35 is limited to tacking and joining with other authorized routes with no service to intermediate points. Note: If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 109448 (Sub-No. 20), filed September 25, 1975. Applicant: PARKER TRANSFER COMPANY, a Corporation, P.O. Box 256, Elyria, Ohio 44035. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Suite 1608, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers and equalizers* for air, gas, or liquids, *machinery and equipment* for heating, cooling, conditioning, humidifying, dehumidifying, and moving of air, gas, or liquids; and (2) *parts, materials, equipment, and supplies* used in the manufacture, distribution, installation, or operation of the items described in (1) above (except in bulk), between points in Monroe, Randolph, and Perry Counties, Ill., and points in St. Clair County, Ill., on and south of a line beginning at the St. Clair County Boundary line and extending along Illinois Highway 177 to intersection Illinois Highway 158, thence along

Illinois Highway 158 to the St. Clair County Boundary line, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), restricted to the transportation of shipments originating at or destined to the plantsite and warehouse facilities of the Singer Company at points in Monroe, Randolph, Perry, and St. Clair Counties, Ill.

Note:—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC 110420 (Sub-No. 746), filed September 15, 1975. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry corn products* (except sugar), in bulk, in hopper type vehicles, from Kansas City, Mo., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 110420 (Sub-No. 747), filed September 17, 1975. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Syrup coloring, burnt sugar, caramel*, in bulk, in tank vehicles, from Louisville Ky., to Cedar Rapids, Iowa; (2) *vinegar, vinegar stock and vinegar stock concentrate*, in bulk, in tank vehicles, from Alton, Ill., Evansville, Ind., and Manitowoc, Wis., to Wichita, Kans.; and (3) *dry ammonium sulphate*, in bulk, in hopper type vehicles from Burns Harbor, Ind., to Cudahy, Wis. Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 110988 (Sub-No. 325), filed September 15, 1975. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ferrie chloride, ferrous chloride, muriatic acid*, in bulk, in tank vehicles, from the plantsite and storage facilities of K. A. Steel Chemicals, Inc., located at or near Gary, Ind., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania,

nia, Tennessee, Wisconsin, and the District of Columbia; (2) *spent muriatic acid*, in bulk, in tank vehicles, from points in Wisconsin, Michigan, and Illinois, to Gary, Ind.; and (3) *spent ferric chloride*, in bulk, in tank vehicles, from Indianapolis, Ind., to Joliet, Ill. Note: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 111274 (Sub-No. 6), filed September 19, 1975. Applicant: ELMER C. SCHMIDGALL AND BENJAMIN G. SCHMIDGALL, doing business as SCHMIDGALL TRANSFER, a Partnership, Box 249, Tremont, Ill. 61568. Applicant's representative: Frederick C. Schmidgall, 318 Lilac Lane, East Peoria, Ill. 61611. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fencing, fencing materials, farm buildings, their materials and components*, from Morton, Ill., to points in Kentucky, under a continuing contract or contracts with Morton Buildings, Inc. (formerly Interlock Fence Co.).

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or St. Louis, Mo.

No. MC 111545 (Sub-No. 215), filed September 22, 1975. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., Marietta, Ga. 30062. Applicant's representative: Robert E. Born, P.O. Box 6426, Station A, Marietta, Ga. 30062. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Air pollution control equipment, and parts thereof*, from points in Arizona, California, and Ohio, to points in the United States, including Alaska but excluding Hawaii, restricted to the transportation of traffic originating at the plants, warehouses, and shipping facilities of Industrial Clean Air, Inc. and its subcontractors. Note: If a hearing is deemed necessary, applicant requests it be held in San Francisco, Calif.

NOTE: If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 111545 (Sub-No. 216), filed September 22, 1975. Applicant: HOME TRANSPORTATION COMPANY, INC., 1425 Franklin Road SE., P.O. Box 6426, Station A, Marietta, Ga. 30060. Applicant's representative: Robert E. Born (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from points in Ellis County, Tex., to points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Tennessee, and Texas; and (2) *scrap iron and scrap steel* from points in the destination states in (1) above, to points in Ellis County, Tex. Note: If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 111729 (Sub-No. 575), filed September 17, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New

Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Television film and video tape*: (1) between Atlanta, Ga., on the one hand, and, on the other, Birmingham and Huntsville, Ala.; Augusta, Columbus and Savannah, Ga.; Baton Rouge, Lafayette and New Orleans, La.; and Jackson, Miss.; (2) between Baltimore, Md., on the one hand, and on the other Washington, D.C.; (3) between Boston, Mass., on the one hand, and, on the other Hartford, New Haven and West Hartford, Conn.; Poland Spring, Maine; and Providence, R.I.; (4) between Charlotte, N.C., on the one hand, and, on the other, Greensboro, High Point, Raleigh, Washington, and Wilmington, N.C.; Charleston, Columbia, and Spartanburg, S.C.; Norfolk, Richmond, and Roanoke, Va.; and Charleston and Huntington, W. Va.; (5) between Chicago, Ill., on the one hand, and, on the other, Peoria, Rockford, and Springfield, Ill.; Evansville, Ft. Wayne, Indianapolis, South Bend, and Terre Haute, Ind.; Sioux City, Iowa; Wichita, Kans.; Lexington, Louisville, and Paducah, Ky.; Alexandria and Duluth, Minn.; Omaha, Nebr.; Bismarck and Minot, N. Dak.; Oklahoma City, Okla.; Florence, Reliance, and Sioux Falls, S.D.; and Madison, Milwaukee, and Wausau, Wis.; (6) between Cincinnati, Ohio, on the one hand, and, on the other, Columbus and Dayton, Ohio; (7) between Cleveland, Ohio, on the one hand, and, on the other, Youngstown, and Toledo, Ohio; (8) between Dallas, Tex., on the one hand, and, on the other, Shreveport, La.; and Amarillo, El Paso, Ft. Worth, Lubbock, Midland, Waco, and Wichita Falls, Tex.

(9) Between Detroit, Mich., on the one hand, and, on the other, Cheboygan, Clio, Flint, Jackson, Kalamazoo, Lansing, Southfield, and Traverse City, Mich.; (10) between Houston, Tex., on the one hand, and, on the other, Austin, Bryan, San Antonio, and Temple, Tex.; (11) between Los Angeles, Calif., on the one hand, and, on the other, Bakersfield, Hollywood, and San Diego, Calif.; (12) between Miami, Fla., on the one hand, and, on the other, Jacksonville, Orlando, and West Palm Beach, Fla.; (13) between Philadelphia, Pa., on the one hand, and, on the other, Johnstown, Lancaster, Pittsburgh, Scranton, and York, Pa.; and Wheeling, W. Va.; (14) between St. Louis, Mo., on the one hand, and, on the other, Quincy, Ill.; and Joplin, Kansas City and Springfield, Mo.; (15) between Tampa, Fla., on the one hand, and, on the other, St. Petersburg, Fla.; (16) between San Francisco, Calif., on the one hand, and, on the other, Fresno, Sacramento, Salinas, and San Luis Obispo, Calif.; Portland, Oreg.; and Seattle and Spokane, Wash.; (17) between Phoenix, Ariz., on the one hand, and, on the other, Tucson, Ariz.; (18) between Atlanta, Ga., on the one hand, and, on the other, Chattanooga, Knoxville, Memphis, and Nashville, Tenn.;

and (19) between New York, N.Y., on the one hand, and, on the other, points in New York, restricted to the transportation of traffic having an immediately prior or subsequent movement by air.

NOTE.—Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or New York, N.Y.

No. MC 112304 (Sub-No. 102), filed Sept. 22, 1975. Applicant: ACE DORAN HAULING & RIGGING CO., a Corporation, 1601 Blue Rock Street, Cincinnati, Ohio 45223. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, building panels, building parts, and materials, accessories, and supplies*, used in the installation, erection, and construction of buildings, building panels, and building parts (except commodities in bulk), from the plantsite and storage facilities of Butler Manufacturing Company, at Annville (Lebanon County), Pa., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Kentucky, West Virginia, Virginia, Tennessee, North Carolina, Ohio, and the District of Columbia, restricted to traffic originating at the above named plantsite and storage facilities of Butler Manufacturing Company, at Annville, Pa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Harrisburg, Pa.

No. MC 112669 (Sub-No. 10), filed September 24, 1975. Applicant: FRIESEN TRUCK LINE, INC., 1207 East 2nd Street, Hutchinson, Kans. 67501. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream products, and water ice products*, from Denver, Colo., to Hutchinson, Kans.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 112713 (Sub-No. 187), filed September 15, 1975. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A & B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between St. Louis, Mo. and Memphis, Tenn.: From St. Louis over Interstate Highway 55 to Memphis, and return over the same route; and (2) between Springfield, Mo. and Memphis, Tenn.: From Springfield over U.S. Highway 60 to junction U.S. Highway 63, thence over U.S. Highway 63 to junc-

tion U.S. Highway 55, thence over U.S. Highway 55 to Memphis, and return over the same route; in (1) and (2) above, as alternate routes for operating convenience only, in connection with carrier's authorized regular routes, serving no intermediate points: Restriction: The alternate routes authorized immediately above shall not be used to transport shipments originating at points in Missouri destined to points in Tennessee, or vice versa.

NOTE.—Common control was approved in MC-P-11641. If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Kansas City, Mo.

No. MC 113024 (Sub-No. 143), filed September 11, 1975. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. No. 2, South DuPont Hwy., Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Garden and industrial hose, and materials, supplies and equipment*, used in the manufacture thereof (except commodities in bulk, and those requiring special equipment), between Wilmington, Del., and McCook, Nebr., on the one hand, and, on the other, points in Denton, Tarrant and Young Counties, Tex., under contract with Electric Hose & Rubber Company, at Wilmington, Del.

NOTE.—Applicant holds common carrier authority in MC 135046 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113959 (Sub-No. 5), filed September 29, 1975. Applicant: LEMMON TRANSPORT COMPANY, INCORPORATED, P.O. Box 580, Marion, Va. 24354. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the plantsite and storage facilities of Olin Corporation, located at or near Charleston, Tenn., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia (except points in Kanawha County), under a continuing contract with Olin Corporation.

NOTE.—Applicant holds common carrier authority in MC 107544 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 113974 (Sub-No. 52), filed September 29, 1975. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a Corporation, 211 Washington Avenue, Dravosburg, Pa. 15034. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Road building, earth moving, and construction equipment, cranes, and attachments, accessories*

and parts of such commodities, and (2) parts, materials and supplies used in the construction of the items described in (1) above, between Antrim Township (Franklin County), Pa., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C. or Harrisburg, Pa.

No. MC 114028 (Sub-No. 19), filed September 19, 1975. Applicant: ROWLEY INTERSTATE TRANSPORTATION COMPANY, INC., 1717 Maple Street, Dubuque, Iowa 52001. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, inedible skins, and pieces thereof, and commodities in bulk, in tank vehicles), from Dubuque, Iowa to points in Kansas, those points in Illinois on and north of U.S. Highway 6, those points in Indiana in the commercial zone of Chicago, Ill., and Minneapolis and St. Paul, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Des Moines, Iowa.

No. MC 114273 (Sub-No. 238), filed September 19, 1975. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, Suite 315 Commerce Exchange Bldg., 2720 First Avenue NE., P.O. Box 1943, Cedar Rapids, Iowa 52406. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, materials and supplies*, between the plantsite and facilities of Fiat-Allis Construction Machinery, Inc., at Springfield, Ill., on the one hand, and, on the other, the plantsites and facilities of Henderson Mfg. Co. at Manchester, Iowa and Henderson Metal Products, Inc. at Cedar Rapids, Iowa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114569 (Sub-No. 125), filed Sept. 22, 1975. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, Pa. 17072. Applicant's representative: Stanley C. Geist (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Motorcycles, recreational vehicles, and machines, accessories and parts*, and (2) *equipment, materials and supplies*, used in the manufacture, distribution, or sale of the commodities in (1) above, between Lincoln, Nebr., on the one hand, and on the other, points in the

United States in and west of Minnesota, Iowa, Missouri, Arkansas, and Louisiana (except California); and (B) *bicycles, accessories and parts*, from Long Beach and El Segundo, Calif., to points in the United States in and west of Minnesota, Iowa, Missouri, Arkansas, and Louisiana (except California).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Lincoln or Omaha, Nebr.

No. MC 114725 (Sub-No. 73), filed September 22, 1975. Applicant: WYNNE TRANSPORT SERVICE, INC., 2222 North 11th Street, Omaha, Nebr. 68110. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the terminal site of Agrico Chemical Company located at or near Falls City, Nebr. to points in Iowa, Missouri and Kansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 115496 (Sub-No. 37), filed September 22, 1975. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the facilities of Union Camp Corporation, located at Folkston, Higgston and Mel-drim, Ga., to points in Alabama, Mississippi, North Carolina, South Carolina, Virginia, and Shelby County, Tenn.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta or Savannah, Ga.

No. MC 115554 (Sub-No. 14), filed September 25, 1975. Applicant: SCOTT'S TRANSPORTATION SERVICE, INCORPORATED, P.O. Box 1136, 300-19th St. SE., Cedar Rapids, Iowa 52406. Applicant's representative: James R. Madler, 1255 North Sandburg Terrace, Suite 1608, Chicago, Ill. 60610. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Heat exchangers and equalizers* for air, gas or liquids; *machinery and equipment* for heating cooling, conditioning, humidifying, dehumidifying, and moving of air, gas or liquids; and (2) *parts, materials, equipment, and supplies* used in the manufacture, distribution, installation, or operation of those items named in (1) above (except in bulk), between points in Monroe, Randolph, Perry Counties, Ill. and St. Clair County, Ill. on and south of State Highways 177 and 158, on the one hand, and, on the other, points in the United States, (except Alaska and Hawaii), restricted to shipments originating at or destined to the plantsite and warehouse facilities of the Singer Company located at Monroe, Randolph, Perry and St. Clair Counties, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo., or Chicago, Ill.

No. MC 116632 (Sub-No. 18), filed September 26, 1975. Applicant: RALPH E. CURTIS & SON, INC., 123 Mt. Hope Avenue, Bangor, Maine 04401. Applicant's representative: Frederick T. McGonagle, 36 Main Street, Gorham, Maine 04038. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (a) *Lumber*, (1) from points in Aroostook and Penobscot Counties, Maine, to points in Virginia, West Virginia, North Carolina, South Carolina, Georgia, Ohio, and Michigan; (2) from Sherman and Staceyville, Maine, to points in Delaware, Maryland, and the District of Columbia; (3) from Ellsworth, Maine, to points in Delaware, Maryland, Virginia, West Virginia, and the District of Columbia; (4) from Woodland, Maine, to points in Vermont; and (5) from points in Aroostook and Penobscot Counties, Maine, to the ports of entry on the International Boundary line between the United States and Canada located in Maine (b) *wooden fencing*, from Hampden and Fort Kent, Maine, to points in Virginia, West Virginia, North Carolina, South Carolina, Georgia, Ohio, and Michigan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Maine; Augusta, Maine or Boston, Mass.

No. MC 116763 (Sub-No. 323), filed September 24, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Manufactured animal and poultry feeds and ingredients* (except in bulk), (1) from Red Bay, Ala., to points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota (except that part of Florida west of U.S. Highway 231); and (2) from Tupelo, Miss., to points in the United States in and east of Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota (except Mississippi, Indiana, Michigan, and Ohio).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Mobile, Ala.

No. MC 116763 (Sub-No. 324), filed September 24, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Common ground clay and ground soapstone* (except in bulk), from Gonzales, Palestine, and Zavalla, Tex., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Tennessee, Oklahoma, and New Jersey; and (2) *ground barites* (except in bulk), from Gonzales, Houston, and Zavalla, Tex. and Morgan City, La., to points in Alabama, Florida, Georgia,

Kentucky, Louisiana, Mississippi, Oklahoma, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 116763 (Sub-No. 325), filed September 24, 1975. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carpet and materials and supplies* used in the manufacture, installation and distribution of carpet (except in bulk), between Bristow, Okla., on the one hand, and, on the other, points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 116947 (Sub-No. 45), filed September 15, 1975. Applicant: SCOTT TRANSFER CO., INC., 920 Ashby Street, SW., Atlanta, Ga. 30310. Applicant's representative: William Addams, Suite 212-5299 Roswell Road, NE, Atlanta, Ga. 30342. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fibre cans, SU, material and supplies* incidental to the manufacture of fibre cans; can ends (aluminum, steel or tin); and *wooden pallets, platters or skids*, between Greenville, N.C., and points in Alabama, Florida, Delaware, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, South Carolina, Virginia, and West Virginia, under a continuing contract or contracts with Container Corporation of America.

NOTE.—Applicant holds common carrier authority in MC 117956 Subs 2 and 8; therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 117557 (Sub-No. 22), filed September 17, 1975. Applicant: MATSON, INC., P.O. Box 43, Cedar Rapids, Iowa 52406. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Cranes, parts, attachments and accessories*, from the plantsite of FMC Corp., Crane and Excavator Division, located at or near Bowling Green, Ky., to points in the United States (except Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington and Wyoming); and (2) *materials, equipment and supplies* used or useful in the manufacture of the above named commodities (except commodities in bulk), from points in the United States (except Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washing-

ton and Wyoming), to the plantsite of FMC Corp., Crane and Excavator Division, located at or near Bowling Green, Ky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Louisville, Ky., or Washington, D.C.

No. MC 118142 (Sub-No. 101), filed September 18, 1975. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Furniture and textile products*, from La Crosse, Kans., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Wichita, Kans.

No. MC 118159 (Sub-No. 162), filed September 18, 1975. Applicant: NATIONAL REFRIGERATED TRANSPORT, INC., P. O. Box 51366, Dawson Station, Tulsa, Okla. 74151. Applicant's representative: Neil A. DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, and products produced or distributed by manufacturers and converters of paper and paper products, from points in Little River County, Ark., to points in Colorado, Florida, Georgia, Iowa, Kansas, Minnesota, Nebraska, New Mexico, New York, North Carolina, North Dakota, Ohio, Pennsylvania, South Carolina, South Dakota, Virginia and West Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 118866 (Sub-No. 8), filed September 17, 1975. Applicant: PAUL L. ZAMBERLAN & SONS, INC., Box 15, Lewis Run, Pa. 16738. Applicant's representative: William J. Hirsch, Suite 1125, 43 Court Street, Buffalo, N.Y. 14202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Used and re-conditioned pipe*, incidental to or used in the construction, development, operation, and maintenance of water wells and facilities for the discovery, development, and production of natural gas and petroleum, from points in Cattaraugus and Allegany Counties, N.Y., and points in Allegheny, Cameron, Elk, Forest, Mercer, McKean, Potter, and Warren Counties, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia, and returned shipments in return; and (2) *new pipe*, incidental to or used in the construction, development, operation, and maintenance of water wells and facilities for the discovery, development, and production of natural gas and petroleum, from points in Erie County, N.Y.; Lorain and Youngstown, Ohio; and points in Mercer, Bea-

ver, and McKean Counties, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and West Virginia, and returned shipments in return, restricted against the transportation of pipe incidental to or used in the construction, development, operations, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum between points in McKean, Potter, Elk, Warren, Cameron, Forest, Clearfield, and Clinton Counties, Pa., on the one hand, and, on the other, points in Ohio, New York, and West Virginia, to avoid duplication of operating authority.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Buffalo, N.Y., or Pittsburgh, Pa.

No. MC 118922 (Sub-No. 15), filed September 24, 1975. Applicant: CARTER TRUCKING CO., INC., P.O. Box 126, Locust Grove, Ga. 30248. Applicant's representative: William Addams, 5299 Rosewell Road, N.E., Atlanta, Ga. 30342. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, and *materials and supplies*, used in the distribution of malt beverages, (1) from Stroh Brewery, at Detroit, Mich., to Louisville, Ky.; (2) from Miller Brewing Co., at Milwaukee, Wis., to Louisville, Ky.; (3) from Pabst Brewery, at Peoria, Ill., to Louisville, Ky.; and (4) from Pabst Brewery, at Perry, Ga., to Louisville, Ky., under contract with Dixie Beer Distributors, Inc., at Louisville, Ky.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 119344 (Sub-No. 8), filed September 17, 1975. Applicant: ELDON D. AYRES, 640 Canyon Street, Spearfish, S. Dak. 57783. Applicant's representative: J. Maurice Andren, 1734 Sheridan Lake Road, Rapid City, S. Dak. 57701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and coal by-products*, from points in Montana, North Dakota, South Dakota, Wyoming, Colorado, and Utah, to points in Colorado, Nebraska, South Dakota and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Belle Fourche, Spearfish, or Rapid City, S. Dak.

No. MC 119400 (Sub-No. 16), filed September 24, 1975. Applicant: SIMANEK, INC., 150 West 7th Street, Wahoo, Nebr. 68066. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the terminal site of Agrico Chemical Co. at or near Falls City, Nebr., to points in Iowa, Kansas and Missouri.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119489 (Sub-No. 42), filed September 25, 1975. Applicant: PAUL

ABLER, doing business as, CENTRAL TRANSPORT COMPANY, P.O. Box 249, 2500 North 13th Street, Norfolk, Nebr. 68701. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions* in bulk, in tank vehicles, from the terminal site of Agrico Chemical Company located at or near Falls City, Nebr., to points in Iowa, Missouri and Kansas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 119632 (Sub-No. 64) filed September 24, 1975. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Adhesives, building materials, carpet, gypsum and gypsum products, insulation and insulating materials, mineral fibre products, refractories, urethane and urethane products*; and (2) *materials, equipment and supplies*, used or useful in the manufacture, packaging, installation or distribution of the commodities in (1) above, between Aurora, Ill.; Huntington, Ind.; Kalamazoo, Mich.; and Alliance, Ohio, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC 119789 (Sub-No. 268), filed September 25, 1975. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr., (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toys*, from Saddle Brook, N.J., to points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex. or New York, N.Y.

No. MC 121060 (Sub-No. 36) (Amendment), filed July 31, 1975, published in the FEDERAL REGISTER issue of August 21, 1975, and republished as amended this issue. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, Ala. 35201. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials and composition board* (except in bulk), from the facilities of the Celotex Corporation located at or near Deposit, N.Y., to points in Wisconsin, Illinois, Kentucky, Tennessee, South Carolina, North Carolina, Virginia, West Virginia, Indiana, Ohio, Michigan, Maryland, Delaware, Pennsylvania, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, and New Hampshire.

NOTE.—The purpose of this republication is to add composition board to the commodity description. If a hearing is deemed necessary, the applicant requests it be held at Albany, N.Y.

No. MC 121060 (Sub-No. 39), filed September 24, 1975. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, Ala. 35201. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction materials*, from the facilities of the Celotex Corporation at or near Philadelphia, Pa., to points in Virginia, Maryland, Delaware, New Jersey, New York, West Virginia, Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa.

No. MC 121424 (Sub-No. 4), filed September 22, 1975. Applicant: DALLAS DISTRIBUTING COMPANY, INC., 400 West Main Street, Dallas, Tex. 75208. Applicant's representative: Clayte Binion, 1108 Continental Life Building, Fort Worth, Tex. 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal and scrap iron*, between points in Texas.

NOTE: If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Houston, Tex.

No. MC 123061 (Sub-No. 77) filed September 24, 1975. Applicant: LEATHAM BROTHERS, INC., 46 Orange Street, Salt Lake City, Utah 84104. Applicant's representative: Harry D. Pugsley, 315 East 2nd South, Suite 400, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bags, and bulk (except in liquid or tank vehicles), from points in Nye and Pershing Counties, Nev., to points in Washington, Oregon, Idaho and Nevada.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah, or Boise, Idaho.

No. MC 124251 (Sub-No. 36) (Correction) filed August 29, 1975, published in the FEDERAL REGISTER issue of October 2, 1975 as MC 12451 (Sub-No. 36), and republished as corrected this issue. Applicant: JACK JORDAN, INC., Highway 41 South, P.O. Box 689, Dalton, Ga. 30720.

Applicant's representative: Archie B. Culbreth, Suite 246, 1252 West Peachtree St., N.W., Atlanta, Ga. 30309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Feldspar*, in bulk, from points in Jasper County, Ga., to points in North Carolina, South Carolina and Tennessee.

NOTE: The purpose of this republication is to indicate the correct docket number assigned to this proceeding. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 124711 (Sub-No. 37) filed September 22, 1975. Applicant: BECKER CORPORATION, P.O. Box 1050, El Dorado, Kans. 67042. Applicant's representative: T. M. Brown, 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the terminal site of Agrico Chemical Company, located at or near Falls City, Nebr., to points in Iowa, Missouri and Kansas.

NOTE: Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Tulsa, or Oklahoma City, Okla.

No. MC 126276 (Sub-No. 138) filed September 19, 1975. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: James C. Hardman, 33 North LaSalle Street, Chicago, Ill. 60602. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Plastic containers*, from Lenexa, Kans., New Market, N.J., Cincinnati, Ohio, and Elk Grove, Ill., to points in the United States (except points in Alaska, Arizona, California, Hawaii, Idaho, Montana, Oregon, Nevada, New Mexico, Utah, Washington and Wyoming), under a continuing contract or contracts with Continental Can Company, Inc.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill. or Washington, D.C.

No. MC 126305 (Sub-No. 73), filed September 29, 1975. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.D. 2, Clayton, Ala. 36016. Applicant's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carpets, and equipment, materials and supplies* used or useful in the manufacture and sale of carpets (except commodities in bulk), between the plant and warehouse facilities of Columbus Mills, Inc. at or near Columbus, Ga., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga. or Birmingham, Ala.

No. MC 126904 (Sub-No. 14), filed September 18, 1975. Applicant: H. C. FARRISH TRUCK SERVICE, INC., RFD #2, Freeburg, Ill. 62243. Applicant's

representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, Mo. 63105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foundry sand—additive*, (1) from points in Boone County, Ill., to St. Louis, Mo. and points in St. Louis County, Mo.; and (2) from St. Louis, Mo. and points in St. Louis County, Mo., to Decatur and Peoria, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo., or Springfield, Ill.

No. MC 127651 (Sub-No. 29) (CORRECTION), filed August 20, 1975, published in the FEDERAL REGISTER issue of September 25, 1975, and republished as corrected this issue. Applicant: EVERETT G. ROEHL, INC., East 29th St., P.O. Box 7, Marshfield, Wis. 54449. Applicant's representative: Nancy J. Johnson, 4506 Regent St., Suite 100, Madison, Wis. 53705. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wooden doors*, from the facilities of Graham Manufacturing Corp., located at or near Marshfield, Wis., to points in Iowa, Minnesota, Ohio, Colorado, Kansas and Nebraska.

NOTE: The purpose of this republication is to delete language limiting the proposed services to specified contracting shippers. If a hearing is deemed necessary, applicant requests it be held at either Madison, Wis., or Minneapolis-St. Paul, Minn.

No. MC 127799 (Sub-No. 8), filed September 24, 1975. Applicant: LUPPES TRANSPORT COMPANY, INC., P.O. Box 101, Webster City, Iowa 50595. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from the facilities of W. R. Grace & Co., at or near Webster City, Iowa, to points in Minnesota, Nebraska and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minn.

No. MC 128205 (Sub-No. 21), filed September 26, 1975. Applicant: BULK-MATIC TRANSPORT COMPANY, a Corporation, 12000 S. Doty Avenue, Chicago, Ill. 60628. Applicant's representative: Arnold L. Burke, 180 North LaSalle Street, Chicago, Ill. 60601. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Flour*, in bags, from Chicago, Ill. and Gary, Ind., to points in Indiana, Michigan, Ohio, Wisconsin, and Illinois.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 199), filed September 8, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Non-fer-*

rous metals and alloys (including scrap metal), non-ferrous ores and non-ferrous concentrates (except commodities in bulk and except commodities which, because of size or weight, require use of special transportation equipment) between points in the United States (except the transportation of the following: (1) Non-ferrous scrap metal, from points in the United States to plant sites and storage facilities of Central Non-Ferrous, Inc. at Fort Scott, Kans. and to the plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Hernando, Miss., Carteret, N.J., St. Louis, Mo., Decatur, Ala., Cleveland, Ohio, East Morris and Chicago, Ill.; (2) recycled non-ferrous metal ingots and billets, from plant sites and storage facilities of Central Non-Ferrous, Inc. at Fort Scott, Kans. to points in the United States; (3) recycled non-ferrous metal ingots and billets, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Cleveland, Ohio, Chicago, Ill., and Carteret, N.J., to points in Maine, Vermont, New Hampshire, Mississippi, Louisiana, Minnesota, North Dakota, South Dakota, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon and Washington.

(4) Aluminum, from plant sites and storage facilities of Kaiser Aluminum, Inc. at Chalmette, La. to points in the United States (except Minnesota, Wisconsin, Illinois, Ohio and Indiana); (5) copper, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Carteret, N.J. to points in Maine, New Hampshire, Vermont, Mississippi, Louisiana, Minnesota, North Dakota, South Dakota, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon and Washington; (6) lead, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Bulck, Mo. to points in the United States; (7) zinc, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Blackwell, Okla. and Sauget, Ill. to points in Maine, Vermont, New Hampshire, Mississippi, Louisiana, Minnesota, North Dakota, South Dakota, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon and Washington; (8) molybdenum, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Climax, Henderson and Urad, Colo. to points in the United States; (9) molybdenum, from plant sites and storage facilities of American Metal Climax, Inc. and its subsidiaries at Langeloth, Pa., to points in Maine, New Hampshire, Vermont, Mississippi, Louisiana, Minnesota, North Dakota, South Dakota, Texas, New Mexico, Colorado, Wyoming, Montana, Utah, Idaho, Arizona, Nevada, California, Oregon and Washington; (10) refined copper, from facilities of American Smelting and Refining Company at Amarillo, Tex. to points in the United States; (11) aluminum, from facilities of Kaiser Aluminum and Chemical Corporation at or

near Ravenswood, W. Va., to points in the United States (except Michigan, Ohio, Indiana, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Rhode Island, Maine, Connecticut, Massachusetts, New Hampshire and Vermont); (12) recycled non-ferrous metals and non-ferrous metals, between Checotah, Okla. on the one hand, and, on the other, points in the United States.

(13) Zinc, from Corpus Christi, Tex. to points in the United States (except Idaho, Nevada, Utah, New Mexico, Wyoming, Montana, North Dakota and South Dakota); (14) Lead and lead alloys, from Glover, Mo. to points in the United States; and (15) ammonium molybdate, ammonium di-molybdate, ammonium hepta molybdate, ammonium paramolybdate, calcium molybdate, ferro-molybdenum trioxide, molybdenic oxide, molybdenic oxide briquettes, molybdenic ores, sodium molybdate, between the plant site and storage facilities of AMAX, Inc. at or near Fort Madison, Iowa, on the one hand, and, on the other, points in the United States.

NOTE: The above exceptions are necessary to avoid duplication between authority sought and that now held or which is being sought in presently pending applications. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 128273 (Sub-No. 203), filed September 19, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Aluminum building sections, panels, curtain wall units, doors and door frames, windows and window frames, molding and architectural shapes and parts and accessories*, between the plant sites and facilities of Kawneer Co., Inc. at or near Bloomsburg, Pa., Harrisburg, Va., Jonesboro, Ga., Franklin, Ind., Denison, Tex. and Visalia, Calif., on the one hand, and, on the other, points in Ohio, Michigan, Indiana, Kentucky, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Illinois, Iowa, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Arizona, Nevada, California, Oregon and Washington, restricted to traffic originating at or destined to plant sites and facilities of Kawneer Co., Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 128273 (Sub-No. 204), filed September 22, 1975. Applicant: MID-WESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, 1403 South Horton Street, Fort Scott, Kans. 66701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products, plastic products and*

aluminum foil backed with paper, from the plant sites and storage facilities used by Georgia Pacific Corporation located at or near Norwood and Cincinnati, Ohio to points in the United States (except Alaska, Hawaii and Ohio).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 128762 (Sub-No. 13), filed September 25, 1975. Applicant: P. L. LAWTON, INC., P.O. Box 325, Berwick, Pa. 18603. Applicant's representative: John M. Musselman, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Prepared foodstuffs* (except frozen and in bulk), from the facilities of Old London Foods Division of Borden Foods, Borden, Inc., located at New York, N.Y., to points in Illinois and Tennessee; (2) *Prepared foodstuffs* (except frozen and in bulk), and *advertising materials, displays, dispensing equipment, premiums and office equipment and supplies*, from Berwick, Pa., to points in Alabama, Illinois, Kentucky, Missouri and Tennessee; and (3) *Packing materials; display racks; machinery; office equipment and supplies; foodstuff ingredients* (except in bulk); *prepared foodstuffs* (except frozen and in bulk); *advertising materials; displays; dispensing equipment; and premiums*, from points in Alabama, Illinois, Kentucky, Missouri, and Tennessee, to Berwick, Pa., under a continuing contract or contracts with Wise Foods Division of Borden Foods, Borden, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa. or Washington, D.C.

No. MC 129808 (Sub-No. 15), filed September 26, 1975. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., West Highway 30, P.O. Box F, Grand Island, Nebr. 68801. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Gun shot and target practice equipment, materials and supplies*, from points in Arkansas, Oklahoma, and Missouri, to Grand Island, Nebr., under a continuing contract or contracts with Leisure Time Sports, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, or Lincoln, Nebr.

No. MC 133689 (Sub-No. 65), filed September 24, 1975. Applicant: OVERLAND EXPRESS, INC., 719 First Street, SW., New Brighton, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Glassware, glass-ceramicware, electric appliances*; and (B) *Parts and accessories*, of the commodities in (A) above (except commodities in bulk), from Greencastle, Pa., to points in Iowa, Minnesota, Nebraska, and those points in

Illinois on and north of U.S. Highway 36 (except Chicago, Ill. and points in the Chicago, Ill. Commercial Zone), and points in North Dakota and South Dakota, restricted to traffic originating at the plant site and storage facilities of Corning Glass Works, at or near Greencastle, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 134068 (Sub-No. 22), filed September 22, 1975. Applicant: KODIAK REFRIGERATED LINES, INC., 3336 E. Fruitland Ave., P.O. Box 58327, Vernon, Calif. 90058. Applicant's representative: Joseph W. Harvey, P.O. Box 1018, Denver, Colo. 80201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cleaning, washing, scouring, and polishing compounds* (except in bulk, in tank vehicles), from Watertown, Wis., to points in Arizona, Colorado, California, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 134779 (Sub-No. 9), filed September 22, 1975. Applicant: JANEVILLE AUTO TRANSPORT COMPANY, a Corporation, 1800 South Jackson Street, Janesville, Wis. 53545. Applicant's representative: Robert E. Joyner, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a common carrier, by motor vehicle over irregular routes, transporting: (A) *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 51 M.C.C. 209 and 766, in initial movements in truckaway service, from Janesville, Wis., to points in Connecticut, Delaware, District of Columbia, Maryland, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, restricted to the transportation of traffic moving from the plantsite of the General Motors Corporation in Janesville, Wis., and further restricted to traffic moving through Lordstown, Ohio; (B) *Automobiles, trucks, and buses*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in initial movements in truckaway service, from Lordstown, Ohio, to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, and Wisconsin, restricted to the transportation of traffic moving from the plantsite of the General Motors Corporation in Lordstown, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Detroit, Michigan or Washington, D.C.

No. MC 135046 (Sub-No. 11), filed September 22, 1975. Applicant: ARLINGTON J. WILLIAMS, INC., R.D. No. 2, South Du Pont Highway, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Bldg., Washington, D.C. 20005. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibre, fibre products, plastics, plastic products and insulating materials*, from Yorklyn, Del., and Kennett Square, Pa., to Addison, Ill.

NOTE.—Applicant holds contract carrier authority in MC 113024, Sub 3 and others, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 135221 (Sub-No. 1), filed September 23, 1975. Applicant: DICK SIMON TRUCKING, INC., 3700 South 4355 West, Salt Lake City, Utah 84120. Applicant's representative: Irene Warr, 430 Judge Bldg., Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Books and bindings*, (a) from the distribution center of John Wiley & Sons, Inc., at Somerset, N.J., to the distribution center of John Wiley & Sons, at Salt Lake City, Utah; and (b) from the distribution center of Prentice Hall, at West Nyack, N.Y., to the distribution center of Prentice Hall, at Salt Lake City, Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Salt Lake City, Utah.

No. MC 135797 (Sub-No. 42), filed September 17, 1975. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert, 108 Terrace Drive, Lowell, Ark. 72745. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pet foods*, from Chicago, Ill. and Hamilton, Mich., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Missouri, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia, restricted to traffic originating at the plantsite and warehouse facilities of Hi-Life Packing Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill. or Tulsa, Okla.

No. MC 136590 (Sub-No. 3), filed September 19, 1975. Applicant: MOUNTAINEER TRUCK LINE, INC., P.O. Box D960 (U.S. Highway 17), Darien, Ga. 31305. Applicant's representative: Sol H. Proctor, 1107 Blackstone Building, Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Shoes*, from Newport, N.H., to points in the United States (except Alaska and Hawaii); and (2) *Materials and supplies* used in the manufacture of shoes, from points in the United States (except Alaska and Hawaii), to Newport, N.H., under a continuing contract or contracts with Altama Delta Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jacksonville, Fla. or Savannah, Ga.

No. MC 138398 (Sub-No. 12), filed September 17, 1975. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner

Street, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tile*, from Lexington and Mt. Gilead, N.C., to points in Oklahoma, Nebraska, Missouri, Kansas, Utah, Idaho, Colorado, New Mexico, Nevada, Oregon, Texas, Arizona, California, and Washington, under a continuing contract or contracts with Mid-State Tile Company.

NOTE.—Applicant holds common carrier authority in MC 134755 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C.

No. MC 138403 (Sub-No. 1), filed September 24, 1975. Applicant: CONSOLIDATED EXPRESS, INC., 501 N. Claiborne, P.O. Box 3086, New Orleans, La. 70177. Applicant's representative: Guy H. Postell, Suite 713, 3384 Peachtree Rd., NE, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cosmetics, toilet preparations, toilet articles, and premiums*, and (2) *equipment and supplies* used in connection with the items in (1) above, from Baton Rouge, La., to points in Acadia, Allen, Ascension, Avoyelles, Beauregard, Calcasieu, Cameron, East Baton Rouge, East Feliciana, Evangeline, Iberia, Iberville, Jefferson Davis, Lafayette, Livingston, Pointe Coupee, Rapides, St. Landry, St. Martin, Vermilion, West Baton Rouge, and West Feliciana Parishes, La.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La. or Atlanta, Ga.

No. MC 138807 (Sub-No. 11), filed September 17, 1975. Applicant: ZIP TRUCKING, INC., P.O. Box 5717, Jackson, Miss. 39208. Applicant's representative: K. Edward Wolcott, 1600 First Federal Bldg., Atlanta, Ga. 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Spheres, highway marking strip, and glass beads* for blast cleaning packaged in bags, drums, and boxes, from Jackson, Miss., to points in Colorado, Montana, North Dakota, Utah, Kansas, Wyoming, South Dakota, Nebraska, and Oklahoma, under a continuing contract or contracts with Cataphote Division of Ferro Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jackson, Miss., or New Orleans, La.

No. MC 139495 (Sub-No. 93), filed September 16, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street (P.O. Box 1358), Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery, dessert preparations, and advertising materials, premiums and toys* (except commodities in bulk, in tank vehicles), from

Chicago, Ill., to Memphis, Tenn., Omaha, Nebr. and points in Missouri and Arkansas.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 94), filed September 25, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th St., P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ceramic products*, from Houston, Tex., to points in and west of Texas, Arkansas, Missouri, Illinois, Indiana, Ohio and Michigan.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139495 (Sub-No. 95), filed September 19, 1975. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kans. 67901. Applicant's representative: Herbert Alan Dubin, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toilet preparations, buffing and polishing compounds, sweetening compounds, and foodstuffs* (except commodities in bulk, in tank vehicles), (1) from the plantsite and storage facilities utilized by Alberto Culver Company at or near Melrose Park, Ill., to Reno, Nev., Atlanta, Ga., and Piscataway, N.J.; and (2) from the plantsite and storage facilities utilized by Alberto Culver Company at or near Reno, Nev., to Los Angeles and San Francisco, Calif., Portland, Oreg. and Seattle, Wash.

NOTE.—Applicant holds contract carrier authority in MC 133106 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139573 (Sub-No. 2), filed September 12, 1975. Applicant: ADRIAN VAN ZANDBERGEN, Route 2, Orange City, Iowa 51041. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural sprayers and applicators, and related parts and accessories*, from the facilities utilized by Dethmers Mfg. Co. at or near Boyden, Iowa, to points in the United States (except Alaska, Hawaii, Illinois, Indiana, Ohio, Nebraska, Missouri, Tennessee, Georgia, Texas, Oklahoma, Kansas, Minnesota, and Wisconsin); and (2) *materials and supplies* utilized in the production and manufacture of agricultural sprayers and applicators and related parts and accessories, from points in the United States (except Alaska, Hawaii, Wisconsin and Illinois), to the facilities utilized by Dethmers Mfg. Co. at or near Boyden, Iowa. Restrictions: The operations sought herein are to be performed

under a continuing contract or contracts with Dethmers Mfg. Co., and further restricted against the transportation of commodities in bulk, and against the transportation of commodities which by reason of their size and weight require special handling or equipment.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Sioux City, Iowa.

No. MC 139584 (Sub-No. 7), filed September 23, 1975. Applicant: JOHN BUSCH, an individual Box 211, Conyngham, Pa. 18219. Applicant's representative: Kenneth R. Davis, 121 S. Main St., Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing and plastic pipe fittings, malleable and cast iron pipe and pipe fittings*, from Hazle Township, Pa., to points in Virginia, Maryland, New York, New Jersey, Delaware, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139659 (Sub-No. 1), filed September 22, 1975. Applicant: BRIGHT TRUCKING, INC., First Avenue & 16th Street, P.O. Box 922, St. Cloud, Minn. 56301. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the facilities of Landy, Inc. located at Minneapolis, Minn.; Landy Packing Co. located at St. Cloud, Minn.; and Landy of Wisconsin located at Eau Claire, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Idaho, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Mexico, North Carolina, Rhode Island, South Carolina, South Dakota, Utah, Vermont, Virginia, Washington, West Virginia, and Wyoming; (2) *materials, supplies, and equipment used in the manufacture, sale, and distribution of the commodities in (1) above, from the destination territory in (1) above to the named origin facilities in (1) above, restricted to a transportation service to be performed under a continuing contract or contracts with Landy, Inc. of Minneapolis, Minn.; Landy Packing Co. of St. Cloud, Minn.; and Landy of Wisconsin of Eau Claire, Wis.*

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 139858 (Sub-No. 7), filed September 26, 1975. Applicant: AMSTAN TRUCKING, INC., 1255 Corwin Avenue, Hamilton, Ohio 45015. Applicant's representative: Chandler L. Van Orman,

704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed and advertising matter and forms, brochures, pamphlets, descriptive materials, and magazine or newspaper inserts*, from Philadelphia, Pa., to points in Arizona, California, Connecticut, Georgia, Iowa, Massachusetts, Michigan, New York, North Carolina, Texas, Washington, and Wisconsin, under Contract with Stern Majestic Press (an American Standard Company).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.; Cincinnati, Ohio; or Indianapolis, Ind.

No. MC 140370 (Sub-No. 3), filed September 26, 1975. Applicant: V. G. H. TRUCKING, INC., Highway Two East, East Grand Forks, Minn. 56721. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Suite 222, Oak Brook, Ill. 60521. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Records, 8-track tapes, and plastic articles*, (1) from Minneapolis, Minn., to Chicago, Ill.; Cleveland, Ohio; Indianapolis, Ind.; Atlanta, Ga.; Dallas, Tex.; Denver, Colo.; Seattle, Wash.; and Los Angeles, Calif.; (2) from Los Angeles, Calif., to Minneapolis, Minn. and Indianapolis, Ind.; and (3) from Indianapolis, Ind., to Atlanta, Ga.; Denver, Colo.; Seattle, Wash.; and Los Angeles, Calif., under a continuing contract or contracts with K-Tel International, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 140370 (Sub-No. 4), filed September 19, 1975. Applicant: V. G. H. TRUCKING, INC., Highway 2 East, East Grand Forks, Minn. 56721. Applicant's representative: William J. Boyd, 600 Enterprise Drive, Oak Brook, Ill. 60521. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes, cooked and diced, flaked, shredded, or sliced other than frozen*, from Grand Forks, N. Dak., to Clearfield, Utah, under a continuing contract or contracts with Pillsbury Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 140417 (Sub-No. 2), filed September 19, 1975. Applicant: JAMES E. THOMAS, doing business as THOMAS MOBILE HOME REPAIR SERVICE, 3072 Victory Drive, Columbus, Ohio 31903. Applicant's representative: C. E. Walker, P.O. Box 1085, Suite 307 First National Bank Bldg., Columbus, Ohio 31902. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes, including fixtures and parts thereof*, when transported as a component part of the mobile home, between points in Muscogee, Harris, Chattahoochee Counties, Ga.,

on the one hand, and, on the other, points in Russell, Lee, Chambers, Tallapoosa, Macon, Barbour, Bullock, and Montgomery Counties, Ala.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Columbus or Atlanta, Ga.

No. MC 140484 (Sub-No. 10), filed Sept. 26, 1975. Applicant: LESTER COGINS TRUCKING, INC., P.O. Box 69, Fort Myers, Fla. 33902. Applicant's representative: Clayton Geer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Horticultural commodities, and materials and supplies, used in the growing, shipping, or marketing of horticultural commodities (except commodities in bulk)*, between points in Illinois, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds contract carrier authority in MC 134443 Sub-1, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Tampa, Fla.

No. MC 140834 (Sub-No. 1), filed September 12, 1975. Applicant: TURNER TRANSPORTATION, INC., Route 2, South 2nd Street, Mitchell, Ind. 47446. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buses, in driveway service, between the Carpenter Body Works, Inc., at Mitchell, Ind., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii)*.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 140915 (Sub-No. 1), filed September 26, 1975. Applicant: K. W. AND WILLIE JANE MCKINNEY, doing business as QUICK SERVICE DELIVERY, 2319 Schilder, Houston, Tex. 77016. Applicant's representative: Thomas F. Sedberry, 1102 Perry-Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid refrigerants, in one ton tanks and 55 gallon drums*, (1) between Houston, Tex., on the one hand, and, on the other, points in Louisiana and Oklahoma; and (2) between Gramercy and Baton Rouge, La., on the one hand, and, on the other, points in Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Houston, Tex., or New Orleans, La.

No. MC 140998 (Sub-No. 2), filed September 19, 1975. Applicant: DALE OSBURN, INC., 5850 Pardee, Taylor, Mich. 48180. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorspar pellets, in dump vehicles, from Dearborn, Mich.,*

to the port of entry on the International Boundary line between the United States and Canada, located at Sault Ste. Marie, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, or Lansing, Mich.

No. MC 141097 (Sub-No. 2), filed September 17, 1975. Applicant: CAL-TEX, INC., 3051 Capri Lane, Costa Mesa, Calif. 92626. Applicant's representative: Eric Meierhoefer, 303 N. Frederick Avenue, Gaithersburg, Md. 20760. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic yarn, and synthetic fiber*, from the plantsites and warehouse facilities of E. I. du Pont de Nemours & Company located at or near Seaford, Del. and Camden, S.C.; the plantsite and warehouse facilities of the Monsanto Company located at or near Greenwood, S.C.; and the plantsites and warehouse facilities of Dow Badische Company located at or near Anderson, S.C., to the facilities of Pharr Yarns, Inc. located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C., Rome, Ga., and Costa Mesa, Calif.; (2) *synthetic yarn, and synthetic fiber*, (a) between the facilities of Pharr Yarns, Inc., located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C., Rome, Ga., and Costa Mesa, Calif., on the one hand, and, on the other, Dallas, Marlin, El Paso, Hillsboro and Houston, Tex., Lake Charles, La., Las Cruces and Albuquerque, N. Mex., Phoenix, Ariz., points in Oklahoma and California, and Calgary, Alberta, Canada and Kelowna, British Columbia, Canada, via the ports of entry on the International Boundary line between the United States and Canada located at points in Washington, Idaho, and Montana; and (b) from the facilities of Pharr Yarns, Inc. located at or near Costa Mesa, Calif., to points in Georgia, Tennessee, Alabama, North Carolina, South Carolina and Pennsylvania, and Calgary, Alberta, Canada and Kelowna, British Columbia, Canada, via the ports of entry on the International Boundary line between the United States and Canada located at points in Washington, Idaho and Montana; and (3) *synthetic yarn, and synthetic fiber*, between the facilities of Pharr Yarns, Inc. located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C. and Rome, Ga., under a continuing contract or contracts, with Pharr Yarns, Inc. of McAdenville, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 141136 (Sub-No. 1), filed September 24, 1975. Applicant: TRIANGLE EXPRESS, LTD., 5051 Still Creek Avenue, Burnaby, British Columbia, Canada V5C 4H6. Applicant's representative: George H. Hart, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, in-

cluding veneers, between ports of entry on the International Boundary line between the United States and Canada located in Washington, on the one hand, and, on the other, points in Washington, Oregon, and California.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash. or Vancouver, B.C., Canada.

No. MC 141157 (Sub-No. 2), filed September 24, 1975. Applicant: B & E CO., INC., 225 South Second Street, Sheffield, Iowa 50475. Applicant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic drain tile*, from Hayfield, Minn., to Sheffield, Iowa, under a continuing contract or contracts with, Sheffield Brick & Tile Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either St. Paul, Minn., or Omaha, Nebr.

No. MC 141163 (Sub-No. 1), filed September 17, 1975. Applicant: FIDELITY TRANSPORTATION CORPORATION, a Corporation, P.O. Box 2101, Modesto, Calif. 95354. Applicant's representative: William H. Kessler, 638 Divisadero Street, Fresno, Calif. 93721. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, sand, and gravel* in dump truck equipment, from points in Washoe County, Nev., to points in Sierra, Plumas, and Lassen Counties, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Fresno, Modesto, or San Francisco, Calif.

No. MC 141265, filed September 2, 1975. Applicant: TRANSPORTADORA DE JUAREZ, S. A., a Corporation, Apartado 659, Ciudad Juarez, Chihuahua, Mexico. Applicant's representative: Candido Velarde Maese, P.O. Box 928, El Paso, Tex. 79946. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, between the port of entry on the International Boundary line between the United States and the Republic of Mexico at or near El Paso, Tex. and Odessa, Tex. and Artesia, N. Mex., under a continuing contract or contracts with Gas Commercial de Juarez, S.A., Cd. Juarez Chihuahua; Gas Supremo de Juarez, S.A., Cd. Juarez, Chihuahua; and Gas Commercial de Chihuahua, S.A., Chihuahua, Chihuahua.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 141281 (Sub-No. 1), filed September 17, 1975. Applicant: MINNESOTA LINES, INC., Route 2, Highway 13, North, Albert Lea, Minn. 56007. Applicant's representative: Earl H. Scudder, Jr., 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural and in-*

dustrial insecticides, herbicides, pesticides and chemicals and empty containers for the commodities described in (2) below (except commodities in bulk, in tank vehicles), from the facilities of Imperial, Inc., located at or near Albert Lea, Minn., to points in the United States (except Alaska and Hawaii); and (2) *materials and supplies* used in the packaging, processing, formulating, production, blending and storage of the commodities described in (1) above (except commodities in bulk, in tank vehicles), from the destination named in (1) above to the facilities of Imperial, Inc., located at or near Albert Lea, Minn., under a continuing contract or contracts with Imperial, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., or Minneapolis, Minn.

No. MC 141312 (Sub-No. 1), filed September 10, 1975. Applicant: DOKTER TRUCKING CORP., a Corporation, Weeping Water, Nebr. 68463. Applicant's representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and dicalcium phosphate*, from Weeping Water, Nebr., to points in South Dakota, Minnesota, Wisconsin, Iowa, Illinois, Kansas, Missouri, Indiana, Ohio, Kentucky, North Dakota, Nebraska, Montana, Arkansas, Colorado, and Wyoming, under a continuing contract or contracts with Texasgulf, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lincoln, Nebr.

No. MC 141330 (Sub-No. 1), filed September 19, 1975. Applicant: MALCOLM POWELL, doing business as POWELL TRUCKING, Route 1, Lumber City, Ga. 31549. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber*, from Lumber City, Ga., to points in Alabama, Florida, Georgia, Delaware, Kentucky, Illinois, Indiana, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia and West Virginia; and (2) *materials and supplies* used by a lumber manufacturer (except commodities in bulk), from points in the above states, to Lumber City, Ga., under a continuing contract with Allied Timber Company, Inc., a division of St. Regis Paper Co.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jacksonville, Fla., or Atlanta, Ga.

No. MC 141334, filed September 15, 1975. Applicant: VERNON R. MORGAN, JAMES D. MORGAN AND WILLIAM R. MORGAN, doing business as YOUNG & MORGAN TRUCKING CO., a Partnership, P.O. Box 377, 4600 S. W. Linn Blvd., Mill City, Ore. 97360. Applicant's representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, Ore. 97210. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill products, and wood products*, between points in Linn and Marion Counties, Oreg., on the one hand, and, on the other, points in Oregon, Washington, California, Nevada, Idaho, and Utah, under a continuing contract or contracts with North Santiam Plywood Co., Green Veneer, Inc., Young & Morgan Lumber Co., dba Stout Creek Lumber Co., Young & Morgan Lumber Co., and Northwest Wood Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC 141354 (Sub-No. 1), filed September 22, 1975. Applicant: COLUMBIA DISTRIBUTING CORPORATION, 1009 Airport Boulevard, Columbia, S.C. 29202. Applicant's representative: William F. Austin, Suite 1718 Bankers Trust Tower, P.O. Box 11929, Columbia, S.C. 29211. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal briquettes*, in bags on pallets, from Lake City, S.C., to points in North Carolina, Georgia, Florida, Virginia, Maryland, the District of Columbia, Tennessee, Kentucky, Ohio, Pennsylvania, New York and New Jersey, under a continuing contract or contracts with T.S. Ragsdale Company, Incorporated.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbia, S.C.; Atlanta, Ga. or Charlotte, N.C.

No. MC 141358, filed September 22, 1975. Applicant: S & M CORP., 14 Middletown Avenue, North Haven, Conn. 06473. Applicant's representative: A. David Millner, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by retail department stores*, between points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania and New Jersey, under a continuing contract with Giltex, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at North Haven, Conn.

PASSENGER APPLICATIONS

No. MC 123916 (Sub-No. 15), filed September 22, 1975. Applicant: GROVE CITY BUS LINES, INC., P.O. Box 31, Grove City, Pa. 16127. Applicant's repre-

sentative: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round-trip sightseeing and pleasure tours, beginning and ending at points in Clarion, Jefferson and Beaver Counties, Pa., and extending to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Beaver, Pa.

No. MC 141087 (Sub-No. 2), filed August 19, 1975. Applicant: SCHOOL BUS SERVICE, INC., 1301 Argus Street, Richmond Heights, Mo. 63117. Applicant's representative: Richard A. Franck (Same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Scott Air Force Base, Ill., and Lambert St. Louis International Airport, Mo., under a continuing contract or contracts with United States Air Force.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

BROKER APPLICATION

No. MC 130339, filed September 2, 1975. Applicant: US, INC., 1312 South 78th Street, Omaha, Nebr. 68124. Applicant's representative: Arnold J. Stern, 707 City National Bank Building, Omaha, Nebr. 68102. Authority sought to engage in operation, in interstate or foreign commerce, as a *broker* at Omaha, Nebr., to sell or offer to sell the transportation of *Passengers and their baggage*, in special and charter operations, by motor and rail carriers, beginning and ending at Omaha, Nebr. and extending to points in Colorado.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

FREIGHT FORWARDER APPLICATION

No. FF-325 (Sub-No. 1) filed September 25, 1975. Applicant: COLUMBIA EXPORT PACKERS, INC., 19032 South Vermont Avenue, Torrance, Calif. 90502. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers

by rail, motor, water and express, in the transportation of (a) *Used household goods and unaccompanied baggage*, and (b) *used automobiles*, between points in the United States including Hawaii and Alaska, restricted in (b) above to the transportation of export and import traffic.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Los Angeles, Calif.

No. FF-360 (Sub-No. 1) filed September 25, 1975. Applicant: CARTWRIGHT INTERNATIONAL VAN LINES, INC., 11901 Cartwright Avenue, Grandview, Mo. 64030. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by rail, motor, water and express, in the transportation of (a) *Used household goods and unaccompanied baggage*, and (b) *used automobiles*, between points in the United States including Alaska and Hawaii, restricted in (b) above to the transportation of export and import traffic.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC FF-419 (Sub-No. 1), filed September 25, 1975. Applicant: DELCHER INTERCONTINENTAL MOVING SERVICE, INC., 4219 Central Avenue, St. Petersburg, Fla. 33733. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, N.W., Washington, D.C. 20006. Authority sought to engage in operation, in interstate commerce, as a *freight forwarder*, through use of the facilities of common carriers by rail, motor, water and express in the transportation of (a) *Used household goods and unaccompanied baggage*, and (b) *used automobiles*, between points in the United States including Hawaii and Alaska, restricted in (b) above to the transportation of export and import traffic.

NOTE.—The purpose of the application is to add Alaska to applicant's present authority. If a hearing is deemed necessary, the applicant requests it be held at St. Petersburg, Fla.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.75-27831 Filed 9-15-75; 8:45 am]

federal register

THURSDAY, OCTOBER 16, 1975



PART II:

ENVIRONMENTAL PROTECTION AGENCY

■

MINERAL MINING AND PROCESSING POINT SOURCE CATEGORY

Effluent Guidelines and Standards

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL
PROTECTION AGENCYSUBCHAPTER N—EFFLUENT GUIDELINES
AND STANDARDS

[FRL 443-5]

PART 436—MINERAL MINING AND
PROCESSING POINT SOURCE CATEGORY

Interim Final Rulemaking

Notice is hereby given that effluent limitations and guidelines for existing sources to be achieved by the application of best practicable control technology currently available as set forth in interim final form below are promulgated by the Environmental Protection Agency (EPA). The regulation set forth below establishes Part 436—Mineral mining and processing point source category and will be applicable to existing sources for the gypsum subcategory (Subpart E), the asphaltic minerals subcategory (Subpart F), the asbestos and wollastonite subcategory (Subpart G), the barite subcategory (Subpart J), the fluorspar subcategory (Subpart K), the salines from brine lakes subcategory (Subpart L), the borax subcategory (Subpart M), the potash subcategory (Subpart N), the sodium sulfate subcategory (Subpart O), the Frasch sulfur subcategory (Subpart S), the bentonite subcategory (Subpart V), the magnesite subcategory (Subpart W), the diatomite subcategory (Subpart X), the jade subcategory (Subpart Y), the novaculite subcategory (Subpart Z), the tripoli subcategory (Subpart AF) and the graphite subcategory (Subpart AL) of the mineral mining and processing point source category pursuant to sections 301, 304 (b) and (c), of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314(b) and (c), 86 Stat. 816 et seq.; Pub. L. 92-500) (the Act).

(a) *Legal authority*—(1) *Existing point sources*. Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of the Act. Section 301 (b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) of the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable

through the application of the best control measures and practices achievable including treatment techniques, process and procedural innovations, operating methods and other alternatives. The regulation herein sets forth effluent limitations and guidelines, pursuant to sections 301 and 304(b) of the Act, for the gypsum subcategory (Subpart E), the asphaltic minerals subcategory (Subpart F), the asbestos and wollastonite subcategory (Subpart G), the barite subcategory (Subpart J), the fluorspar subcategory (Subpart K), the salines from brine lakes subcategory (Subpart L), the borax subcategory (Subpart M), the potash subcategory (Subpart N), the sodium sulfate subcategory (Subpart O), the Frasch sulfur subcategory (Subpart S), the bentonite subcategory (Subpart V), the magnesite subcategory (Subpart W), the diatomite subcategory (Subpart X), the jade subcategory (Subpart Y), the novaculite subcategory (Subpart Z), the tripoli subcategory (Subpart AF), and the graphite subcategory (Subpart AL) of the mineral mining and processing point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The report or "Development Document" referred to below provides, pursuant to section 304(c) of the Act, information on such processes, procedures or operating methods.

(2) *New sources*. Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306 also requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306 of the Act. Regulations will be proposed at a future date that set forth the standards of performance applicable to new sources.

Section 307(b) of the Act requires the establishment of pretreatment standards for pollutants introduced into publicly owned treatment works and 40 CFR Part 128 establishes that the Agency will propose specific pretreatment standards at the time effluent limitations are established for point source discharges. These limitations are simultaneously being proposed.

Section 307(c) of the Act requires the Administrator to promulgate pretreatment standards for new sources at the same time that standards of performance for new sources are promulgated

pursuant to section 306. Regulations will be proposed in fulfillment of these requirements at the time new source performance standards are proposed.

(b) Summary and basis of interim final effluent limitations and guidelines for existing sources, proposed effluent limitations and guidelines for existing sources to be achieved by the application of the best available technology economically achievable, proposed standards of performance for new sources, and proposed pretreatment standards for both new and existing sources.

(1) *General methodology*. The effluent limitations and guidelines set forth herein were developed in the following manner. The point source category was first studied for the purpose of determining whether separate limitations are appropriate for different segments within the category. This analysis included a determination of whether differences in raw material used, product produced, manufacturing process employed, age, size, waste water constituents and other factors require development of separate limitations for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste and waste waters in the operation and the constituents of all waste water. The constituents of the waste waters which should be subject to effluent limitations were identified.

The control and treatment technologies existing within each segment were identified. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which is existent or capable of being designed for each segment. It also included an identification of, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, the effluent level resulting from the application of each of the technologies. The problems, limitations and reliability of each treatment and control technology were also identified. In addition, the nonwater quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise and radiation were identified. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information, as outlined above, was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process

changes, nonwater quality environmental impact (including energy requirements) and other factors.

The data upon which the above analysis was performed included EPA permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

(2) Summary of conclusions with respect to the dimension stone subcategory (Subpart A), the crushed stone subcategory (Subpart B), the construction sand and gravel subcategory (Subpart C), the industrial sand subcategory (Subpart D), the gypsum subcategory (Subpart E), the asphaltic minerals subcategory (Subpart F), the asbestos and wollastonite subcategory (Subpart G), the lightweight aggregates subcategory (Subpart H), the mica and sericite subcategory (Subpart I), the barite subcategory (Subpart J), the fluor spar subcategory (Subpart K), the salines from brine lakes subcategory (Subpart L), the borax subcategory (Subpart M), the potash subcategory (Subpart N), the sodium sulfate subcategory (Subpart O), the trona subcategory (Subpart P), the rock salt subcategory (Subpart Q), the phosphate rock subcategory (Subpart R), the Frasch sulfur subcategory (Subpart S), the mineral pigments subcategory (Subpart T), the lithium subcategory (Subpart U), the bentonite subcategory (Subpart V), the magnesite subcategory (Subpart W), the diatomite subcategory (Subpart X), the jade subcategory (Subpart Y), the novaculite subcategory (Subpart Z), the fire clay subcategory (Subpart AA), the attapulgite and montmorillonite subcategory (Subpart AB), the kyanite subcategory (Subpart AC), the shale and common clay subcategory (Subpart AD), the aplite subcategory (Subpart AE), the tripoli subcategory (Subpart AF), the kaolin subcategory (Subpart AG), the ball clay subcategory (Subpart AH), the feldspar subcategory (Subpart AI), the talc, steatite, soapstone and pyrophyllite subcategory (Subpart AJ), the garnet subcategory (Subpart AK) and the graphite subcategory (Subpart AL) of the mineral mining and processing point source category.

(i) *Categorization.* For the purpose of studying waste treatment and establishing effluent limitations guidelines and standards of performance the mineral mining and processing category was divided in 38 discrete subcategories. The subcategories consist of specific mineral types or classes of minerals. In addition within each subcategory a determination was made whether subparts required different effluent limitations based on type of ore, method of ore transport, type of processing, use of wet air emissions control devices, type of product, and ground water seepage and runoff into the mine and process waste water impoundments. In general the largest contributing factors to the further subdivision within subcategories for process waste water has been differences in processes and the use of wet air emissions control devices. For example the differences in dry and wet

processing techniques for the barite and fluor spar subcategories are recognized and different effluent limitations are established. The use of wet air emissions control devices and the added complexity of waste water treatment and management has been recognized as requiring separate consideration for best practicable control technology currently available for the gypsum and tripoli subcategories.

Factors affecting the treatability of mine water discharges within each subcategory have also been accounted for where applicable. For example anhydrite Frasch sulfur mining and processing operations can achieve no discharge by recycling bleed-off water. In contrast salt dome operations cannot recycle this water due to the corrosive saline properties of this bleed-off water that would damage equipment upon the continual reuse of this water.

(ii) *Waste characteristics.* The known significant pollutants and pollutant properties resulting from mineral mining and processing include pH and total suspended solids. Large quantities of dissolved solids exist in the waste waters from the salines from brine lakes, borax, potash and sodium sulfate subcategories. The bleed-off water in the Frasch sulfur subcategory contains sulfides. Iron exists in the mine water discharge from the graphite subcategory.

(iii) *Origin of waste water pollutants.* The sources of waste water pollutants at the mine include surface runoff of rain water into the mine and mine water treatment systems, ground water seepage and infiltration into the mine, and water used to transport the ore to the processing plant. The waste waters that are the sources of waste water pollutants at the process plant include transport water, ore and product wash water, dust suppression water, classification water, heavy media separation water, flotation water, solution water, air emissions control equipment water and equipment and floor wash down water.

(iv) *Treatment and control technology.* Waste water treatment and control technologies have been studied for each subcategory of the industry to determine what is the best practicable control technology currently available.

The following discussion of treatment technology provides the basis for the effluent limitations guidelines. This discussion does not preclude the selection of other waste water treatment alternatives which provide equivalent or better levels of treatment.

In the following discussion the term no discharge applies to dry weather conditions. Waste water impoundments may be subject to runoff from their drainage area. Some rainfall events may cause these impoundments to overflow. For the following subcategories requiring no discharge of process waste water pollutants, an allowance has been made for such circumstances.

(1) *Treatment for the gypsum subcategory.* Processing plants that do not use water would need no treatment sys-

tem. Water at wet process plants is used to wash the ore and for heavy media separation. This water is clarified in a settling pond and recirculated back to the processes with no need for a discharge. Waste water originating from wet air emissions control scrubbers is being studied further.

(2) *Treatment for the asphaltic minerals subcategory.* Bituminous limestone is processed by dry methods and there is no process waste water. Water is used for air scrubbers in processing oil impregnated diatomite. This water is completely recycled, and there is no process waste water discharge. Water in the processing of gilsonite is used for ore washing, froth flotation and wet scrubbers. This water can be clarified in a settling pond and recycled back to the processes. Alternatively a Utah plant plans to combine mine water and process waste water in a process recirculation system and use the excess water for irrigation with no discharge to navigable waters.

(3) *Treatment for the asbestos and wollastonite subcategory.* Some asbestos plants and the wollastonite plant do not use water in the process and treatment is not necessary. Plants that do use process waste water achieve no discharge by recirculation, evaporation and seepage ponds.

(4) *Treatment for the salines from brine lakes subcategory.* Brines are concentrated by solar evaporation in order to precipitate the saleable salt. Spent bitterns are discharged back to the intake water body. Best practicable control technology consists of discharging no added constituents to navigable waters that were not in the brine water intake.

(5) *Treatment for the borax, potash and sodium sulfate subcategories.* The ore is either dry mined or solution mined through brine wells. Spent liquor is either evaporated in large ponds or injected into the deposit. There is no discharge to navigable waters.

(6) *Treatment for the Frasch sulfur subcategory.* In anhydrite operations heated water used to melt sulfur deposits is bled out of the deposit, reheated and re-injected. There is no discharge of process waste water or of mine water. For salt dome operations, bleed-off water cannot be reused because of its corrosive nature; hence regulations are not promulgated at this time pending completion of the economic impact of regulating this type of operation.

(7) *Treatment for the bentonite subcategory.* There is no water used in the processing of bentonite. Air emissions control on dryers is accomplished by dry cyclones and bag houses.

(8) *Treatment for the magnesite subcategory.* All process waste water is clarified in a settling pond and is both evaporated and is recycled back to the processes.

(9) *Treatment for the diatomite subcategory.* Water is principally used to slurry waste fines and for air scrubbers. Waste water is clarified in settling ponds and is either evaporated or recycled back to the processes.

(10) *Treatment for the jade subcategory.* Very little water is used in jade processing plants. Waste water is either evaporated or used as irrigation water from which there is no discharge.

(11) *Treatment for the novaculite subcategory.* Process waste water that originates from wet scrubbers is clarified and totally recycled. There is no discharge of process waste water to navigable waters.

(12) *Treatment for the tripoli subcategory.* There is no process waste water used in all but one plant. Waste water originating from the one plant employing wet processes is being studied further.

(13) *Treatment for the graphite subcategory.* Process waste water from washing, flotation and filtering operations is clarified in a settling pond. Mine water discharge is treated with lime to raise the pH and to precipitate dissolved iron. The treated wastes are then allowed to settle in a pond. The combined discharge has achieved 10 mg/l and 20 mg/l TSS as a monthly average and daily maximum respectively and 1 mg/l and 2 mg/l total iron. pH is maintained between 6.0 and 9.0.

(14) *Treatment for the barite subcategory.* Those plants that do not wet process or float the ore have no process waste water. The plants that do use process water are being studied further.

(15) *Treatment for the fluor spar subcategory.* Those plants that do not use heavy media separation or flotation either do not use process water or this water is fully consumed in the process. The plants that do use heavy media separation or flotation are being studied further.

(16) *Treatment for the remaining subcategory.* Treatment technologies for the dimension stone subcategory (Subpart A), the crushed stone subcategory (Subpart B), the construction sand and gravel subcategory (Subpart C), the industrial sand subcategory (Subpart D), the lightweight aggregates subcategory (Subpart H), the mica and sericite subcategory (Subpart I), the trona subcategory (Subpart P), the rock salt subcategory (Subpart Q), the phosphate rock subcategory (Subpart R), the mineral pigments subcategory (Subpart T), the lithium subcategory (Subpart U), the fire clay subcategory (Subpart AA), the attapulgite and montmorillonite subcategory (Subpart AB), the kyanite subcategory (Subpart AC), the shale and common clay subcategory (Subpart AD), the aplite subcategory (Subpart AE), the kaolin subcategory (Subpart AG), the ball clay subcategory (Subpart AH), the feldspar subcategory (Subpart AI), the talc, steatite, soapstone and pyrophyllite subcategory (Subpart AJ), the garnet subcategory (Subpart AK) have yet to be defined pending an economic impact analysis study of the EPA contractor's draft recommendations. These technologies will be specified when it is determined what technology is currently available and economically practicable.

The proper management of solid wastes resulting from pollution control systems must be practiced. Pollution con-

trol technologies generate many different amounts and types of solid wastes and liquid concentrates through the removal of pollutants. These substances vary greatly in their chemical and physical composition and may be either hazardous or non-hazardous. A variety of techniques may be employed to dispose of these substances depending on the degree of hazard.

If thermal processing (incineration) is the choice for disposal, provisions must be made to ensure against entry of hazardous pollutants into the atmosphere. Consideration should also be given to recovery of materials of value in the wastes.

For those waste materials considered to be nonhazardous where land disposal is used, practices similar to proper sanitary landfill technology may be followed. The principles set forth in the EPA's Land Disposal of Solid Wastes Guidelines 40 CFR Part 241 may be used as guidance for acceptable land disposal techniques.

For those waste materials considered to be hazardous, disposal will require special precautions. In order to ensure long-term protection of public health and the environment, special preparation and pretreatment may be required prior to disposal. If land disposal is to be practiced, these sites must not allow movement of pollutants to either ground or surface waters. Sites should be selected that have natural soil and geological conditions to prevent such contamination or, if such conditions do not exist, artificial means (e.g. liners) must be provided to ensure long-term protection of the environment from hazardous materials. Where appropriate, the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of the legal jurisdiction in which the site is located.

(v) *Cost estimates for control of waste water pollutants.* The promulgated regulations for best practicable control technology currently available are expected to effect increased pollution control costs for one subcategory. Total recycle of process waste water for the mineral gilsonite of the asphaltic minerals subcategory will have an increased annual operating cost of \$1.00 per ton of product. However these costs are not attributable to these interim final regulations.

(vi) *Energy requirements and non-water quality environmental impacts.* The energy requirements effected by these limitations consist of the energy expended in pond construction and of pumping the pond water back to the processing plants. These added energy uses are judged to be very minor. There are no other expected nonwater quality environmental impacts.

(vii) *Economic impact analysis.* The economic impact of the interim final regulations on the industries covered in the mineral mining regulation will be minimal. All plants are now in compliance, with the exception of one operation in the asphaltic minerals category which is

presently installing a recycle system. As a result prices, production, industry growth, balance of trade and community economies will not be significantly impacted.

Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated.

OMB Circular A-107 (January 28, 1975) prescribes guidelines for the identification and evaluation of major proposals requiring preparation of inflationary impact certifications. The circular provides that during the interim period prior to final approval by OMB of criteria developed by each Agency, the Administrator is responsible for identifying those regulations which require evaluation and certification. The Administrator has directed that all regulatory actions which are likely to result in capital investment exceeding \$100 million or annualized costs in excess of \$50 million will require certification.

As the Agency's analysis of the potential economic impacts of these regulations indicates, the capital investment and annualized costs associated with compliance are estimated to be considerably less than these amounts. Nevertheless, the Agency has reviewed and identified the projected effect on prices and estimates that there will be no effect on prices for the segments of the industry controlled herein.

The reports entitled "Development Document for Interim Final Effluent Limitations Guidelines and New Source Performance Standards for the Mineral Mining and Processing Industry Point Source Category", Volume I "Minerals for the Construction Industry," Volume II "Minerals for the Chemical and Fertilizer Industries," and Volume III "Clay, Ceramic, Refractory and Miscellaneous Minerals" detail the analysis undertaken in support of the interim final regulation set forth herein and is available for inspection and copying in the EPA Public Information Reference Unit, Room 2404, Waterside Mall, Washington, D.C. 20460, at all EPA regional offices, and at State water pollution control offices. Copies of these documents are being sent to persons or institutions affected by the proposed regulation or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). An additional limited number of copies of both reports are available. Persons wishing to obtain a copy may write the Environmental Protection Agency, Effluent Guidelines Division, Washington, D.C. 20460, Attention: Distribution Officer, WH 552.

When this regulation is promulgated in final rather than interim form, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis document

will be available through the National Technical Information Service, Springfield, VA 22151.

(c) *Summary of public participation.* Prior to this publication, the agencies and groups listed below were consulted and given an opportunity to participate in the development of effluent limitations, guidelines and standards proposed for the mineral mining and processing category. All participating agencies have been informed of project developments. An initial draft of the Development Document was sent to all participants and comments were solicited on that report. The following are the principal agencies and groups consulted: (1) Effluent Standards and Water Quality Information Advisory Committee (established under section 515 of the Act); (2) all State and U.S. Territory Pollution Control Agencies; (3) the Ohio River Valley Sanitation Commission; (4) the Delaware River Basin Commission; (5) the New England Interstate Water Pollution Control Commission; (6) U.S. Department of Commerce; (7) U.S. Department of the Interior; (8) U.S. Department of Defense; (9) U.S. Department of Agriculture; (10) U.S. Department of Transportation; (11) U.S. Department of Health, Education, and Welfare; (12) U.S. Department of Housing and Urban Development; (13) U.S. Department of Treasury; (14) Tennessee Valley Authority; (15) Council of Environmental Quality; (16) National Commission on Water Quality; (17) Federal Power Commission; (18) Federal Energy Administration; (19) Office of Management and Budget; (20) Internal Revenue Service; (21) Nuclear Regulatory Commission; (22) The American Society of Mechanical Engineers; (23) The Conservation Foundation; (24) Businessmen for the Public Interest; (25) Environmental Defense Fund, Inc.; (26) National Resources Defense Council; (27) The American Society of Civil Engineers; (28) Water Pollution Control Federation; (29) National Wildlife Federation; (30) Gypsum Association; (31) Indiana Limestone Institute of America; (32) Marble Institute of America; (33) National Crushed Stone Association; (34) National Industrial Sand Association; (35) National Limestone Institute; (36) National Sand and Gravel Association; (37) American Mining Congress; (38) Asbestos Information Association of North America; (39) Barre Granite Association; (40) Brick Institute of America; (41) Building Stone Institute; (42) The Fertilizer Institute; (43) Florida Limestone Institute; (44) Florida Phosphate Council; (45) North Carolina Minerals Association; (46) North Carolina Sand, Gravel and Crushed Stone Association; (47) Portland Cement Association; (48) The Refractories Institute; (49) Salt Institute; (50) Sorptive Minerals Institute; (51) National Clay Pipe Institute; (52) National Lime Association; (53) Environmental Protection Service, Canada; (54) Manufacturing Chemists Association; and (55) Georgia Association of Mineral Producing Industries. In addition many

individual companies that participated in the contractor's study were consulted.

The following responded with comments: Effluent Standards and Water Quality Information Advisory Committee; Southwestern Graphite Co.; Indiana Limestone Institute of America; Delaware Department of Natural Resources and Environmental Control; Gypsum Association; Illinois State Geological Survey; Swift Chemical Co.; Illinois Association of Aggregate Producers; American Aggregates Corp.; Texas Water Quality Board; North Carolina Industrial Mineral Association; Brick Institute of America; International Minerals and Chemicals Corp.; Asbestos Information Association; American Mining Congress; The Feldspar Corp.; Sobin Chemicals, Inc.; Harris Mining Co.; Water Resources Commission, Michigan; Winter Brothers Material Co.; Illinois Environmental Protection Agency; Waverly Mineral Products Co.; Department of Natural Resources, Georgia; U.S. Water Resources Council; Colorado Department of Health; Ohio Environmental Protection Agency; State of Florida Department of Pollution Control; Department of Health, Education, and Welfare; Region 8, Environmental Protection Agency; Delta Materials, Inc.; Harry T. Campbell Sons' Co.; Bethlehem Steel Corp.; Ingram Materials, Inc.; National Lime Association; Cape Girardeau Sand Co.; Becker Sand and Gravel Co.; New York State Department of Environmental Conservation; Unsil Corp.; U.S. Department of Agriculture; National Sand and Gravel Association; National Industrial Sand Association; U.S. Department of Transportation; Freeport Minerals Co.; Erie Sand and Gravel Co.; The Georgia Kaolin Co.; American Limestone Co.; The Refractories Institute; State of Indiana Department of Natural Resources; Atlantic Richfield Co.; Ottawa Silica Co.; American Sand and Gravel Co.; Globe Refractories; CF Industries; Mr. David Brannan; Duval Corp.; Milchem—Mineral Division; Great Salt Lake Minerals and Chemicals Co.; Morton Salt Co.; Dresser Industries; Environmental Protective Service, Canada; J.R. Simplot Co.; U.S. Borax; EPA, Research Triangle Park, North Carolina; Engelhard Minerals and Chemicals Corp.; The Fertilizer Institute; North Carolina Department of Natural and Economic Resources; Commonwealth of Pennsylvania, Department of Environmental Resources; Freeport Sulfur Co.; American Industrial Clay Co.; National Limestone Institute; Thiele Kaolin Co.; Cyprus Minerals Co.; Anglo-American Clay Corp.; Gardiner, Inc.; Assistant Secretary of Defense; Jefferson Lake Sulfur Co.; National Clay Pipe Institute; Kerr-McGee Corp.; International Minerals and Chemical Corp.; J. M. Huber Corp.; Freeport Kaolin Co.; Lithium Corporation of America; Foote Mineral Co.; New Riverside Ochre Co.; Texas-Gulf Inc.; Agrico; Basic Inc. Brewster Phosphates; USS Agri-Chemicals; W.R. Grace and Co.; Kaiser Refractories;

Morton Salt Co.; Martin Marietta; Ozark-Mahoning Co.; Florida Phosphate Council; Salt Institute; Sorptive Minerals Institute; Manufacturing Chemists Association; Kaiser Cement and Gypsum Corp.; U.S. Department of the Interior; Lone Star Industries, Inc.; Monsanto; Texas Gulf, Inc.; The Fertilizer Institute; General Refractories Co.; Allied Chemical; Pfizer, Minerals, Pigments and Metals Division; North American Refractories Co.; GAF Corp.; National Wildlife Federation; Kaiser Cement and Gypsum Association; Ideal Basic Industries; Martin Marietta Cement; Huron Cement; Southwestern Portland Cement Co.; Lehigh Portland Cement Co.; General Portland Inc.; Medusa Cement Co.; Portland Cement Association; and the Flintkote Co., Calaveras Cement Division.

The primary issues raised in the development of the interim final effluent limitations and guidelines and the treatment of these issues herein are as follows:

(1) There was considerable comment on the requirement of treating mine and plant areas until reclamation is successfully completed and of diverting storm runoff away from process waste water impoundments.

In the 17 subcategories regulated, there will be no requirement to treat runoff as best practicable control technology currently available. Reclamation is not included in the interim final regulations.

(2) Some commenters recommended that the effluent limitations should be applied on a net basis, especially where no discharge of pollutants is required.

The Agency has promulgated regulations (40 CFR Part 125) concerning the net or gross application of effluent standards. Prior to the permit issuance an affected plant can petition for a net limit if the applicant demonstrates that specified pollutants which are present in the applicant's intake water will not be removed by waste water treatment systems designed to reduce process waste water pollutants and other added pollutants to the levels required by the applicable limitations or standards. Only the limitations for salines from brine lakes and, under restricted conditions, Frasch sulfur have provisions for net application.

(3) It was suggested that the EPA should consider the impact of other Federal regulations on this industry.

Other Federal and State regulations as they affect the technical achievability of the effluent limitations were taken into consideration. The economic impact analysis assesses the current financial status of the industry. This base level status would include current operating costs including Federal requirements. The costs of EPA imposed water pollution abatement are then added to this base level and the impact is assessed.

(4) One commenter suggested that periodic discharges be allowed for the subcategories limited to no discharge of process waste water pollutants in order to drain the pond for the purpose of digging out the sludge.

Many plants clean out their ponds by use of draglines and similar devices without having to discharge from the pond. Others utilize a second pond after the first has been filled with solids.

(5) Some commenters suggest that the potential harm of using chlorine to oxidize sulfides exceeds the benefit of removing what little sulfide ion exists after proper oxidation of Frasch sulfur waste waters.

Properly designed and operated oxidation ponds have been demonstrated to reduce the sulfide concentration to very low levels. The remaining concentration discharged (less than 2 mg/l S) has been shown to rapidly oxidize. Therefore there is no need to chlorinate this effluent.

(6) One Frasch sulfur company requested that well sealing water not be regulated.

Because of the difficulty in collection and the small volume involved, this waste stream will not have the same degree of treatment required as that for well bleed water for best practicable control technology currently available.

(7) One Frasch sulfur company requested that the costs of treating all non-process waste waters be included in order to properly assess the economic impact.

Non-process waste waters such as water treatment and power plant waste waters are not treated in the process waste water treatment system. Furthermore, they are not significant pollution problems. Therefore these wastes are better regulated by a general regulation covering such for all industry. The economic impact will be reassessed at that time.

(8) One company requested that open pit sulfur mining should be regulated.

There are no domestic open sulfur pits currently operating. Regulations will be determined at such time as this type of operation occurs.

(9) One commenter questioned whether the return flow of process waste to dredged pits need to meet the proposed no discharge of process waste water pollutants limits.

The proposed limits are only to be applied to point source discharges to navigable waters.

(10) One company claimed that it will discharge water from its treatment pond system as it tries to match the water lost by evaporation and percolation with fresh water intake.

Adequate control of the intake water volume will prevent treatment pond overflow in this case.

(11) One commenter complained that the cost of recycling water will increase as new ponds are located farther from the process equipment.

The newer plants have usually taken this into account when the plant was constructed. Older plants have the option of moving the plant to a more favorable location, pumping farther distances to new treatment ponds or dredging the existing ponds to prolong their life. The tailings from dredging may be disposed of in inactive sections of the mine.

(12) Another commenter suggested that portable plants should be a separate subcategory.

Portable plants were studied by the contractor and there is no reason why they cannot recycle process waste water as do permanent processing facilities. Further subcategorization is therefore not necessary.

(13) Two commenters pointed out that there can be land availability problems in building treatment ponds and in disposing sludge.

If sufficient land is not available, one alternative treatment system that could be used is cyclones followed by mechanical thickeners. Furthermore there are many plants able to successfully recycle water even at a few hundred mg/l of suspended solids. To discharge waste water at higher concentrations could cause significant damage to aquatic life. The additional sludge produced by eliminating the discharge and totally recycling is minor compared to the raw waste load that is reduced before discharge.

(14) One contributor requested that runoff that enters barite tailings ponds not be classified as process waste water.

Process waste water includes any water coming into contact with waste product (tailings) and with process waste water. However, a discharge from such tailings ponds is allowed when resulting from specified storm conditions.

(15) Questions have been raised concerning the availability of standards or guidelines applicable to the disposal of solid wastes resulting from the operation of pollution control systems.

The principles set forth in "Land Disposal of Solid Wastes Guidelines" (40 CFR Part 241) may be used as guidance for acceptable land disposal techniques. Potentially hazardous wastes may require special considerations to ensure their proper disposal. Additionally, state and local guidelines and regulations should be considered wherever applicable.

(16) It was questioned whether the Agency should regulate waste waters from mine areas before the economic impact analysis is complete.

With one exception, the graphite subcategory (Subpart AL), in the 17 subcategories regulated, only process waste waters are regulated. In these 17 cases the plants are currently achieving or are in the act of installing treatment facilities that will achieve the limitations representing the best practicable control technology currently available for process waste water. The limitations depicting the Agency's best judgments concerning control of mine and plant areas drainage is likely to have some economic effect. Hence the Agency will await the completion of the economic impact analysis before proposing standards for mine drainage. The standards for both process waste water and mine drainage are currently being achieved by the lone graphite plant and an economic assessment is therefore not required. In the remaining 21 subcategories any meaningful regulations will have an economic impact.

Therefore the Agency is awaiting completion of the impact analysis before proposing substantial regulations.

The Agency is subject to an order of the United States District Court for the District of Columbia entered in "Natural Resources Defense Council v. Train" et al. (Cv. No. 1609-73) which requires the promulgation of regulations for this industry category no later than October 5, 1975. This order also requires that such regulations become effective immediately upon publication. In addition, it is necessary to promulgate regulations establishing limitations on the discharge of pollutants from point sources in this category so that the process of issuing permits to individual dischargers under section 402 of the Act is not delayed.

It has not been practicable to develop and publish regulations for this category in proposed form, to provide a 30 day comment period, and to make any necessary revisions in light of the comments received within the time constraints imposed by the court order referred to above. Accordingly, the Agency has determined pursuant to 5 U.S.C. 553(b) that notice and comment on the interim final regulations would be impracticable and contrary to the public interest. Good cause is also found for these regulations to become effective immediately upon publication.

Interested persons are encouraged to submit written comments. Comments should be submitted in triplicate to the Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, Attention: Distribution Officer, WH-552. Comments on all aspects of the regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the amendment or modification of the regulation. In the event comments address the approach taken by the Agency in establishing an effluent limitation or guideline EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301 and 304(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. A copy of preliminary draft contractor reports, the Development Document and economic study referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received on or before November 17, 1975, will be considered. Steps previously taken by the Environmental Protection Agency to facilitate

public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202). In the event that the final regulation differs substantially from the interim final regulation set forth herein the Agency will consider petitions for reconsideration of any permits issued in accordance with this interim final regulation.

The numerical limitations set forth in Subparts A through AL below represent the best efforts of the Agency to develop effluent limitations based on the data and information available within the time allowed by the aforementioned court order which requires promulgation of the regulation for the mineral mining and processing category by October 6, 1975. At the earliest possible date, the Agency expects to propose amendments to this regulation based on additional information which is expected to become available.

In consideration of the foregoing, 40 CFR Part 436 is hereby established as set forth below.

Dated: October 8, 1975.

RUSSELL E. TRAIN,
Administrator.

Subpart A—Dimension Stone Subcategory

Sec.
436.10 [Reserved]

Subpart B—Crushed Stone Subcategory

436.20 [Reserved]

Subpart C—Construction Sand and Gravel Subcategory

436.30 [Reserved]

Subpart D—Industrial Sand Subcategory

436.40 [Reserved]

Subpart E—Gypsum Subcategory

436.50 Applicability; description of the gypsum subcategory.
436.51 Specialized definitions.
436.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart F—Asphaltic Minerals Subcategory

436.60 Applicability; description of the asphaltic minerals subcategory.
436.61 Specialized definitions.
436.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart G—Asbestos and Wollastonite Subcategory

436.70 Applicability; description of the asbestos and wollastonite subcategory.
436.71 Specialized definitions.
436.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart H—Lightweight Aggregates Subcategory

436.80 [Reserved]

Subpart I—Mica and Sericite Subcategory

Sec.
436.90 [Reserved]

Subpart J—Barite Subcategory

436.100 Applicability; description of the barite subcategory.
436.101 Specialized definitions.
436.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart K—Fluorspar Subcategory

436.110 Applicability; description of the fluorspar subcategory.
436.111 Specialized definitions.
436.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart L—Salines from Brine Lakes Subcategory

436.120 Applicability; description of the salines from brine lakes subcategory.
436.121 Specialized definitions.
436.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart M—Borax Subcategory

436.130 Applicability; description of the borax subcategory.
436.131 Specialized definitions.
436.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart N—Potash Subcategory

436.140 Applicability; description of the potash subcategory.
436.141 Specialized definitions.
436.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart O—Sodium Sulfate Subcategory

436.150 Applicability; description of the sodium sulfate subcategory.
436.151 Specialized definitions.
436.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart P—Trona Subcategory

436.160 [Reserved]

Subpart Q—Rock Salt Subcategory

436.170 [Reserved]

Subpart R—Phosphate Rock Subcategory

436.180 [Reserved]

Subpart S—Frasch Sulfur Subcategory

436.190 Applicability; description of the Frasch sulfur subcategory.
436.191 Specialized definitions.

Sec.
436.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart T—Mineral Pigments Subcategory

436.200 [Reserved]

Subpart U—Lithium Subcategory

436.210 [Reserved]

Subpart V—Bentonite Subcategory

436.220 Applicability; description of the bentonite subcategory.
436.221 Specialized definitions.
436.222 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart W—Magnesite Subcategory

436.230 Applicability; description of the magnesite subcategory.
436.231 Specialized definitions.
436.232 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart X—Diatomite Subcategory

436.240 Applicability; description of the diatomite subcategory.
436.241 Specialized definitions.
436.242 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart Y—Jade Subcategory

436.250 Applicability; description of the jade subcategory.
436.251 Specialized definitions.
436.252 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart Z—Novaculite Subcategory

436.260 Applicability; description of the novaculite subcategory.
436.261 Specialized definitions.
436.262 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart AA—Fire Clay Subcategory

436.270 [Reserved]

Subpart AB—Attapulgite and Montmorillonite Subcategory

436.280 [Reserved]

Subpart AC—Kyanite Subcategory

436.290 [Reserved]

Subpart AD—Shale and Common Clay Subcategory

436.300 [Reserved]

Subpart AE—Aplite Subcategory

436.310 [Reserved]

Subpart AF—Tripoli Subcategory

- Sec.
 436.320 Applicability; description of the tripoli subcategory.
 436.321 Specialized definitions.
 436.322 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

Subpart AG—Kaolin Subcategory

- 436.330 [Reserved]

Subpart AH—Ball Clay Subcategory

- 436.340 [Reserved]

Subpart AI—Feldspar Subcategory

- 436.350 [Reserved]

Subpart AJ—Talc, Steatite, Soapstone and Pyrophyllite Subcategory

- 436.360 [Reserved]

Subpart AK—Garnet Subcategory

- 436.370 [Reserved]

Subpart AL—Graphite Subcategory

- 436.380 Applicability; description of the graphite subcategory.
 436.381 Specialized definitions.
 436.382 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

AUTHORITY: Sec. 301, 304 (b) and (c) Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1311, 1314 (b) and (c), 86 Stat. 816 et seq., Pub. L. 92-500) (the Act).

Subpart A—Dimension Stone Subcategory

- § 436.10 [Reserved]

Subpart B—Crushed Stone Subcategory

- § 436.20 [Reserved]

Subpart C—Construction Sand and Gravel Subcategory

- § 436.30 [Reserved]

Subpart D—Industrial Sand Subcategory

- § 436.40 [Reserved]

Subpart E—Gypsum Subcategory

- § 436.50 Applicability; description of the gypsum subcategory.

The provisions of this subpart are applicable to the processing of gypsum.

§ 436.51 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

- § 436.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels estab-

lished. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) For operations not employing wet air emissions control scrubbers there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart F—Asphaltic Mineral Subcategory

- § 436.60 Applicability; description of the asphaltic mineral subcategory.

The provisions of this subpart are applicable to the processing of bituminous limestone, oil-impregnated diatomite and oilstone not primarily as an energy source.

§ 436.61 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and meth-

ods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

- § 436.62 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Ad-

ministration for the locality in which such impoundment is located.

Subpart G—Asbestos and Wollastonite Subcategory

§ 436.70 Applicability; description of the asbestos and wollastonite subcategory.

The provisions of this subpart are applicable to the processing of asbestos and wollastonite.

§ 436.71 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.72 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity of or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best

practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart H—Lightweight Aggregates Subcategory

§ 436.80 [Reserved]

Subpart I—Mica and Sericite Subcategory

§ 436.90 [Reserved]

Subpart J—Barite Subcategory

§ 436.100 Applicability; description of the barite subcategory.

The provisions of this subpart are applicable to the processing of barite.

§ 436.101 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.102 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different

for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: For operations not employing wet processes or flotation processes there shall be no discharge of process generated waste water pollutants into navigable waters.

Subpart K—Fluorspar Subcategory

§ 436.110 Applicability; description of the fluorspar subcategory.

The provisions of this subpart are applicable to the processing of fluorspar.

§ 436.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different

for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: For operations not employing heavy media separation or flotation processes there shall be no discharge of process generated waste water pollutants into navigable waters.

Subpart L—Salines from Brine Lakes Subcategory

§ 436.120 Applicability; description of the salines from brine lakes subcategory.

The provisions of this subpart are applicable to the processing of salines from brine lakes.

§ 436.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional

Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) The limitations specified in paragraph (a) of this section shall be applied on a net basis if the discharge is in compliance with § 125.28 of this chapter "the source of the applicant's water supply is the same body of water into which the discharge is made * * *"

Subpart M—Borax Subcategory

§ 436.130 Applicability; description of the borax subcategory.

The provisions of this subpart are applicable to the processing of borate minerals. Borax obtained from brine lakes is regulated in the salines from brine lakes subcategory (Subpart L of this part).

§ 436.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Ad-

ministrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart N—Potash Subcategory

§ 436.140 Applicability; description of the potash subcategory.

The provisions of this subpart are applicable to the processing of potash. Potash obtained from brine lakes is regulated in the saline from brine lakes subcategory (Subpart L of this part).

§ 436.141 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all

information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart O—Sodium Sulfate Subcategory

§ 436.150 Applicability; description of the sodium sulfate subcategory.

The provisions of this subpart are applicable to the processing of sodium sulfate. Sodium sulfate obtained from brine

lakes is regulated in the salines from brine lakes subcategory (Subpart L of this part).

§ 436.151 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be

discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart P—Trona Subcategory

§ 436.160 [Reserved]

Subpart Q—Rock Salt Subcategory

§ 436.170 [Reserved]

Subpart R—Phosphate Rock Subcategory

§ 436.180 [Reserved]

Subpart S—Frasch Sulfur Subcategory

§ 436.190 Applicability; description of the Frasch sulfur subcategory.

The provisions of this subpart are applicable to the processing of sulfur on shore and in marshes and estuaries by the Frasch process. Not covered are sulfur refining operations that are not performed at the mining and collection site.

§ 436.191 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.192 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the

discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section for operations mining anhydrite deposits, there shall be no discharge of process waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart T—Mineral Pigments Subcategory

§ 436.200 [Reserved]

Subpart U—Lithium Subcategory

§ 436.210 [Reserved]

Subpart V—Bentonite Subcategory

§ 436.220 Applicability; description of the bentonite subcategory.

The provisions of this subpart are applicable to the processing of bentonite.

§ 436.221 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.222 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for cer-

tain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

(b) The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: There shall be no discharge of process generated waste water pollutants into navigable waters.

Subpart W—Magnesite Subcategory

§ 436.230 Applicability; description of the magnesite subcategory.

The provisions of this subpart are applicable to the processing of naturally occurring magnesite ore.

§ 436.231 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.232 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An indi-

vidual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart X—Diatomite Subcategory

§ 436.240 Applicability; description of the diatomite subcategory.

The provisions of this subpart are applicable to the processing of diatomite.

§ 436.241 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.242 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into ac-

count all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different from those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than three inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart Y—Jade Subcategory

§ 436.250 Applicability; description of the jade subcategory.

The provisions of this subpart are applicable to the processing of jade.

§ 436.251 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.252 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different from those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal

operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart Z—Novaculite Subcategory

§ 436.260 Applicability; description of the novaculite subcategory.

The provisions of this subpart are applicable to the processing of novaculite.

§ 436.261 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.262 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different from those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to

the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, there shall be no discharge of process generated waste water pollutants into navigable waters.

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

Subpart AA—Fire Clay Subcategory

§ 436.270 [Reserved]

Subpart AB—Attapulgite and Montmorillonite Subcategory

§ 436.280 [Reserved]

Subpart AC—Kyanite Subcategory

§ 436.290 [Reserved]

Subpart AD—Shale and Common Clay Subcategory

§ 436.300 [Reserved]

Subpart AE—Aplite Subcategory

§ 436.310 [Reserved]

Subpart AF—Tripoli Subcategory

§ 436.320 Applicability: description of the tripoli subcategory.

The provisions of this subpart are applicable to the processing of tripoli.

§ 436.321 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

§ 436.322 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors re-

lated to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available: For operations not employing wet processes there shall be no discharge of process generated waste water pollutants into navigable waters.

Subpart AG—Kaolin Subcategory

§ 436.330 [Reserved]

Subpart AH—Ball Clay Subcategory

§ 436.340 [Reserved]

Subpart AI—Feldspar Subcategory

§ 436.350 [Reserved]

Subpart AJ—Talc, Steatite, Soapstone and Pyrophyllite Subcategory

§ 436.360 [Reserved]

Subpart AK—Garnet Subcategory

§ 436.370 [Reserved]

Subpart AL—Graphite Subcategory

§ 436.380 Applicability: description of the graphite subcategory.

The provisions of this subpart are applicable to the mining and processing of naturally occurring graphite.

§ 436.381 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in Part 401 of this chapter shall apply to this subpart.

(b) The term "mine drainage" shall mean any water drained, pumped or siphoned from a mine.

§ 436.382 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, prod-

ucts produced, treatment technology available, energy requirements and costs) which can affect the industry subcategory and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations for process waste water and mine dewatering establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) Subject to the provisions of the following paragraphs of this section, process waste water and mine drainage shall meet the following limitations:

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
TSS.....	20 mg/l.....	10 mg/l.
Total Fe.....	2 mg/l.....	1 mg/l.
pH.....	Within the range 6.0 to 9.0.	

(b) Only that volume of water resulting from precipitation that exceeds the maximum safe surge capacity of a process waste water impoundment may be discharged from that impoundment. The height difference between the maximum safe surge capacity level and the normal operating level must be greater than the inches of rain representing the 10 year, 24 hour rainfall event as established by the National Climatic Center, National Oceanic and Atmospheric Administration for the locality in which such impoundment is located.

[FR Doc.75-27723 Filed 10-15-75;8:45 am]

ENVIRONMENTAL PROTECTION
AGENCY

[40 CFR Part 436]

[FRL 443-6]

MINERAL MINING AND PROCESSING
POINT SOURCE CATEGORYApplication of Effluent Limitations Guide-
lines for Existing Sources to Pretreat-
ment Standards for Incompatible Pollu-
tants

Notice is hereby given pursuant to sections 301, 304 and 307(b) of the Federal Water Pollution Control Act, as amended (the Act); 33 U.S.C. 1251, 1311, 1314 and 1317(b); 86 Stat. 816 et seq.; Pub. L. 92-500, that the proposed regulation set forth below concerns the application of effluent limitations guidelines for existing sources to pretreatment standards for incompatible pollutants. The proposal will amend 40 CFR Part 436—Mineral mining and Processing Point Source Category, establishing for each subcategory therein the extent of application of effluent limitations guidelines to existing sources which discharge to publicly owned treatment works. The regulation is intended to be complementary to the general regulation for pretreatment standards set forth at 40 CFR Part 128. The general regulation was proposed July 19, 1973 (38 FR 19236), and published in final form on November 8, 1973 (38 FR 30982).

The proposed regulation is also intended to supplement an interim final regulation being simultaneously promulgated by the Environmental Protection Agency (EPA or Agency) which provides effluent limitations guidelines for existing sources within the gypsum subcategory (Subpart E), the asphaltic minerals subcategory (Subpart F), the asbestos and wollastonite subcategory (Subpart G), barite subcategory (Subpart J), the fluorspar subcategory (Subpart K), the salines from brine lakes subcategory (Subpart L), the borax subcategory (Subpart M), the potash subcategory (Subpart N), the sodium sulfate subcategory (Subpart O), the Frasch sulfur subcategory (Subpart S), the bentonite subcategory (Subpart V), the magnesite subcategory (Subpart W), the diatomite subcategory (Subpart X), the jade subcategory (Subpart Y), the novaculite subcategory (Subpart Z), the tripoli subcategory (Subpart AF) and the graphite subcategory (Subpart AL) of the mineral mining and processing point source category. The information contained in the preamble to the interim final regulation is incorporated herein by reference. The latter regulation applies to the portion of a discharge which is directed to the navigable waters. The regulation proposed below applies to users of publicly owned treatment works which fall within the description of the point source category to which the effluent limitations guidelines (40 CFR Part 436) promulgated simultaneously apply. However, the proposed regulation applies to the introduction of incompatible pollutants which are directed into a publicly owned treatment

works, rather than to discharges of pollutants to navigable waters.

The general pretreatment standard divides pollutants discharged by users of publicly owned treatment works into two broad categories: "compatible" and "incompatible." Compatible pollutants are generally not subject to pretreatment standards. (See 40 CFR 128.110 (State or local law) and 40 CFR 128.131 (Prohibited wastes) for requirements which may be applicable to compatible pollutants.) Incompatible pollutants are subject to pretreatment standards as provided in 40 CFR 128.133, which provides as follows:

"In addition to the prohibitions set forth in § 128.131, the pretreatment standard for incompatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the Act shall be, for sources within the corresponding industrial or commercial category, that established by the promulgated effluent limitations guidelines defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the Act: *Provided*, That, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant; and provided further that when the effluent limitations guidelines for each industry are promulgated, a separate provision will be proposed concerning the application of such guidelines to pretreatment."

The regulation proposed below is intended to implement that portion of § 128.133, above, requiring that a separate provision be made stating the application to pretreatment standards of effluent limitations guidelines based upon best practicable control technology currently available.

Questions were raised during the public comment period on the proposed general pretreatment standard (40 CFR Part 128) about the propriety of applying a standard based upon best practicable control technology currently available to all plants subject to pretreatment standards. In general, EPA believes the analysis supporting the effluent limitations guidelines is adequate to make a determination regarding the application of those standards to users of publicly owned treatment works. However, to ensure that those standards are appropriate in all cases, EPA now seeks additional comments focusing upon the application of effluent limitations guidelines to users of publicly owned treatment works.

Preliminary Draft Development Documents were made available to the public in February, 1975, and the Development Documents to support the interim final regulation are now being published. Copies of the Development Documents will continue to be maintained for inspection and copying during the comment period at the EPA Public Information

Reference Unit, Room 2404, Waterside Mall, 401 M Street, SW, Washington, D.C. 20460. Copies will also be available for inspection at EPA regional offices and at State water pollution control agency offices.

The Development Documents referred to above contain information available to the Agency concerning the major environmental effects of the regulation proposed below. The information includes: (1) The identification of pollutants present in waste waters resulting from the mining and processing of minerals, the characteristics of these pollutants, and the degree of pollutant reduction attainable through implementation of the proposed standard; and (2) the anticipated effects on other aspects of the environment (including air, subsurface waters, solid waste disposal and land use, and noise) of the treatment technologies available to meet the standard proposed.

The Development Documents referred to above also contain information available to the Agency regarding the estimated cost and energy consumption implications of those treatment technologies.

The options available to the Agency in establishing the level of pollutant reduction attainable through the best practicable control technology currently available, and the reasons for the particular level of reduction selected are discussed in the documents described above. In applying the effluent limitations guidelines to pretreatment standards for the introduction of incompatible pollutants into municipal systems by existing sources in the mineral mining and processing industry the Agency has, essentially, three options. The first is to declare that the guidelines do not apply. The second is to apply the guidelines unchanged. The third is to modify the guidelines to reflect: (1) Differences between direct dischargers and plants utilizing municipal systems which affect the practicability of the latter employing the technology available to achieve the effluent limitations guidelines; or (2) characteristics of the relevant pollutants which require higher levels of reduction (or permit less stringent levels) in order to insure that the pollutants do not interfere with the treatment works or pass through them untreated.

As described in the Development Documents the process waste waters from the mineral mining and processing category may contain pH and suspended solids. Accordingly, it is the opinion of the EPA that because pH is recognized as a compatible pollutant, the first option is appropriate and the guidelines should not apply to process waste waters from plants in the mineral mining and processing category discharging to publicly owned treatment works. However the operator of the publicly owned treatment works is cautioned that some of the constituents of the process waste waters from these subcategories may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process

waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation by the Agency pursuant to section 307(b) of the Act.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the EPA Information Center, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown. Comments on all aspects of the proposed regulations are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which is available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data is essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing pretreatment standards for existing sources, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304 and 307(b) of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

In consideration of the foregoing, it is hereby proposed that 40 CFR Part 436 be amended to add §§ 436.54, 436.64, 436.74, 436.104, 436.114, 436.124, 436.134, 436.144, 436.154, 436.194, 436.224, 436.234, 436.244, 436.254, 436.264, 436.324, and 436.384 as set forth below. All comments received on or before November 17, 1975, will be considered.

Dated: October 8, 1975.

RUSSELL E. TRAIN,
Administrator.

PART 436—MINERAL MINING AND PROCESSING POINT SOURCE CATEGORY

Subpart E—Gypsum Subcategory

Subpart E is amended by adding § 436.54 as follows:

§ 436.54 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.52 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart F—Asphaltic Minerals Subcategory

Subpart F is amended by adding § 436.64 as follows:

§ 436.64 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this Chapter, the effluent limitations guidelines set forth in § 436.62 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart G—Asbestos and Wollastonite Subcategory

Subpart G is amended by adding § 436.74 as follows:

§ 436.74 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.72 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart J—Barite Subcategory

Subpart J is amended by adding § 436.104 as follows:

§ 436.104 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.102 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart K—Fluorspar Subcategory

Subpart K is amended by adding § 436.114 as follows:

§ 436.114 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants estab-

lished under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.112 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart L—Salines from Brine Lakes Subcategory

Subpart L is amended by adding § 436.124 as follows:

§ 436.124 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.122 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart M—Borax Subcategory

Subpart M is amended by adding § 436.134 as follows:

§ 436.134 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.132 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart N—Potash Subcategory

Subpart N is amended by adding § 436.144 as follows:

§ 436.144 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.142 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately

treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart O—Sodium Sulfate Subcategory

Subpart O is amended by adding § 436.154 as follows:

§ 436.154 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.152 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart S—Frasch Sulfur Subcategory

Subpart S is amended by adding § 436.194 as follows:

§ 436.194 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.192 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart V—Bentonite Subcategory

Subpart V is amended by adding § 436.224 as follows:

§ 436.224 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.222 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by

the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart W—Magnesite Subcategory

Subpart W is amended by adding § 436.234 as follows:

§ 436.234 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.232 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart X—Diatomite Subcategory

Subpart X is amended by adding § 436.244 as follows:

§ 436.244 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.242 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart Y—Jade Subcategory

Subpart Y is amended by adding § 436.254 as follows:

§ 436.254 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.252 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart Z—Novaculite Subcategory

Subpart Z is amended by adding § 436.264 as follows:

§ 436.264 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.262 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart AF—Tripoli Subcategory

Subpart AF is amended by adding § 436.324 as follows:

§ 436.324 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.322 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

Subpart AL—Graphite Subcategory

Subpart AL is amended by adding § 436.384 as follows:

§ 436.384 Pretreatment standards for existing sources.

For the purpose of pretreatment standards for incompatible pollutants established under § 128.133 of this chapter, the effluent limitations guidelines set forth in § 436.382 above shall not presently apply. Some of the constituents of the process waste waters from this subcategory may interfere with certain treatment works or may pass through such treatment works inadequately treated. Therefore, such process waste waters should receive special consideration by the operator of the publicly owned treatment works and may be the subject of subsequent further regulation pursuant to section 307(b) of the Act.

[FR Doc. 75-27721 Filed 10-15-75; 8:45 am]

**ENVIRONMENTAL PROTECTION
AGENCY**

[FRL 443-7]

**WATER POLLUTION PREVENTION AND
CONTROL****Mineral Mining; Addition to List of
Categories of Sources**

Section 306(b)(1)(A) of the Federal Water Pollution Control Act, as amended October 18, 1972 (Pub. L. 92-500), directs the Administrator of the Environmental Protection Agency to publish, and from time to time revise a list of categories of sources which shall, at the minimum, include those listed in section 306(b)(1)(A). As soon as practicable, but in no case more than one year after the in-

clusion of a category of sources in such list, the Administrator is required to propose and publish regulations establishing Federal standards of performance for new sources within such categories. The original list of 27 source categories was published January 16, 1973 (38 FR 1624). Standards of performance have been promulgated for all 27 source categories.

The Administrator, after evaluating available information, has determined that mineral mining is an additional category of point sources which meets the above requirements. Evaluation of other point source categories is in progress, and the list will be supplemented from time to time as the Administrator deems appropriate. Accordingly,

notice is given that the Administrator, pursuant to section 306(b)(1)(A) of the Act amends the list of categories of sources as follows:

LIST OF CATEGORIES OF SOURCES**32. Mineral Mining.**

Proposed effluent limitations guidelines for existing sources and standards of performance and pretreatment standards for new sources applicable to the above point source categories appear elsewhere in this issue of the FEDERAL REGISTER.

Dated: October 8, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc. 75-27720 Filed 10-15-75; 8:45 am]

federal register

THURSDAY, OCTOBER 16, 1975



PART III:

PRIVACY ACT OF 1974

■

VARIOUS AGENCIES

**VETERANS ADMINISTRATION
PRIVACY ACT OF 1974**

**Proposed Amendment of Notice of Systems
of Records**

Notice is hereby given that the Veterans Administration is considering adding the following statement to each of the systems of records described and adopted in the notice published in the *FEDERAL REGISTER* October 10, 1975 (40 FR 47980): "Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual." The proposed amendment was recommended by the Office of Management and Budget in a memorandum of October 3, 1975 directed to the heads of Executive Departments

and Establishments. The implementation of this routine use will obviate the need for the written consent of the constituent in every case where the constituent requests assistance of the Member which would entail a disclosure of information pertaining to the constituent.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans' Affairs (271A), Veterans' Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before November 17, 1975, 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 given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93-579.

Approved: October 9, 1975.

By direction of the Administrator.

[SEAL]

ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.75-27883 Filed 10-15-75;8:45 am]

NATIONAL SCIENCE FOUNDATION SYSTEMS OF RECORDS UNDER THE PRIVACY ACT

Pursuant to the requirements of Section 3 of the Privacy Act of 1974, 5 USC 552a(e)(4) notice is hereby given of the existence and character of an additional system of records maintained by the National Science Foundation and of the routine uses thereof. Interested persons are invited to submit written data, views or arguments to the Director, National Science Foundation, ATTN: General Counsel, Washington, D.C. 20550, not later than 30 days after the publication of this notice.

Richard C. Atkinson (for) H Guyford Stever,
Director.

NSF-38

System name: Alien Applications for Consideration of Waiver of Two-Year Foreign Residence Requirements-NSF

System location: NSF Office of International Programs, 1800 G Street, NW., Washington, DC 20550.

Categories of individuals covered by the system: Aliens subject to conditions of Section 212(e) of the Immigration and Nationality Act, seeking waiver of two-year foreign residence requirements, in order to apply for immigrant or temporary worker status.

Categories of records in the system: Curriculum vitae, next of kin, correspondence and employment data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be made available to Department of State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Records are filed alphabetically by last name of alien.

Safeguards: Building has security guards during nonbusiness hours. Records are in locked rooms after business hours. Access is limited to persons whose official duties require their use.

Retention and disposal: Records are held at NSF approximately two years after close out of case. Records are destroyed 10 years after close of alien case folder.

System manager(s) and address: Head, Office of International Programs.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: The individual and U.S. host institution (employer).

[FR Doc.75-27338 Filed 10-7-75;3:06 pm]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(Notice 75-78)

Proposed Notice of System of Records

Pursuant to the requirements of the Privacy Act of 1974 (5 U.S.C. 552a, P.L. 93-579) the National Aeronautics and Space Administration hereby gives notice of the maintenance of the following system of records.

This system of records was in existence on September 27, 1975, but due to administrative oversight the notice was not previously published. Accordingly, public comment on the system is invited.

Written comments should be addressed to the NASA Privacy Officer, Mail Code AE, National Aeronautics and Space Administration, Washington, DC 20546. All comments received by November 7, 1975, will be considered by NASA before taking final action on the system notice. Any comments received will be available for public inspection at the National Aeronautics and Space Administration, Room 7137, 400 Maryland Avenue, SW, Washington, DC 20546, between the hours of 9 a.m. and 4 p.m. Monday through Friday (except holidays), until 4 p.m., November 7, 1975.

It is proposed that this system notice shall be finally effective on November 14, 1975.

Duward L. Crow
Associate Deputy Administrator.

NASA 220RER

System name: LeRC Occupational Radiation Exposure Records—NASA

System location: Locations 8 and 14, as set forth in Appendix A (See Federal Register of September 22, 1975, 40 FR 184, 43687)

Lewis Research Center—NASA, 21000 Brookpark Road, Cleveland, OH 44135

LeRC Plum Brook Station, National Aeronautics and Space Administration, Sandusky, OH 44870

Categories of individuals covered by the system: Present and former LeRC employees and contractor personnel who may be exposed to radiation.

Categories of records in the system: Name, date of birth, exposure history, name of license holder, social security number, employment and training history.

Authority for maintenance of the system: 42 U.S.C. 2473, 44 U.S.C. 3101, 42 U.S.C. 2021, 2073, 2093, 2095, 2111, 2133, 2134, 2201, Title 10 Code of Federal Regulations, Part 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA to inform individuals of their radiation dosage.

In addition to the internal uses of the information contained in this system of records the following are routine uses outside of NASA:

1. Standard routine uses 1-4 inclusive as set forth in Appendix B. (See Federal Register of September 22, 1975, 40 FR 184, 43688)

2. The Nuclear Regulatory Commission (formerly Atomic Energy Commission) may inspect records pursuant to fulfilling their responsibilities in administering and issuing licenses to use radiation sources.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Records are personally supervised during the day and locked in the office at night.

Records are protected in accordance with the requirements and procedures which appear in the NASA rules section of the FEDERAL REGISTER. (40 FR 184, 43668)

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Chief, Office of Environmental Health, Location 8

Subsystem manager: Manager, Plum Brook Reactor Facility, Location 14. Locations are set forth in Appendix A (See Federal Register of September 22, 1975 (40 FR 184, 43687)

Notification procedure: Individuals may obtain information from the cognizant System Manager or subsystem manager listed above.

Record access procedures: Same as above.

Contesting record procedures: The NASA rules for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in the NASA rules section of the FEDERAL REGISTER. (See 40 FR 184, 43668).

Record source categories: Individual is sole source.

[FR Doc.75-27495 Filed 10-8-75; 11:44 am]