

Federal Register

THURSDAY, MARCH 11, 1976



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(The items in this list were editorially compiled as an aid to FEDERAL REGISTER users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.)

Rules Going Into Effect Today

NOTE: There were no items published after October 1, 1972, that are eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

List of Public Laws

S. 2117..... Pub Law 94-225
An act to amend section 5202 of title 10, United States Code, relating to the detail, pay, and succession to duties of the Assistant Commandant of the Marine

Corps and to amend title 10 of the United States Code in order to make certain disability retirement determinations by the Secretaries of the military departments subject to review by the Secretary of Defense.
(Mar. 4, 1976; 90 Stat. 202)

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

Ten agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
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DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
	CSC			CSC
	LABOR			LABOR

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this trial program are invited and will be received through May 7, 1976. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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federal register

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Area Code 202



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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 1—General Provisions

CHAPTER IV—MISCELLANEOUS AGENCIES (PRIVACY REGULATIONS)

PART 415—BOARD FOR INTERNATIONAL BROADCASTING—PRIVACY ACT IMPLEMENTATION

Adoption of Final Rules

On page 6076 of the FEDERAL REGISTER of February 11, 1976, there were published proposed amendments to the regulations of the Board for International Broadcasting governing the Privacy Act of 1974. Public comment on these proposed amendments was invited through March 5, 1976.

No public comment has been received and the proposed amendments to the regulations are hereby adopted without change as of March 8, 1976.

WALTER R. ROBERTS,
Executive Director.

- | | |
|--------|---|
| Sec. | |
| 415.1 | Purpose and scope. |
| 415.2 | Definitions. |
| 415.3 | Procedures for requests pertaining to individual records in a record system. |
| 415.4 | Times, places and requirements for the identification of the individual making a request. |
| 415.5 | Disclosure of requested information to the record. |
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| 415.7 | Request for correction or amendment to the record. |
| 415.8 | Agency review of request for correction or amendment of the record. |
| 415.9 | Appeal of an initial adverse agency determination on correction or amendment of the record. |
| 415.10 | Disclosure of record to a person other than the individual to whom the record pertains. |
| 415.11 | Fees. |

AUTHORITY: 5 U.S.C. 552a; Pub. L. 93-579.

§ 415.1 Purpose and scope.

The purposes of these regulations are to:

- (a) Establish a procedure by which an individual can determine if the Board for International Broadcasting (hereafter known as the Board) maintains a system of records which includes a record pertaining to the individual; and
- (b) Establish a procedure by which an individual can gain access to a record pertaining to him or her for the purpose of review, amendment and/or correction.

§ 415.2 Definitions.

For the purpose of these regulations—

- (a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;
- (b) The term "maintain" includes maintain, collect, use or disseminate;

(c) The term "record means any item, collection or grouping of information about an individual that is maintained by the Board, including, but not limited to, his or her employment history, payroll information, and financial transactions and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as social security number;

(d) The term "system of records" means a group of any records under the control of the Board from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual; and

(e) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 415.3 Procedures for requests pertaining to individual records in a record system.

An individual shall submit a request to the Budget and Administrative Officer of the Board, Suite 430, 1030 Fifteenth Street, Northwest, Washington, D.C. 20005, in person or in writing, to determine if a system of records named by the individual contains a record pertaining to the individual, or if the Board maintains any systems of record which pertain to the individual. The individual shall submit a request to the Budget and Administrative Officer of the Board which states the individual's desire to review his or her record. Individuals who require assistance in identifying systems of record, or in preparing requests identifying systems of record for access, or who need assistance in requesting amendments, may address such requests to the Budget and Administrative Officer of the Board, Suite 430 1030 Fifteenth Street, Northwest, Washington, D.C. 20005.

§ 415.4 Times, places, and requirements for the identification of the individual making a request.

An individual making a request to the Budget and Administrative Officer of the Board pursuant to § 415.3 shall present the request at the Board offices, Suite 430, 1030 Fifteenth Street, NW., Washington, D.C. 20005, on any business day between the hours of 9 a.m. and 5:30 p.m., or in writing. The individual submitting the request should present himself or herself at the Board's offices with a form of identification which will permit the Board to verify that the individual is the same individual as contained in the record requested, such as a valid driver's permit, employee identification card, or

Medicare card, or a signed statement from the individual asserting his or her identity and stipulating that he or she understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to \$5,000. If the individual seeks access by mail, the Board will require similar identification as required of those persons requesting access to records in person, or by identifying data such as name, date of birth, or system personal identifier (if known to the individual). Requests for access to systems of record will be acknowledged within ten days of receipt. The acknowledgement will indicate whether or not access can be granted and, if so, that it will be within a 30-day period unless, for good cause shown, the Board is unable to do so.

§ 415.5 Disclosure of requested information to the individual.

Upon verification of identity either in person or in written form to the Budget and Administrative Officer of the Board, Suite 430, 1030 Fifteenth Street, Northwest, Washington, D.C. 20005, and in accordance with the identification provisions of § 415.4, the Board shall disclose to the individual the information contained in the record which pertains to that individual. The individual may be accompanied for the purpose by a person of his or her choosing. Upon request of the individual to whom the record pertains, all information in the accounting of disclosures will be made available. If, for any unforeseen circumstances, or in an unusual situation when it may be necessary to deny a person access, the individual will be advised of the reasons therefor, and his or her right to judicial review under 5 U.S.C. 552a (f) (4).

§ 415.6 Access to the accounting of disclosures from records.

The Privacy Act requires that with some limited exceptions individuals may request access to a list of those to whom records about them have been disclosed. Individuals seeking access to the accounting of disclosures from records pertaining to them should follow the same procedures as established above for access to the records themselves (see §§ 415.3, 415.4, 415.5).

§ 415.7 Request for correction or amendment to the record.

The individual should submit a request to the Budget and Administrative Officer of the Board which states the individual's desire to correct or to amend his or her record. This request is to be made in accord with the provisions of § 415.4.

RULES AND REGULATIONS

§ 415.8 Agency review of request for correction or amendment of the record.

Within ten working days of the receipt of the request to correct or to amend the record, the Budget and Administrative Officer of the Board will acknowledge in writing such receipt and promptly either—

(a) Make any correction or amendment or any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or

(b) Inform the individual of his or her refusal to correct or to amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Board for the individual to request a review of that refusal. Corrections or amendments will be sent to prior recipients of the record in question, to the extent that the Board has an accounting of the disclosure of the record of that information.

§ 415.9 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the Budget and Administrative Officer of the Board to correct or to amend his or her record may submit a request for a review of such refusal to the Executive Director of the Board for International Broadcasting, Suite 430, 1030 Fifteenth Street, N.W., Washington, D.C. 20005. The Executive Director will, not later than thirty working days from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the Executive Director extends such thirty day period. If, after his or her review, the Executive Director also refuses to correct or to amend the record in accordance with the request, the individual may file with the Board a concise statement setting forth the reasons for his or her disagreement with the refusal of the Board and may seek judicial review of the Executive Director's determination under 5 U.S.C. 552a(g)(1)(A). A copy of the corrected record or statement of dispute will be provided to prior recipients of the information in question, to the extent that the Board has an accounting of the disclosure of that information.

§ 415.10 Disclosure of record to a person other than the individual to whom the record pertains.

The Board will not disclose a record to any individual other than to the individual to whom the record pertains without receiving the prior written consent of the individual to whom the record pertains, except as required or permitted under 5 U.S.C. 552a(b).

§ 415.11 Fees.

If an individual requests copies of his or her record, he or she shall be charged ten cents per page for any copying charges in excess of \$25.00. In cases of indigency, the Board may waive such fees. In cases where copying charges exceed \$25.00, advance payment will be required.

[FR Doc. 76-7008 Filed 3-10-76; 8:45 am]

Title 12—Banks and Banking
CHAPTER V—FEDERAL HOME LOAN
BANK BOARD

[No. 76-176]

SUBCHAPTER B—FEDERAL HOME LOAN
BANK SYSTEM

PART 525—ADVANCES**Terms of Certain Advances**

MARCH 5, 1976.

Summary. The following summary of the amendments adopted by this Resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble and to specific provisions of the regulations.

I. Existing Regulations. A. Section 525.25 provides that advances to member institutions under section 11(g)(3) of the Federal Home Loan Bank Act which are secured by securities other than United States obligations shall be for terms not in excess of one year.

B. Section 525.32 provides that secured and unsecured advances to member institutions under section 11(g)(4) of the Act shall be for terms not in excess of one year.

C. Section 525.32 also provides that, subject to certain limitations, the Banks may make secured and unsecured advances to member institutions under section 11(g)(3) of the Act. Since § 525.32 does not specify a maximum term for these advances, the five-year maximum set forth in section 11(g)(3) is applicable.

II. Amendments. Both §§ 525.25 and 525.32 are amended by changing the one year limitations therein to five years, as permitted by sections 11(g)(3) and 11(g)(4) of the Act.

III. Reasons for Amendments. A. To eliminate existing inconsistencies in the regulations.

B. To provide the Federal Home Loan Banks greater flexibility in making advances to member institutions.

The Federal Home Loan Bank Board believes it is desirable to amend Part 525 of the Regulations for the Federal Home Loan Bank System (12 CFR Part 525) by revising §§ 525.25 and 525.32 thereof, in order to change from one year to five years the maximum maturity permitted for certain types of advances authorized by these sections. The purposes of these amendments are to eliminate certain inconsistencies in §§ 525.25 and 525.32 and to provide the Federal Home Loan Banks with greater flexibility in making advances to member institutions.

Accordingly, the Federal Home Loan Bank Board hereby amends Part 525 by revising §§ 525.25 and 525.32 thereof, to read as set forth below, effective April 11, 1976.

Since these amendments relieve restriction and are for the purpose of clarification, the Board hereby finds that notice and public procedure with respect to said amendments are unnecessary under the provisions of 12 CFR 508.11 and 5 U.S.C. § 553(b).

1. Part 525 is amended by revising § 525.25 thereof, to read as follows:

§ 525.25 Advances secured by other securities.

Advances to members secured by securities other than obligations of the United States may be made by each Bank for periods not to exceed five years, under the provisions of section 11(g)(3) of the act: Provided, (a) the securities so held as collateral constitute an investment in which the member is legally authorized to invest its funds; (b) such securities have a readily ascertainable market value; and (c) such securities are not in default with respect to payments of interest or principal. Advances under this section shall not be made in an amount in excess of 80 percent of the market value or principal amount of such securities, whichever is less, provided that advances in amounts not in excess of face value may be made upon the security of consolidated Federal Home Loan Bank obligations.

2. Part 525 is amended by revising § 525.32 thereof, to read as follows:

§ 525.32 Short term advances.

In addition to unsecured or secured advances with a maturity of not to exceed five years which may be made under the provisions of section 11(g)(4) of the act, advances on an unsecured basis or any kind of security that may be readily available may be made to members under the provisions of section 11(g)(3) of the act. Such advances must have been unanimously approved by the executive committee of the Bank or by a majority of the directors or by two officers of the Bank. Except with the prior approval of the Board, the resulting aggregate of advances made under this section, together with the unpaid principal of any other advances having an unexpired maturity of more than 30 days, excluding advances made in accordance with or secured as provided in § 525.10, § 525.25 or § 525.26, shall not exceed 5 percent of the member's withdrawable accounts.

(Secs. 11 and 17, 47 Stat. 733 and 736, as amended; 12 U.S.C. §§ 1431 and 1437. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

RONALD A. SNIDER,
Assistant Secretary.

[FR Doc. 76-6973 Filed 3-10-76; 8:45 am]

[No. 76-177]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN
INSURANCE CORPORATION

PART 563—OPERATIONS**Insurance of Loans**

MARCH 5, 1976.

By Resolution No. 76-120 of February 12, 1976 (41 FR 7497-7499), the Federal Home Loan Bank Board amended Part 563 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 563) to add thereto a new § 563.44 relating to insurance of loans. New § 563.44(b)(4) in part prohibits an insured institution or

service corporation affiliate thereof from insuring, on and after January 1, 1977, any loan with a mortgage insurance company in which such insured institution or service corporation affiliate had an equity ownership interest as specified, unless a compelling justification is made that no conflict of interest would thereby result. However, new § 563.44(c) excepts from this restriction "any mortgage insurance company which is entirely owned, directly or indirectly, by insured institutions, no one of which owns more than twenty-five percent of any class of equity securities of such mortgage insurance company."

In the preamble to Board Resolution No. 76-120, it was stated that the Board would monitor the activities of mortgage insurance companies within the § 563.44(c) exception and would "consider modifying or revoking this exception if practices or conditions develop which give rise to harmful actual or potential conflicts of interest."

Upon further consideration, the Board has decided that the § 563.44(c) exception initially should be limited to existing mortgage insurance companies pending further experience with, and study of, the practices of such companies and the concept underlying their operations, as well as the dangers which such practices could pose to insured institutions doing business with them.

Accordingly, the Board hereby amends said § 563.44(c) by adding immediately after the phrase "any mortgage company" the phrase "in existence on March 11, 1976," effective April 19, 1976.

Since this amendment modifies a new regulation to become effective on April 19, 1976, which the Board believes should only become effective as hereby modified, the Board hereby finds that notice and public procedure on this amendment is unnecessary and contrary to the public interest under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b), and the Board therefore hereby provides that this amendment shall become effective as hereinbefore set forth.

As hereby amended, § 563.44(c) reads as follows:

§ 563.44 Loans involving mortgage insurance.

(c) *Exception.* Paragraph (b) (4) of this section does not apply to any mortgage insurance company in existence on March 11, 1976, which is entirely owned, directly or indirectly, by insured institutions, no one of which owns more than twenty-five percent of any class of equity securities of such mortgage insurance company.

(Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; 12 U.S.C. 1725, 1726, 1730. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

RONALD A. SNIDER,
Assistant Secretary.

[FR Doc. 76-6974 Filed 3-10-76; 8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 3, Amdt. 7]

PART 122—BUSINESS LOANS

Guaranteed Loans—Notification of Default

The Small Business Administration is amending its business loan regulations to modify the requirement for notification to SBA by participating lenders regarding borrower default on loans made under the simplified blanket guaranty procedures, and to clarify the definition of "default." This amendment will accommodate a decision of the Comptroller General, dated February 19, 1976, B-181432.

This amendment, in restating the previous provision that SBA is obligated to purchase not more than 90 percent of the outstanding balance of each loan under a Guaranty Agreement, with accrued interest, in the event the borrower has defaulted for not less than 60 days, also provides that SBA has the right to purchase at any time the guaranteed percentage of any loan. This addition conforms the regulation to the current language of the Guaranty Agreement.

In lieu of the prior requirement that SBA receive written notification within 30 days of uncured default, the revised provision will require notification within 45 or 90 days of default. The guaranty on a loan shall terminate if notification is not received within 90 days. If notification is not received within 45 days the lender will not be paid by SBA for accrued interest from the date of default to the date of notification. The amendment also prescribes the only methods whereby late receipt or nonreceipt of written notification of default shall be excused.

Since this amendment is less restrictive than the regulation it replaces, and will be beneficial to loan participants without imposing any additional burden on small business borrowers, it is not necessary or appropriate to invite public comment prior to its adoption. Furthermore, because of the above decision of the Comptroller General it is appropriate for this amendment to be effective February 19, 1976. However, any comments on this amendment may be submitted to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416. Until such time as further changes are made on the basis of the comments thus received, or otherwise, § 122.10(b) (1) as set forth hereinafter shall remain in effect.

Effective date. Amendment 7 to Revision 3 of Part 122 is made effective February 19, 1976.

Pursuant to the authority of 72 Stat. 387, as amended, 15 U.S.C. 636, sec. 5, 72 Stat. 385, 15 U.S.C. 634, Part 122 of

Chapter I of Title 13 of the Code of Federal Regulations is amended, effective February 19, 1976, by revising § 122.10 (b) (1) thereof to read as follows:

§ 122.10 Guaranteed loans.

(b) *Simplified blanket guaranty loans.*

(1) Simplified blanket guaranteed loans are loans made by a lender under a Guaranty Agreement between SBA and the lender which is applicable to future loans to small business concerns as authorized by SBA. Under such a Guaranty Agreement, SBA is obligated to purchase not more than 90 percent of the outstanding balance of each loan authorized thereunder together with accrued interest in the event the borrower has defaulted for not less than 60 days. SBA also has the right to purchase at any time the guaranteed percentage of any loan. Any eligible loan which the lender would make only with the guaranty of SBA may be authorized by SBA under said Guaranty Agreement. Written notification of any uncured default in any guaranteed loan must be received by SBA within 45 days after such default. (Default as used in this subparagraph means nonpayment of principal or interest on the due date.) Late receipt or nonreceipt of such required notice will be excused only where written notification was sent by registered or certified mail not later than the fifth day, or by mailgram not later than the third day, prior to the forty-fifth day after the original date of the uncured default. Where the lender fails to give SBA written notification within 45 days of an uncured default but SBA receives written notification within 90 days of said uncured default, the lender shall not be entitled to receive and SBA shall not pay to the lender accrued interest on the guaranteed portion of unpaid principal of the loan from the date of default by the borrower to the date of notice of default by the lender to SBA. The guaranty of any loan shall be terminated if written notification of default is not received by SBA within 90 days after uncured default by the borrower. Late receipt or nonreceipt of such required notice will be excused only where written notification was sent by registered or certified mail not later than the fifth day, or by mailgram not later than the third day, prior to the ninetieth day after the original date of the uncured default. The only acceptable evidence to establish the date of mailing shall be the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. The only acceptable evidence to establish the date of transmission by mailgram shall be the automatic date indication appearing on the mailgram. If the postmark in the case of mail or the automatic date indication in the case of a mailgram is illegible, the notification shall be deemed to have been filed late. The lender shall be responsible

to establish and to retain evidence of delivery of the required written notification to SBA.

Effective date: February 19, 1976.

(Catalog of Federal Domestic Assistance Programs No. 59.012, Small Business loans)

Dated: March 8, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc. 76-7002 Filed 3-10-76; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 15446; Amdt. 39-2544]

PART 39—AIRWORTHINESS DIRECTIVES

Aer Pegaso (Aeromere & Avionautica Rio) M100S Glider

There have been reports of separations of the welded lower rudder hinge pin from the rudder hinge bracket on Aer Pegaso (Aeromere & Avionautica Rio) M100S gliders that could result in loss of rudder control. Since this condition is likely to exist or develop in other gliders of the same type design, an airworthiness directive is being issued which requires the installation of a new type rudder pin and an inspection of the new pin's weld on Aer Pegaso (Aeromere & Avionautica Rio) M100S gliders.

Since a situation exists that requires the 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.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) of the 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:

AER PEGASO (AEROMERE & AVIONAUTICA RIO). Applies to M100S gliders, certificated in all categories.

Compliance is required within the next 50 hours time in service after the effective date of this AD, unless already accomplished.

To prevent separation of lower rudder hinge pin from the rudder hinge bracket and the consequent loss of rudder control, accomplish the following:

Replace the lower rudder hinge pin with a new pin made of SAE 1024 steel and inspect the new pin's weld for cracks, using the dye penetrant method, in accordance with the steps (1) through (9) of the Description section of Ingg. A. & P. Morrelli (Aer Pegaso) Technical Bulletin No. 11/M100S, dated March 16, 1971, or an FAA-approved equivalent.

This amendment becomes effective March 25, 1976.

Issued in Washington, D.C. on March 3, 1976.

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

[FR Doc. 76-6608 Filed 3-10-76; 8:45 am]

[Docket No. 15427; Amdt. 39-2543]

PART 39—AIRWORTHINESS DIRECTIVES

Morane Saulnier (Socata) MS 760B Paris II Airplanes

The FAA has found that the bleed air system of the Morane Saulnier (Socata) MS 760B Paris II airplanes has certain defects which could result in overpressure in the auxiliary fuel tanks, damage to fuel tanks and the wing leading edge, and possible inflight fire. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued which requires the installation of a placard, inspection of the wing leading edge spot welds, and engine bleed aperture and tank valve calibration inspections and repair, if necessary, on Morane Saulnier (Socata) MS 760B Paris II airplanes.

Since a situation exists that requires the 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.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) of the 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:

MORANE SAULNIER (SOCATA). Applies to MS 760B Paris II airplanes certificated in all categories, all serial numbers.

Compliance is required as indicated, unless already accomplished.

To prevent a possible inflight fire caused by overpressure in the auxiliary fuel tanks accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, install an operating limitation placard on the instrument panel in full view of the pilot that reads as follows:

"FUEL TRANSFER SYSTEM OPERATING LIMITATIONS: 1. Ground test—PROHIBITED; 2. Takeoff and climb—TIP TANK OPEN, LEADING EDGE CLOSED; 3. Cruise—LESS THAN 200 L. IN MAIN TANKS LEADING EDGE OPEN ONLY DURING TRANSFER; 4. Descent—LEADING EDGE OPEN."

(b) Within the next 10 hours' time in service after the effective date of this AD, visually inspect the wing leading edge electric spot welds for proper weld integrity.

(c) If a weld is found to be defective during the inspection required by paragraph (b) of this AD, before further flight, repair the wing leading edge associated with the defective welds.

(d) Within the next 100 hours' time in service after the effective date of this AD—

(1) Visually inspect the engine bleed apertures for proper diameter; and

(2) Inspect the auxiliary fuel tank overpressure valve for proper valve opening pressure.

(e) If, during the inspection required by paragraph (d) (1) of this AD, an engine bleed aperture diameter is found not to be as follows, replace the engine bleed overpressure valve with a serviceable valve of the same part number or an FAA-approved equivalent:

(1) For aircraft equipped with neither pneumatic deicers nor pneumatic gyros, 2 mm in diameter;

(2) For aircraft equipped with pneumatic gyros only, 3 mm in diameter;

(3) For aircraft equipped with pneumatic deicers with or without pneumatic gyros, 6 mm in diameter.

(f) If, during the inspection required by paragraph (d) (2) of this AD, the auxiliary fuel tank overpressure valve is found not to begin opening at a fuel pressure of 250 ± 20/-10 grams/cm², replace the valve with a serviceable valve of the same part number or an FAA-approved equivalent.

(g) For aircraft equipped with pneumatic deicers, within the next 100 hours' time in service after the effective date of this AD, install a 2.8 mm restrictor, P/N TN-0176-564.093, in the union at the entrance of the pressure reducing valve.

[Socata Service Bulletin No. 14/1 dated July 1971 pertains to this AD.]

This amendment becomes effective March 25, 1976.

Issued in Washington, D.C. on March 2, 1976.

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

[FR Doc. 76-6607 Filed 3-10-76; 8:45 am]

[Docket No. 15454; Amdt. 39-2547]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Model PA-12 Airplanes

There has been a report of an accident in which it was determined that one or more of the four pulley guards were missing on the flap control system pulleys on a Piper Model PA-12 airplane modified in accordance with STC No. SA231AL, caused by a flap control cable slipping off a pulley. Subsequently, it was determined that two additional pulley guards were necessary to avoid similar accidents, and STC No. SA231AL was amended accordingly. However, the additional two pulley guards have not been incorporated in all affected aircraft. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued which requires a one-time inspection to ensure that six pulley guards are installed on Piper Model PA-12 airplanes modified in accordance with STC No. SA231AL and to require the installation of pulley guards found to be missing.

Since a situation exists that requires the 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.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Sec. 6(c) of the 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:

PIPER AIRCRAFT CORPORATION. Applies to Piper Model PA-12 airplanes certificated in all categories equipped with Piper Model PA-14 wing flaps in accordance with STC No. SA231AL.

NOTE. STC No. SA231AL incorporates Rodney E. Schaeffer Drawing PA-12-1001, Revision "A," dated September 15, 1975.

Compliance is required within the next 50 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent a loss of flap control, inspect the flap control system to ensure that six flap control pulley guards are installed in accordance with the Rodney E. Schaeffer Drawing PA-12-1001, Revision "A," dated September 15, 1975, or an FAA approved equivalent. Install those pulley guards which are found to be missing.

NOTE. Copies of the Rodney E. Schaeffer Drawing PA-12-1001, Revision "A," dated September 15, 1975, may be obtained from Rodney E. Schaeffer, 1253 Cramer, Wichita, Kansas, 67212. This drawing may also be examined at the FAA Alaska Region, 632 Sixth Avenue, Anchorage, Alaska 99501, and at FAA Headquarters, 800 Independence Avenue, S.W., Washington, D.C. 20591.

This amendment becomes effective on March 25, 1976.

Issued in Washington, D.C., on March 4, 1976.

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

[FR Doc.76-6871 Filed 3-10-76;8:45 am]

[Airworthiness Docket No. 75-WE-33-AD;
Amdt. 39-2539]

PART 39—AIRWORTHINESS DIRECTIVES Douglas Model DC-10 Series Airplanes

Amendment 39-2218 (40 FR 22825), AD 75-11-10, as amended by Amendment 39-2377 (40 FR 46303), requires inspection and modification of the down locks and air bottle control valve levers to prevent inadvertent opening of Type I passenger doors on Douglas Model DC-10 Series airplanes. After issuing Amendment 39-2377, the agency determined that the compliance time for installation of control valve retention springs, or a new design control valve, should be extended. This finding was based on a request by the manufacturer for an extension in compliance time due to problems encountered with the new design valves and resulting delays in deliveries to operators. In addition, the specified interim repetitive inspections continue to apply. Therefore, the AD is being further amended to extend the compliance time of paragraph (C) (2), from 3000 to 4500 hours, and change the applicable service bulletin in paragraph (C) (2) (b) to Revision 1.

Since this amendment relieves a restriction, 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, is amended by revising paragraph (C) (2) to read in pertinent part, as follows:

(2) Within the next 4500 hours' time in service after the effective date of this AD,...

(b) * * * Douglas Service Bulletin No. 52-154, Revision 1, dated March 1, 1976, or later FAA-approved revisions.

This amendment becomes effective March 17, 1976.

(Secs. 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)).)

Issued in Los Angeles, California on March 1, 1976.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.76-6719 Filed 3-10-76;8:45 am]

[Docket No. 76-NE-5; Amdt. 39-2537]

PART 39—AIRWORTHINESS DIRECTIVES Hamilton Standard Model 54H60— Propellers

There have been hydraulic control failures of Hamilton Standard Model 54H60 propellers, used on Lockheed L-188 and L-382 type aircraft that can result in propeller pitchlocking or inability to reverse. Loss of control is caused by separation of the extension sleeve, P/N 541850, due to wear of the retention threads. Since this condition is likely to exist or develop in other propellers of the same type design, an airworthiness directive is being issued to require a repetitive check of the extension sleeve torque to determine if say thread wear has occurred.

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 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAMILTON STANDARD.—Applies to propeller Models 54H60-63, -81, -91, -111, -117 and -125.

Compliance required within the next 200 hours time in service after the effective date of this AD, unless already accomplished within the last 1800 hours time in service, and thereafter at intervals not to exceed 2000 hours.

To prevent wear of pitchlock regulator extension sleeve threads resulting in looseness and possible separation of the extension sleeve from the pitchlock regulator accomplish the following:

Check the torque required to turn the extension sleeve, P/N 541850, Rev. C or later revision, in a clockwise (tightening direction), in accordance with Hamilton Standard Service Bulletin HS Code 54H60 No. A 73, Rev. 1 dated January 2, 1976 or later revision or equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, New England Region.

(a) If a running torque is not obtained up to a maximum applied static torque of 130 ft. lb., return pitchlock regulator to service.

(b) If the running torque required to turn the extension sleeve is less than 100 ft. lbs., remove extension sleeve and inspect threads for wear. Remove from service extension sleeves with worn threads.

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 Hamilton Standard, Division of United Technologies Corporation, Windsor Locks, Connecticut 06096. These documents may also be examined at the office of the Regional Counsel, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective on March 17, 1976.

(Secs. 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)).)

Issued in Burlington, Massachusetts, on February 26, 1976.

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.76-6717 Filed 3-10-76;8:45 am]

[Docket No. 76-NE-6; Amdt. 39-2541]

PART 39—AIRWORTHINESS DIRECTIVES Sikorsky S-61, S-62, and S-64 Helicopters

It has been found that several Model 66WAP200 and Model 66WAN200 hydraulic pumps, obtained from unapproved sources, and which do not meet the FAA approved type design data, have been installed on Sikorsky Model S-61, S-62, and S-64 helicopters. Failures have been reported of the unapproved chrome plating on the pressure end of pistons, which could result in failure of the hydraulic pump and/or hydraulic flight control system. Since this condition is likely to exist or develop in other helicopters of the same types, an airworthiness directive is being issued to provide a daily inspection of the hydraulic system filters and replacement of the unapproved pumps.

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 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SIKORSKY AIRCRAFT.—Applies to S-61L, S-61N, S-61NM, S-61R, S-62A, S-64A, S-64E, S-64F helicopters certified in all categories, including Military CH-3C, HH-3C, CH-3E, HH-3E, CH-54B helicopters certificated in all categories and equipped with:

1. Model 66WAP200 hydraulic pumps, Serial Numbers 1080 through 1086, 2013, 2015, 2228, 2298, 2670, 2889, and all Serial Numbers with "DO-" prefix, except FAA approved New York Air Brake Company Serial Numbers DO-1 through DO-83.

2. Model 66WAN200 hydraulic pumps, Serial Numbers DO-2110, DO-2117, DO-2163, DO-2165, DO-2222, DO-2227.

Compliance required as indicated.

To detect flaking chrome plating from the pistons of Model 66WAP200 hydraulic pump, Serial Numbers 1080 through 1086, 2013, 2015, 2228, 2298, 2670, 2889, and all Serial Numbers with "DO-" prefix, except FAA approved New York Air Brake Company Serial Numbers DO-1 through DO-83; and Model 66WAN200 hydraulic pump, Serial Numbers DO-2110, DO-2117, DO-2163, DO-2165, DO-2222, DO-2227, accomplish the following:

a. Before the first flight each day, inspect the filter and filter bowl on the primary, auxiliary, and utility hydraulic manifold for the presence of chrome plating flakes, in accordance with the applicable Maintenance Manual instructions. If flakes are found, remove all pumps, with serial numbers noted above, and replace with FAA approved pumps before further flight. Immediately after replacement of the pump, flush and inspect the hydraulic system in accordance with the applicable Maintenance Manual instructions.

Note.—For the requirements regarding the listing of compliance with this AD in the helicopter's permanent maintenance record, see FAR 91.173.

b. Within the next 180 calendar days after the effective date of this AD, replace all pumps, with serial numbers noted above, with FAA approved New York Air Brake Company pumps.

c. Advise the FAA, Chief, Engineering and Manufacturing Branch, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, of the serial numbers of unapproved pumps found, the registration and serial number of the helicopter on which they are installed, and the serial numbers of the replacement pumps. (Reporting approved by the Office of Management and Budget under OMB No. 04-RO174.)

d. After complying with Paragraph (b) of this AD, the inspection required by Paragraph (a) may be discontinued.

This amendment becomes effective March 24 1976

(Secs. 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)).)

Issued in Burlington, Massachusetts on March 3, 1976.

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.76-6718 Filed 3-10-76;8:45 am]

[Airspace Docket No. 76-EA-1]

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

Alteration of Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to realign Victor Airway 116 between the Lake Henry, Pa., and Deer Park, N.Y., VORTACs.

Aircraft operating westbound on Victor Airway 116 have been encountering frequency interference from the Stony Fork, Pa., VORTAC while in the vicinity of Greenwood, N.J., intersection above 14,500 feet MSL. The airway use has been restricted procedurally pending resolution of the interference problem. Flight inspection has confirmed that a

realignment of the Lake Henry 119° M radial to the 120° M radial would eliminate the frequency interference problem and restore Victor Airway 116 to its full vertical limits. Accordingly, the Federal Aviation Administration has determined that Victor Airway 116 should be realigned one degree to reinstate the airway to its full use.

Since this amendment eliminates a navigation restriction by restoring to public use all altitudes of the airway, notice and public procedure thereon are deemed unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, May 20, 1976, as hereinafter set forth.

§ 71.123 [Amended]

§ 71.123 (41 FR 307) is amended as follows:

In V-116 "INT Lake Henry 109°" is deleted and "INT Lake Henry 110°" is substituted therefor.

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

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

Issued in Washington, D.C., on March 4, 1976.

[FR Doc.76-6720 Filed 3-10-76;8:45 am]

[Airspace Docket No. 75-AL-12]

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

Withdrawal of Final Rule and Extension of Comment Period

The purpose of this rule is to withdraw the effective date March 25, 1976, in FR Doc. 76-2510 (41 FR 4254) published January 29, 1976, in which the Federal Aviation Administration (FAA) amended Part 71, § 71.171 and § 71.181 of the Federal Aviation Regulations (FAR).

On December 12, 1975, a Notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (40 FR 57811) stating that the FAA was considering an amendment to Part 71 of the FAR that would: (1) add a west extension to the Nome, Alaska, control zone; (2) realign the east extension of the Nome, Alaska, control zone; (3) reconfigure the lateral limits of the 700-foot Nome, Alaska, transition area. Due to inadequate distribution of the NPRM, air taxi operators in the Nome area were not given an opportunity to comment on the proposal prior to the comment period closing date. The final rule issued on January 22, 1976, is hereby withdrawn and the comment period is reopened and all comments received before April 15, 1976, will be considered before final rule making action is taken on the proposal.

(Secs. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a), and 1510), Executive Order 10854 (24 FR 9565) and Sec. 6 (c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Washington, D.C., on March 4, 1976.

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

[FR Doc.76-6721 Filed 3-10-76;8:45 am]

[Docket No. 15426; Amdt. No. 1011]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft, or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for \$30.00 each.

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

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective April 22, 1976.

Phoenix, AZ—Phoenix Sky Harbor Int'l Arpt., VOR Rwy 26L, Amdt. 18.
Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., VOR Rwy 27R, Amdt. 2.
Kamuela, HI—Waimea-Kohala Arpt., VOR Rwy 4, Amdt. 6.

Bloomington, IN—Monroe County Arpt., VOR Rwy 6, Amdt. 10.

Bloomington, IN—Monroe County Arpt., VOR Rwy 17, Amdt. 5.

Bloomington, IN—Monroe County Arpt., VOR Rwy 24, Amdt. 3.

Bloomington, IN—Monroe County Arpt., VOR Rwy 35, Amdt. 8.

Emporia, KS—Emporia Muni. Arpt., VOR-A, Amdt. 8.

Owensboro, KY—Owensboro-Davless County Arpt., VOR Rwy 35, Amdt. 10.

Flint, MI—Bishop Arpt., VOR Rwy 9, Amdt. 15.

Flint, MI—Bishop Arpt., VOR Rwy 18, Amdt. 8.

Flint, MI—Bishop Arpt., VOR Rwy 27, Amdt. 11.

Flint, MI—Bishop Arpt., VOR Rwy 36, Amdt. 4.

Berlin, NJ—Kettlerun Airpark, VOR-A, Original.

Clovis, NM—Clovis Muni. Arpt., VOR-A, Original.

Prospectville, PA—Turner Field, VOR Rwy 14, Amdt. 1.

Casper, WY—Natrona County Int'l Arpt., VOR/DME Rwy 3, Original.

Effective March 4, 1976:

Hastings, MI—Hastings Muni. Arpt., VOR Rwy 12, Amdt. 3.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective April 22, 1976.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., LOC(BC) Rwy 9R, Amdt. 3.

Effective March 25, 1976:

Chicago (Wheeling), IL—Pal-Waukee Arpt., LOC Rwy 16, Original, cancelled.

Maxton, NC—Laurensburg-Maxton Arpt., SDF Rwy 5, Original.

Effective March 18, 1976:

Alma, MI—Gratiot Community Arpt., SDF Rwy 9, Original.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective April 22, 1976.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., NDB Rwy 8, Amdt. 39.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., NDB Rwy 9L, Amdt. 2.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., NDB Rwy 27R, Amdt. 2.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., NDB Rwy 33, Amdt. 18.

Owensboro, KY—Owensboro-Davless County Arpt., NDB Rwy 35, Amdt. 2.

Dayton, OH—Dayton General (South) Arpt., NDB Rwy 9, Amdt. 1.

Marion, OH—Marion Muni. Arpt., Rwy 12, Amdt. 5.

Effective March 18, 1976:

Alma, MI—Gratiot Community Arpt., NDB Rwy 9, Original.

Effective March 4, 1976:

Grand Rapids, MI—Kent County Arpt., NDB Rwy 26L, Amdt. 9.

Effective March 2, 1976:

Pascagoula, MS—Jackson County Arpt., NDB Rwy 22, Amdt. 2.

Effective February 27, 1976:

Alma, MI—Gratiot Community Arpt., NDB Rwy 9, Amdt. 2, cancelled.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective April 22, 1976.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., ILS Rwy 8, Amdt. 48.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., ILS Rwy 9R, Amdt. 9.

Atlanta, GA—The William B. Hartsfield-Atlanta Int'l Arpt., ILS Rwy 27L, Amdt. 4.

Owensboro, KY—Owensboro-Davless County Arpt., ILS Rwy 35, Amdt. 4.

Effective March 25, 1976:

Chicago (Wheeling), IL—Pal-Waukee Arpt., ILS Rwy 16, Original.

Effective March 4, 1976:

Grand Rapids, MI—Kent County Arpt., ILS Rwy 26L, Amdt. 10.

5. Section 97.31 is amended by originating, amending, or canceling the following RADAR SIAPs, effective March 4, 1976.

Grand Rapids, MI—Kent County Arpt., RADAR-1, Amdt. 3.

6. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective April 22, 1976.

Phoenix, AZ—Phoenix Sky Harbor Int'l Arpt., RNAV Rwy 8L, Original.

Phoenix, AZ—Phoenix Sky Harbor Int'l Arpt., RNAV Rwy 26R, Original.

Fullerton, CA—Fullerton Muni. Arpt., RNAV Rwy 24, Amdt. 5.

Emporia, KS—Emporia Muni. Arpt., RNAV Rwy 18, Amdt. 1.

CORRECTION: In Docket Number 15360, Amendment 1006, to Part 97 of the Federal Aviation Regulations published in the Federal Register dated February 4, 1976, on page 5092 * * * under Section 97.27, effective March 18, 1976, McRae, GA—Telfair-Wheeler Arpt., NDB Rwy 20, Amdt. 3, cancelled. This action is hereby rescinded * * * this procedure remains in effect.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1438, 1354, 1421, 1510, and sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c).)

Issued in Washington, D.C., on March 4, 1976.

JAMES M. VINES,
Chief, Aircraft Programs
Division.

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 F.R. 5610).

[FR Doc.76-6870 Filed 3-10-76; 8:45 am]

[Docket No. 15425; Amdt. No. 99-10]

PART 99—SECURITY CONTROL OF AIR TRAFFIC

Deletion of Puerto Rico Coastal Air Defense Identification Zone

The purpose of this amendment is to delete the airspace description of the Puerto Rico Coastal Air Defense Identification Zone (ADIZ) from § 99.45(f) of Part 99 of the Federal Aviation Regulations.

Part 99 designates defense areas, air defense identification zones, and prescribes rules for operating aircraft in those areas. The Puerto Rico ADIZ was designated in Part 620 of the Regulations

of the Administrator at the request of the Department of Defense during a national emergency in 1962, and was rescinded, effective January 24, 1963 (28 FR 633), when that Department advised the Administrator that the situation which generated the requirement no longer existed. However, when Part 620 was recodified as Part 99 of the Federal Aviation Regulations, the airspace description of the Puerto Rico ADIZ was erroneously included. Since the ADIZ was rescinded and is no longer reflected on any charts, its description in Part 99 is no longer applicable, and is, therefore, deleted by this amendment.

The deletion of this airspace description is editorial in nature and has no substantive effect. Therefore, notice and public procedure thereon are unnecessary, and, for the same reason, it may become effective in less than 30 days after publication in the FEDERAL REGISTER.

§ 99.45 [Amended]

In consideration of the foregoing, Part 99 of the Federal Aviation Regulations is amended, effective March 11, 1976, by deleting paragraph (f) of § 99.45.

(Sections 307, 1110 and 1202 of the Federal Aviation Act of 1958 (49 U.S.C. §§ 1348, 1510, 1522); Executive Order 10854 (24 FR 9565); and Section 6(c) of the Department of Transportation Act (49 U.S.C. § 1655(c)).)

Issued in Washington, D.C., on February 27, 1976.

JOHN McLUCAS,
Administrator.

[FR Doc.76-6606 Filed 3-10-76; 8:45 am]

Title 16—Commercial Practices CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 8994]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

The Anaconda Company

Subpart—Acquiring corporate stock or assets: § 13.5 Acquiring corporate stock or assets; 13.5-20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

In the Matter of The Anaconda Company, a Corporation

Consent order requiring a New York City manufacturer and seller of primary metals and wire mill products to divest itself of the stock and assets of Systems Wire and Cable, Inc., a manufacturer of semiflexible coaxial cable within two years of service upon them of this order. Further, respondent is prohibited from acquiring, for a period of ten (10) years, the stock or assets of any firm engaged in the manufacture of semiflexible coaxial cable without prior F.T.C. approval.

The divestiture order, including further order requiring report of compliance therewith, is as follows: ¹

¹ Copies of the Complaint, Decision and Order, filed with the original document.

ORDER

I. *It is ordered*, That, subject to the prior approval of the Federal Trade Commission, respondent, through its officers, directors, agents, representatives and employees shall, as soon as possible, and in any event within two (2) years from the date of service upon it of this Order, divest absolutely and in good faith, all assets, properties, rights and privileges, tangible and intangible, presently owned or controlled by or hereafter assigned to Systems Wire and Cable, Inc. (excluding, however, receivables and inventories and any equipment, machinery, or other property presently located at Rome, New York) including but not limited to the plant operated by respondent and located at 3500 S. 30th Street, Phoenix, Arizona (hereinafter the "Plant") and all machinery, equipment and other property of whatever description located at the Plant and all customer lists, trade names, trademarks and good will acquired as a result of its acquisition of Systems Wire and Cable, Inc., and all additions and improvements thereto of whatever description (hereinafter "Systems"), to a person, firm or corporation willing and able to operate the business now operated by Systems as a separate, independent and viable going concern in the manufacture and sale of semiflexible coaxial cable; *Provided, however*, That if by the end of said two (2) year period respondent, after having made bona fide efforts to do so, has been unable to make such divestiture to a person, firm or corporation acceptable to the Federal Trade Commission then respondent shall be relieved of its obligation hereunder to make such divestiture, and shall be free to dismantle the Plant and dispose of it or any part thereof.

II. *It is further ordered*, That, if respondent is unable to sell or dispose of Systems for cash, nothing in this Order shall be deemed to prohibit respondent from retaining, accepting and enforcing in good faith any security interest therein, not to exceed five (5) years in duration, for the sole purpose of securing to respondent full payment of the price, with interest, at which Systems is sold or disposed of; *Provided, however*, That if after a good faith divestiture of Systems pursuant to this Order, respondent reacquires any of the divested assets by virtue of such security interest, respondent shall redinvest such assets within six (6) months subject to the terms of Paragraph I of this Order.

III. *It is further ordered*, That none of the assets, rights or privileges to be divested pursuant to Paragraph I above, shall be transferred, directly or indirectly, to anyone who at the time of such divestiture is an officer, director, employee, or agent of, or under the control, direction or influence of respondent or any of its subsidiaries or affiliated corporations, or who owns or controls more than one (1) per cent of the out-

standing shares of respondent's capital stock.

IV. *It is further ordered*, That pending divestiture, respondent shall not make any changes, other than in the ordinary course of business, or permit any deterioration in Systems which may impair its capacity for the manufacture, distribution or sale of semiflexible coaxial cable; *Provided, however*, That nothing in this Order shall prevent respondent from exercising reasonable business judgment with respect to conducting the business and operations of Systems pending divestiture, including the discontinuance of all operations at the Plant.

V. *It is further ordered*, That respondent shall cease and desist for the period beginning on the date of service of this Order and ending ten (10) years thereafter from acquiring, directly or indirectly, without prior approval of the Federal Trade Commission, one (1) percent or more of the stock or other share capital, of any domestic concern, corporate or non-corporate, which is engaged in the manufacture in the United States of semiflexible coaxial cable, or capital assets from such a concern pertaining to the manufacture of such cable.

VI. *It is further ordered*, That respondent shall within sixty (60) days after date of service of this Order, and every sixty (60) days thereafter until respondent has fully complied with the provisions of Paragraphs I and IV of this Order, submit in writing to the Federal Trade Commission a verified report setting forth in detail the manner and form in which respondent has endeavored to comply with such provisions. All compliance reports shall include, among other things that are from time to time required, a summary of contracts or negotiations with anyone for the property and assets specified in Paragraph I of this Order and the identity of all such persons and copies of all written communications to and from such persons. Respondent shall within one (1) year from the date of service of this Order, and every year thereafter until respondent has fully complied with the provisions of Paragraph V of this Order, submit in writing to the Federal Trade Commission a verified report setting forth the manner and form in which respondent has complied with Paragraph V of this Order.

VII. *It is further ordered*, That respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, or any other proposed change in the corporation, which may affect compliance obligations arising out of this Order.

The Divestiture Order was issued by the Commission Jan. 23, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-6950 Filed 3-10-76; 8:45 am]

[Docket No. C-2740]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Stereo Equipment Sales, Inc. t/a Baltimore Stereo Wholesalers, Etc., Et Al.

Codification under 16 CFR Part 13 appears at 40 FR 53552, Nov. 19, 1975. (Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of Stereo Equipment Sales, Inc., a Corporation, Doing Business as Baltimore Stereo Wholesalers, Stereo Wholesalers and Stereo Discounters, and Benjamin Shumate, Individually and as an Officer of Said Corporation

Order modifying an earlier order dated Nov. 19, 1975, 87 F.T.C. —, 40 FR 53552, by permitting respondents to omit the shipping weights of advertised items as long as respondents charge a flat percentage of the order price for shipping and handling.

The Order Reopening Proceeding and Modifying Order to Cease and Desist, is as follows:

By petition dated December 18, 1975, respondents have requested the Commission to modify its order of October 21, 1975 to permit respondents to omit the shipping weights of advertised items as long as respondents charge a flat percentage of the order price for shipping and handling. The Bureau of Consumer Protection has filed an answer wherein it advises that it does not oppose respondents' request.

The Commission has duly considered respondents' request and has determined that it should be granted.

It is ordered, That the proceeding be, and it hereby is, reopened.

It is further ordered, That the order to cease and desist be, and it hereby is, modified by striking Paragraph Four and substituting therefor the following:

4. Failing to disclose, in any brochures, flyers, catalogs, letters, oral representations or other solicitations of orders which provide the purchaser with the means to order merchandise from respondents, with shipping weight of any of any of the items of merchandise offered; *Provided, however*, That the shipping weight need not be set forth on any items of merchandise for which the respondents charge a flat percentage of the order price for shipping and handling if that fact is clearly disclosed in accordance with Paragraph 5 of this Order.

The Order Reopening Proceeding and Modifying Order to Cease and Desist was issued by the Commission February 17, 1976.

CHARLES A. TOBIN,
Secretary.

[FR Doc.76-6951 Filed 3-10-76; 8:45 am]

¹ Copies of the Order Reopening Proceeding and Modifying Order to Cease and Desist, filed with the original document.

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket Nos. R-411 and RM74-4]

PART 154—RATE SCHEDULES AND TARIFFS

Order on Rehearing Clarifying and Amending Prior Order and Granting Petition To Intervene

FEBRUARY 27, 1976.

In the matter of Accounting and Rate Treatment of Advances Included in Account No. 166, Advances for Gas Exploration, Development and Production.

On December 31, 1975, the Commission issued an order in this docket, which, *inter alia*, terminated the advance payment program in the lower 48 states, subject to conditions, and terminated the Alaskan advance payment program under Order No. 499 and ordered refunds of all amounts collected by the pipelines from their customers relating to Order No. 499 Alaskan advances.¹

Applications for rehearing of the December 31, 1975, order were filed on January 28, 1976, by Calpetco² and Mobil Oil Corporation (Mobil); on January 29, 1976, by the Public Service Commission of the State of New York (New York); and on January 30, 1976, by Texas Eastern Transmission Corporation and Transwestern Pipeline Company (Texas Eastern and Transwestern), United Gas Pipe Line Company (United), Panhandle Eastern Pipe Line Company and Trunkline Gas Company (Panhandle and Trunkline), Atlantic Richfield Company (Arco) and Cities Service Gas Company (Cities). This order shall treat the issues raised in these pleadings on an issue-by-issue basis.

ISSUES RELATED TO TREATMENT OF ADVANCES MADE IN THE LOWER 48 STATES UNDER ORDERS 465 AND 499

Arco and Calpetco question the Commission's decision to end the advance payment program onshore in the lower 48 States. Specifically they argue that the Commission's order stated that the evidence in the investigation showed that the onshore portion of the program met the test of the Court in *Public Service Commission of the State of New York v. Federal Power Commission*, 511 F.2d 338 (CA-2 1975). They argue that in light of this finding by the Commission, it is irrational, and not within the ambit of Court's requirement of "reasoned decision making", for the Commission to then decide to terminate the onshore portion of the advance payment program. Arco and Calpetco also argue that it is no answer for the Commission to

point to alternatives such as: Opinion No. 742³ (which permits small producers, most of whom operate onshore, to collect a just and reasonable rate equal to 130% of the applicable area or national rate for large producers); the proposal in Docket No. RM75-14 to review new gas rates for producers; Order No. 749⁴ which raised the flowing gas rates for producers; and the Commission's special relief procedures for producers. These alternatives, it is alleged, are insufficient to secure dedication of onshore reserves to the interstate market because of the price disparity between interstate and intrastate prices.

It should be noted that the primary issue raised by the Court's decision in this proceeding was whether or not the Commission acted properly in extending the advance payment program for one year in Order No. 465 and for two more years in Order No. 499. Thus, for the Commission to find, as it did in the December 31, 1975, order, that the onshore portion of the program met the Court's test in *New York, supra.*, for the contracts executed during the three years covered by Order Nos. 465 and 499 is not inconsistent with a decision to: (1) terminate that portion of the program with conditions and (2) not elect to extend the onshore advance payment program to contracts executed after the time and date of the December 31, 1975, order.

The Commission decided that the advance payments "experiment" onshore, while beneficial in enhancing the supply of natural gas to the interstate market, had served its purpose and that, as a matter of public policy, it was now necessary to return to more traditional means of capital formation for producers such as raising producer rates, rather than using capital advanced by pipelines. The Commission also noted that while its interpretation of the Court's test, and its evaluation of the evidence in light thereof, indicated that the onshore program was a critical and necessary factor in securing natural gas reserves for the interstate market, the inherent speculative nature of this type of evaluation casts serious doubts about the propriety of extending the onshore program, as suggested by Arco and Calpetco. For these reasons, as well as those stated in the December 31, 1975, order, it is found that the treatment of the onshore portion of the advance payment program in the lower 48 states in the December 31, 1975, order was reasonable and appropriate.

Arco argues that the Commission erred in terminating the offshore portion of the program in the lower 48 states. In support of its allegation, Arco notes that the December 31, 1975, order states (mimeo, p. 7) that producer responses showed that:

¹—FPC—issued August 28, 1975, in Docket No. R-393.

²—FPC—issued December 31, 1975, in Docket No. R-478.

* * * 1,020,244,370 Mcf of proven reserves out of a total of 7,827,619,800 Mcf associated with offshore advances could be sold, with a high degree of certainty, to have reached the interstate market sooner as a result of advance payments made to offshore producers. * * *

Based upon this evidence, Arco questions how the Commission could determine that the offshore portion of the program failed to meet the Court test of showing sufficient quantifiable acceleration of exploration, development, and production of offshore reserves.⁵

Arco's arguments are not persuasive. On the face of the producer responses discussed by Arco, it is clear that only about 1 out of every 7.8 Mcf of proven reserves from offshore areas dedicated to the interstate market were "accelerated" by the advance payment program. While the Commission, as stated in the December 31, 1975, order found that the offshore portion of the program was beneficial in several respects, it certainly was well within the bounds of reason for the Commission to find that the evidence resulting from the investigation of the offshore portion of the program, especially that cited by Arco as set forth above, was not sufficient to "meet the test laid down by the Court of Appeals for these proceedings" (mimeo, p. 9). This finding as well as the inherently speculative nature of the evidence adduced in this proceeding, which must be evaluated in light of the vigorous standards of the Court of Appeals tests, supports the reasonableness and propriety of the Commission's basic conclusion with respect to the offshore portion of the advance payments program in the lower 48 states, as set forth in the December 31, 1975, order.

In a related argument, Calpetco urges the Commission to either clarify, and if necessary, amend the December 31, 1975, order to permit rate base treatment of monies advanced under contracts executed after the time and date of issuance of the December 31, 1975, order if such monies were in the form of "prepayments," as opposed to "advance payments." Calpetco defines "advance payments" as monies advanced to producers for exploration and development, whereas "prepayments" are monies advanced by a pipeline to a producer for proven reserves prior to the date deliveries commence. Calpetco argues that rate base treatment for "prepayments" under new contracts must be allowed to, *inter alia*, allow interstate pipelines to compete with intrastate purchasers for onshore gas, especially that sold by small producers such as Calpetco.

Calpetco's definition of "prepayments" is identical to the Commission's definition of advances for production, or proven reserves. Advances for produc-

⁵As indicated in the December 31, 1975, order, because of the scope of the Commission's jurisdiction over offshore production, the question of whether or not the offshore reserves would be dedicated to the interstate market would not be relevant.

¹On December 31, 1975, the Commission also issued an order in Docket No. RP76-49 requiring pipelines which made pre-Order No. 499 Alaskan advances to show cause why the treatment given Order No. 499 Alaskan advances should not also be accorded pre-Order No. 499 Alaskan advances.

²On January 28, 1976, Calpetco also filed a late petition to intervene.

tion, as well as for exploration and development, were clearly the subject of Orders 465 and 499, as well as the Commission's investigation on remand from the Court of Appeals. Clearly the findings of the Court, in its Opinion, as well as those of this Commission in its December 31, 1975, order were intended to, and did in fact cover advances for production which Calpetco terms "prepayments."

We do note, however, that rate base treatment will continue for prepayments as defined by the Uniform System of Accounts. These payments were permitted rate base treatment prior to the issuance of Order 410 in October 2, 1970, in Docket No. R-380⁶ and have been considered separately from advance payments. Thus, the accounting and rate-making treatment accorded to prepayments, as defined in Account 165 below, remain unchanged by the Commission's December 31, 1975, order:

165 Prepayments

A. This account shall include payments for undelivered gas and other prepayments of rents, taxes, insurance, interest and like disbursements made prior to the period to which they apply. Prepayments for gas are those amounts paid to a seller of gas under "take or pay" provisions of a gas purchase contract for a sale certified by the Commission where future make-up of gas not taken in the current periods is provided for by the contract. (emphasis added)

B. As the periods covered by such prepayments expire, credit this account and charge the proper operating expense or other appropriate account with the amount applicable to the period.

C. This account shall be kept or supported in such a manner as to disclose the amount of each class of prepayments.

Mobil requests clarification of the condition in the December 31, 1975, order which prohibits addition of new tracts or prospects to Order Nos. 465 and 499 advance payments contracts in the lower 48 states after the time and date of issuance of the December 31, 1975, order in this proceeding. Mobil is concerned that this condition might be construed to prohibit additional advances on unexplored lands covered by an advance payment contract.

The Commission's intent in attaching that condition to Order Nos. 465 and 499 advances made in the lower 48 states was to prohibit the addition of acreage or lands not already covered by the advance payment contract to the contract after the time and date of the December 31, 1975, order. It was not intended to prohibit advances on acreage, land, prospects or tracts covered by the contract.

Mobil and United argue that the Commission erred in prohibiting rate base treatment for advances made after December 31, 1980, pursuant to advance payments contracts which are subject to Order Nos. 465 and 499. Mobil argues that such a "retroactive" change should not be imposed on pipelines who executed "lawfully documented agreements" with producers. Moreover, Mobil argues that certain pipelines may lose "first

call" rights on the gas covered by the contract if the contract calls for the pipeline to advance money after December 31, 1980, and the pipeline, because of the prospect of no rate base treatment for such advance, declines to advance the money. United concurs with Mobil's assertions and alleges further that although certain pipelines (such as United) opposed the advance payment program, they were compelled to make advances to compete with other interstate pipelines for gas. United further argues that: there is no rational basis for the cutoff; the "open-ended" type contracts which would require advances to be made after December 31, 1980, were entered into by the pipelines to meet the requirement of the Commission Staff that advances be reasonably related to producer costs; and that advance payments costs, like capital costs for utility plant, "must" be recovered.

In contrast to these allegations that the December 31, 1975, order is unduly harsh in its impact on the pipelines, as well as on the producer industry, New York argues that the Commission should require all independent producers who have received advances from pipelines pursuant to Order Nos. 465 and 499 contracts in the lower 48 states, to repay with interest on any advance payments balances outstanding as of January 1, 1976, as well as any advances made after that date pursuant to Order Nos. 465 and 499 contracts in the lower 48 states. New York states that this is necessary to prevent, in effect, unjust enrichment of the producers through the advance payment program.

The Commission's December 31, 1975, order represents an attempt to terminate an ongoing program in such a manner so as to balance the interests of consumers with the interests of the pipelines and the producers. Consumers were protected from paying excessive costs related to a terminated program by the conditions relating to the 5 year cutoff and to the limitation with respect to addition of new lands to existing contracts. On the other hand, the Commission recognized that abrupt termination of the program in the lower 48 states might cause severe hardship to the pipelines. As to the producers, they may continue to receive advances through December 31, 1980, and the Commission has recognized that alternate regulatory methods are available to elicit necessary gas supplies. The Commission in issuing the December 31, 1975, order correctly weighed the equities involved in ending the program in the lower 48 states and acted accordingly. In light of this, the suggestions of Mobil, United and New York discussed above will not be adopted.

In a related matter, Mobil suggests that the Commission firmly reject the position taken by the Commission Staff in several pipeline rate cases that in order for advances under Order Nos. 465 and 499 to be considered reasonable and appropriate for rate base treatment, they must be shown to be reasonably related to costs incurred by the producer within 30 days of the date the pipeline

makes the advance. Mobil argues that 30 days is too short a period of time and does not comport with the practice of the industry. Mobil suggests use of a 1 year time period in lieu of Staff's 30 day period.

Based upon the record before the Commission in this investigation, there is insufficient evidence to indicate what period of time would be reasonable in all cases, or even in most cases, involving this issue. Accordingly, the time period for "reasonableness and appropriateness" of advance payments will continue to be evaluated on a case by case basis.

New York alleges that the Commission erred in not changing the rate treatment accorded advances made by a pipeline where either the pipeline or pipeline affiliate acquire a working interest as a result of an advance payment. Under Order Nos. 465 and 499, advances resulting in the acquisition of a working interest by a pipeline-affiliate would receive rate base treatment and under Order No. 499, advances resulting in the acquisition of a working interest by the pipeline itself would also receive rate base treatment. Furthermore, under both orders, the pipeline or its affiliate, as applicable, were permitted to keep all revenues received as a result of the working interest. New York argues that the Commission has failed to explain the continuation of this treatment of working interests resulting from advance payments, as required by the Court's opinion. New York therefore urges the Commission to amend the December 31, 1975, order to credit the revenues received from such working interests to the pipeline's cost of service so as to reduce consumers' costs related thereto.

Further review of the record in this investigation, including the pleadings filed by New York herein, indicates that the December 31, 1975, order should be amended to provide for the crediting of revenues received from a working interest acquired by a pipeline or a pipeline affiliate as a result of an advance payment made by the pipeline; *Provided, that*, such revenues are received after the date of issuance of the instant order. The record evidence does not support continuation of the treatment prescribed in Order Nos. 465 and 499. However, it would be inequitable to require refunds of revenues received for past periods when the parties acted in good faith reliance upon the then existing rules. Accordingly, we shall amend our December 31, 1975, order to provide that any revenues received after February 27, 1976, by a pipeline or its affiliate from a working interest acquired as a result of an advance payment shall be credited to the cost of service, as would the benefits received from an economic interest,⁷ consistent with the accounting treatment prescribed in Paragraph G of Account 166 in Order No. 499 for advances sub-

⁶ See page 5, footnote 4 of the December 31, 1975, order for the definition of a working interest.

⁷ See December 31, 1975, order, mimeo p. 5, footnote 4.

⁸ 44 FPC 1142 (1970).

ject to that order and Paragraph G of Order No. 465 for advances subject to that order.

New York also urges that the December 31, 1975, order be amended to provide for some form of refund to the consumer where a pipeline makes an advance payment to its affiliated producer. New York argues that this type of transaction is analogous to the situation discussed above where a pipeline or its affiliate acquire a working interest as a result of an advance payment, and therefore an appropriate refund to consumers should be ordered.

New York's argument is not persuasive. To adopt New York's position would be to treat pipeline affiliated producers differently from independent producers, contrary to Opinion No. 568.⁴ It can be argued, as New York has successfully done in the U.S. Court of Appeals in this proceeding, that allowing a pipeline or its affiliate to retain the benefits of a working interest in a venture with an independent producer acquired as a result of an advance payment is improper, and may in fact give some advantage to the pipeline affiliated producer, as compared with the independent producer in a more traditional advance payment arrangement. However, to require some sort of crediting to cost of service of benefits received from an advance payment made to an affiliate would be discriminatory vis-a-vis independent producers receiving advances from pipelines.

The effect of granting New York's request would be to, in effect, terminate the advance payment program insofar as it relates to rate base treatment for advances made by pipelines to their affiliates. In view of the discriminatory aspects of this proposal, as discussed above, as well as the late juncture of the Commission's investigation at which New York has raised this novel construction of the Court's decision regarding treatment of advances resulting in working interests, and the fact that the program has now been terminated, New York's proposal on this matter will not be adopted.

Cities Service argues that there is an inconsistency between the cutoff of addition of new prospects and tracts as of midnight December 31, 1975 whereas the cutoff regarding contracts is as of the time and date of issuance of the order. Cities argues that the cutoff for both should be as of midnight, December 31, 1975. Cities notes that on December 31, 1975, several onshore contracts were executed with producers which will yield an estimated 1 trillion cubic feet of gas for Cities feet system. Cities argues that the Commission's language referring to allowing the advance payment program in the lower 48 states to "expire by its own terms * * *" evinces an intent to permit rate base treatment for advances made pursuant to contracts executed up to midnight, December 31, 1975, rather than cutting off the pro-

gram as of the time and date of the order.

The intent of the December 31, 1975, order was to terminate the advance program as of the time and date of the order such that advances made pursuant to contracts executed after the time and date of the December 31, 1975, order would be denied rate base treatment. Furthermore, it was the intent of that order to deny rate base treatment to advances made on prospects or tracts added to the contract after the time and date of the order. The purpose of these two provisions was to prevent a last minute execution of new contracts and contract amendments by parties after such parties had read the Commission's order. As Cities correctly argues, the time for both provisions should be the same. Attached as Appendix A hereto is a copy of the December 31, 1975, order which was posted in the Commission's Office of Public Information at 10:49 a.m., e.s.t. on December 31, 1975.

In light of the above, Ordering Paragraph (C) of the December 31, 1975, order should be clarified and amended to read as follows:

(C) Except as provided in Ordering Paragraph (B) above with respect to Alaskan advances, the advance payments program shall expire as of 10:49 a.m., e.s.t. on December 31, 1975, the time and date of this order such that rate base treatment shall not be permitted for advances made pursuant to contracts executed after the time and date of issuance of this order, *Provided, further*, That no rate base treatment will be accorded to advances under contracts subject to Order Nos. 465 and 499 in the prospects or tracts added to the advance payment contract on or after 10:49 a.m. lower 48 states which advances are for e.s.t. on December 31, 1975, the time and date of issuance of this order; and *Provided, further*, That rate base treatment shall be denied for advances made under contracts under Order Nos. 465 and 499 where such advances are made after December 31, 1980.

ALASKAN ADVANCES SUBJECT TO ORDER NO. 499

Texas Eastern and Transwestern, Panhandle and Trunkline, and Arco allege that the Commission erred in terminating and ordering refunds with respect to the advance payment program in Alaska under Order No. 499. They argue that the Commission should amend the December 31, 1975, order to permit rate base treatment for advances made pursuant to contracts which are subject to Order No. 499 because, inter alia, the pipelines involved need the Alaskan gas to offset curtailments from domestic suppliers, and large amounts of capital are needed to develop Alaskan reserves. Arco argues that as a consequence of the December 31, 1975, order, one of the "interest payments" arrangements between Arco and Pacific Lighting Gas Development Company has been terminated and the Exxon-Pacific Gas & Electric (PG&E) "interest payments" arrangement will probably be reconsidered by the Cali-

fornia Public Utilities Commission (CPUC).

Arco also alleges that the Commission's decision to terminate and order refunds with respect to the Alaskan advance payment program under Order No. 499 was not based upon a reasoned analysis of the evidence submitted in the Commission's investigation and therefore is not consistent with the Court's decision. They state that Appendix B, Schedules I and II, show that of the 9,361,600,000 Mcf of proven reserves attributable to Alaskan advances, 6,030,800,000 Mcf or 64.42% were "accelerated by advances"; 3,300,000,000 Mcf or 32.25% were developed because advance payments offset insufficient amounts of capital resources on the part of the producers; and that the remaining 30,800,000 Mcf or .33% of the proven reserves would not have been developed absent the advances because of low gas prices, marginal well productivity and the high risks associated with the project. Thus, Arco states that "Staff's own analysis" indicates that the Alaskan advance payment program either "accelerated or was a vital and necessary factor in securing dedication to the interstate market of 100% of the reported Alaskan proved reserves."

Furthermore, Arco states that the Commission cannot use the argument that all, or almost all, of the Alaskan gas will go to the interstate market even without advances because the aforementioned evidence shows that approximately 36% of the proven reserves would not have been developed absent advance payments.

Arco also challenges the Commission statement that the recipients of Alaskan advances under Order No. 499, specifically Exxon and Arco, have already demonstrated their ability to raise capital on their own by the fact that both of the recipients have entered into "interest payments" arrangements whereby they would not receive advance payments, but would raise the capital on their own, and charge the respective future purchasers the interest on such capital in return for gas to be delivered at a future date. Arco alleges that in its "interest payment" agreement with PLGD it had to sell a "portion of its own assets in the form of a production payment to supply the funds which PLGD could not provide."

New York has responded to these arguments stating that the evidence averted to by Arco is based upon a compilation of producer responses which are self-serving and must be looked upon as establishing the "outer limits of the claims for the program which upon any detailed analysis would obviously be substantially reduced." New York states (pleadings, pp. 1-2, footnote 1) that a comparison of Schedule VI, page I of Appendix C with Schedule I of Appendix B (which is cited by Arco) indicates that a majority (6,000,000,000 Mcf) of the 6,030,800,000 Mcf of Alaskan proven reserves said to be accelerated by the Alaskan advance payment program are related to a \$175,000,000 advance made by Columbia Gas Transmission Corporation (Columbia) to Sohio Petroleum Company

⁴ 42 FPC 743, 752 (1969), *reh. denied*, 42 FPC 1089, *aff'd*, *City of Chicago v. F.P.C.*, 458 F.2d 731 (1971).

(Sohio) for casinghead gas in Prudhoe Bay being developed in conjunction with exploration for oil. There is no indication, New York continues, that Sohio could or would delay deliveries of this gas absent advance payments when the gas pipeline is finally constructed.

The arguments of Arco, Texas Eastern and Transwestern, and Panhandle and Trunkline are not persuasive. As New York points out, the claim that over 6 million Mcf of proven reserves have been should be viewed in a skeptical manner. Moreover, we note that the number of Alaskan respondents is much less than the number for the onshore and offshore areas in the lower 48 states. Moreover, the Commission remains convinced that, in any event, it is not in the public interest to allow certain pipelines and distributors to tie up Alaskan reserves to the exclusion of others. Furthermore, as indicated in the December 31, 1975, order, all of the Alaskan contracts have "escape clauses" which protect the parties to the contracts from adverse financial consequences. In light of the above, no change will be made in the December 31, 1975, order regarding Alaskan advances.

Panhandle and Trunkline argue that the Commission is without legal authority to order Panhandle to remove Alaskan advances from its rate base because the Alaskan advance included in Panhandle's rates complies with Order No. 499 and the provisions of Panhandle's settlement agreement approved by order issued August 30, 1974, in Docket No. RP73-108 which permitted tracking of advance payments. Panhandle argues that Article V of the settlement agreement in Docket No. RP73-108 requires a hearing prior to removing an advance from Panhandle's rate base. Panhandle thus argues that the \$16.4 million advance payment to Arco which was permitted to be included in Panhandle's rate base by order issued July 31, 1975, in Docket No. RP73-108 cannot simply be removed from rate base because (1) an order on rehearing was issued October 9, 1975, in Docket No. RP 73-108 conditioning final approval of the advance on the outcome of the investigation in Docket Nos. 8-411 and RM74-4 and (2) the December 31, 1975, order requires removal from rate base and refunds related to all Order No. 499 Alaskan advances. Panhandle states that it is entitled to a hearing under the governing settlement agreement prior to the removal of the advance from rate base to assure Panhandle due process of law.

Panhandle's allegations are not convincing. Panhandle's authority to include Alaskan advances in its rate base under contracts executed on or after December 28, 1973, came primarily from Order No. 499, which has never become final and non-appealable because of the Court's opinion remanding that order (as well as Order No. 465) to the Commission for further investigation. The Commission found that the Alaskan portion of the program under Order No. 499 did not meet the Court's test and ordered termination of rate base treatment and refunds related to all Alaskan advances

made under Order No. 499, including those made by Panhandle. Panhandle was afforded due process in that it was given notice in the Notice of Oral Argument issued September 16, 1975, which indicated that the Commission was considering, *inter alia*, refunds by pipeline to their customers of amounts collected related to all Orders Nos. 465 and 499 advances, including Alaskan advances under Order No. 499. Panhandle was represented by counsel at the oral argument which was held before the Commission on Thursday, October 23, 1975.¹⁰ Furthermore, Panhandle filed comments as a respondent in the overall investigation. Therefore, Panhandle has been accorded due process with respect to its Alaskan advances and its request for rehearing will therefore be denied.

Finally, Arco argues that the Commission erred in ordering refunds of amounts collected relating to Order No. 499 Alaskan advances. Arco states that the Commission action represents retroactive ratemaking contrary to *F.P.C. v. Hope Natural Gas Company*, 320 U.S. 591, 618 (1944) and contrary to *United Gas Improvement Co. v. City Properties, Inc.*, 382 U.S. 233 (1965). Even if the Commission had the authority to order refunds, Arco argues that the Commission did not act in an equitable manner, as required by *F.P.C. v. Sunray, et al.*, 391 U.S. 9, 41-42 (1968).

The Commission does not concur with Arco's allegations. The Commission stated in the December 31, 1975, order:

We agree with New York and Louisiana Land that the appropriate test for deciding whether or not to order refunds is a balancing of the equities, rather than a *per se* legal test.¹¹ However, based upon a review of the equities, we do not find that refunds from either the pipelines or the producers would be in the public interest. First of all, as we noted above, there was evidence filed which shows that the program was in part a success, as for some of the offshore advances, as well as a higher proportion of the onshore advances. Moreover, ordering the pipelines to make refunds would impose a tremendous financial hardship on the pipelines because there is no guarantee whatsoever that the pipelines would be reimbursed by the producers for the carrying charges the pipelines would have to refund to their customers. Furthermore, we note that the U.S. Court of Appeals turned down the suggestion of the New York Commission that rate base treatment for advance payments be terminated and permitted the advance payment program to remain in effect pending the Commission's investigation of the program on remand. For all of the aforementioned reasons, we find that using the *Consumers'* test, the equities weigh against requiring refunds of carrying charges related to advances made under Orders 465 and 499.

Upon review of the December 31, 1975, order, as well as the cases and arguments, set forth by Arco, it has been determined that the Commission correctly balanced the equities in ordering refunds for Alaskan advances, while not ordering refunds for lower 48 states advances.

¹⁰ See Transcript of Oral Agreement, Volume No. 1 (Part 1 of 2), pp. 72-98.

¹¹ See: *Consumer Federation v. F.P.C.*, 515 F.2d 347 (CA-DC 1975).

The Commission finds: (1) Good cause exists to amend the December 31, 1975, order as hereinafter provided, and to deny the applications for rehearing filed herein to the extent not specifically granted by this order.

(2) Participation by Calpetco in this proceeding may be in the public interest.

The Commission orders: (A) Ordering Paragraph (C) of the Commission's December 31, 1975, are in Docket Nos. R-411 is amended to read as follows:

(C) Except as provided in Ordering Paragraph (B) above with respect to Alaskan advances, the advance payments program shall expire as of 10:49 a.m., e.s.t. on December 31, 1975, the time and date of this order such that rate base treatment shall not be permitted for advances made pursuant to contracts executed after the time and date of issuance of this order. *Provided, further,* That no rate base treatment will be accorded to advances under contracts subject to Order Nos. 465 and 499 in the lower 48 states which advances are for prospects or tracts added to the advance payment contract on or after 10:49 a.m., e.s.t. on December 31, 1975, the time and date of issuance of this order; and *Provided, further,* That rate base treatment shall be denied for advances made under contracts under Order Nos. 465 and 499 where such advances are made after December 31, 1980.

(B) The December 31, 1975, order is further amended to provide for the addition of the following ordering paragraph:

(E) Any revenues received after February 27, 1976, by a pipeline or its affiliate from a working interest acquired as a result of an advance payment shall be credited to the cost of service, as would the benefits received from an economic interest, as defined by footnote 4 of the December 31, 1975, order issued in Docket Nos. R-411 and RM74-4, consistent with the accounting treatment prescribed in Paragraph G of Account 166 in Order No. 499 for advances subject to that order and Paragraph G of Order No. 465 for advances subject to that order.

(C) The December 31, 1975, order is further amended to provide for the addition of the following ordering paragraph:

(F) *Statement E—Working Capital*, in paragraph (f) *Description of Statements*, of § 154.63 in part 154, Rates Schedules and Tariffs, Subchapter E—Regulations Under the Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations is amended by revising the date following the words "prior to" in item (b) in the first sentence of the second paragraph from "January 1, 1976," to "10:49 A.M., e.s.t. on December 31, 1975." As amended, this portion of Statement E reads:

§154.63 Changes in a tariff, executed service agreement or part thereof.

(f) *Description of Statements.* * * *
Statement E—Working Capital. * * *

The components or working capital may include (a) * * * (b) an allowance for the average of 13 monthly balances of material and supplies, prepayments, the unre-

covered portion of advances to supplies in Account made under contracts executed prior to 10:49 A.M. E.S.T. on December 31, 1975, and gas for current delivery from underground storage. * * *

(D) To the extent not granted in Ordering Paragraphs (A) and (B) above, the applications for rehearing of our December 31, 1975, orders are hereby denied.

(E) The above-named petitioner, is permitted to intervene in this proceeding as hereinbefore discussed, subject to the Rules and Regulations of the Commission; *Provided, however*, That the participation of such intervenor shall be limited to matters affecting asserted rights and interests specifically set forth in the petition to intervene; *Provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that he might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission. Commissioner Watt, concurring in part and dissenting in part, filed a separate statement, as a part of the original document.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6892 Filed 3-10-76; 8:45 am]

Title 20—Employees, Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Reg. No. 10]

PART 410—FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969, TITLE IV—BLACK LUNG BENEFITS (1969)

Representation of Parties, Time Limit for Petitioning for Approval of Attorney Fees

On November 5, 1975, there was published in the FEDERAL REGISTER (40 FR 51475) a Notice of Proposed Rule Making with proposed amendments to Subpart F, Regulations No. 10. The proposed amendments would provide: (1) for administrative review of initial approvals of attorney fees subsequent to the expiration of the time limitation for requesting such review, and (2) for the establishment of a time limitation on filing of petitions for approval of fees when past-due benefits are being withheld. These amendments will make treatment of attorneys' fees in "black lung" claims consistent with treatment of attorneys' fees in social security claims.

The present regulations preclude any administrative review of a fee determination upon failure on the part of either the representative or the claimant to request such review within the prescribed 30-day time limit under any circumstances. The proposed amendment makes this provision more flexible and permits review upon showing of good cause for not filing the request timely. Examples of what constitutes "good cause" are also included.

The present regulations do not provide a time limitation for filing a petition for approval of a fee so that, technically, a portion of past-due benefits must be withheld indefinitely. The proposed amendment remedies this by providing that, if a petition is not filed within 60 days of the notice of a favorable determination, the attorney representing the claimant will be notified that, if he does not file a petition or a request for extension of time within 20 days of the date of such notice, the funds being withheld will be released to the claimant. If no such petition is filed upon the expiration of the 20-day period or the period for which an extension of time was granted, the Social Security Administration may release the funds.

Interested parties were given the opportunity to submit, within 30 days, any data, views, or arguments with regard to the proposed changes. The comment period has expired and no comments were received. The changes in the regulations are made to correct typographical errors and omissions which occurred in their printing on November 5, 1975.

Accordingly, the proposed amendments are hereby adopted as set forth below. (Secs. 411(a), 413(b), 426(a), and 508 of the Federal Coal Mine Health and Safety Act of 1969, as amended, 83 Stat. 793, as amended; 83 Stat. 794, as amended, 83 Stat. 798; 83 Stat. 803, 30 U.S.C. 921(a), 923(b), 936(a), and 957)

Effective date: The amendments shall be effective March 11, 1976.

(Catalog of Federal Domestic Assistance Program No. 13.806, Special Benefits for Disabled Coal Miners)

Dated: February 17, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: March 5, 1976.

MARJORIE LYNCH,
Acting Secretary of Health,
Education, and Welfare.

Part 410 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 410.686b is amended by revising paragraph (c) to read as follows:

§ 410.686b Fee for services performed for an individual before the Social Security Administration.

(c) *Administrative review of fee determination.* (1) *Request timely filed.* Administrative review of a fee determination will be granted if either the representative or the claimant files a written request for such review at an office of the Social Security Administration within 30 days after the date of the notice of the fee determination. The party requesting the review shall send a copy of the request to the other party. An authorized official of the Social Security Administration who did not participate in the fee determination in question will review the determination. Written notice of the decision made on the administrative review shall be mailed

to the representative and the claimant at their last known addresses.

(2) *Request not timely filed.* Where the representative or the claimant files a request for administrative review, in accordance with paragraph (e) (1) of this subsection, but files such request more than 30 days after the date of the notice of the fee determination, the person making the request shall state in writing the reasons why it was not filed within the 30-day period. The Social Security Administration will grant the review only if it determines that there was good cause for not filing the request timely. For purposes of this section, "good cause" is defined as any circumstance or event which would prevent the representative or the claimant from filing the request for review within such 30-day period or would impede his efforts to do so. Examples of such circumstances include the following:

(i) The representative or claimant was seriously ill or had a physical or mental impairment and such illness prevented him from contacting the Social Security Administration in person or in writing;

(ii) There was a death or serious illness in the individual's family;

(iii) Pertinent records were destroyed by fire or other accidental cause;

(iv) The representative or claimant was furnished incorrect or incomplete information by the Social Security Administration about his right to request review;

(v) The individual failed to receive timely notice of the fee determination;

(vi) The individual transmitted the request to another government agency in good faith within such 30-day period and the request did not reach the Social Security Administration until after such period had expired.

2. Section 410.686c is amended by adding paragraph (c) to read as follows:

§ 410.686c Petition for approval of fee.

(c) *Time limit for filing petition for approval of attorney fee.* In order for an attorney to receive direct payment of a fee authorized by the Social Security Administration from a claimant's past-due benefits (see § 410.686d(b)), the petition for approval of a fee, or written notice of the intent to file a petition, should be filed with the Social Security Administration within 60 days of the date the notice of the determination favorable to the claimant is mailed. Where no such petition is filed within 60 days after the date such notice is mailed, written notice shall be sent to the attorney and the claimant, at their last known addresses, that the Social Security Administration will certify for payment to the claimant all the past-due benefits unless the attorney files within 20 days from the date of such notice a written petition for approval of a fee pursuant to paragraphs (a) and (b) of this section, or a written request for an extension of time. The attorney shall send to the claimant a copy of any request for an extension of time. Where the petition is not filed within this time, or by the last day of any extension approved, the Social Security Administra-

tion may certify the funds for payment to the claimant. Any fee charged thereafter remains subject to Social Security Administration approval but collection of any such approved fee shall be a matter between the attorney and his client.

3. Section 410.686d is amended by revising paragraph (b) (1) and adding new paragraph (c) to read as follows:

§ 410.686d Payment of fees.

(b) *Fees authorized by the Social Security Administration.*

(1) *Attorneys.* Except as provided in § 410.686c(c), in any case where the Social Security Administration makes a determination favorable to a claimant who was represented by an attorney as defined in § 410.685(a) in a proceeding before the Social Security Administration and as a result of such determination past-due benefits, as defined in § 410.686b(c), are payable, the Social Security Administration shall certify for payment to the attorney, out of such benefits, whichever of the following is the smallest:

(i) Twenty-five percent of the total of such past-due benefits;

(ii) The amount of attorney's fee set by the Social Security Administration, or

(iii) The amount agreed upon between the attorney and the claimant.

(c) *Responsibility of the Social Security Administration.* The Social Security Administration assumes no responsibility for the payment of a fee based on a revised determination where the request for administrative review was not filed timely. (See paragraph (b) of this section for payment of attorney fees authorized by the Social Security Administration.)

[FR Doc.76-6971 Filed 3-10-76;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

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

Furosemide Injection

The Food and Drug Administration is amending the new animal drug regulation (21 CFR 522.1010) to state the proper dosages of furosemide injection for use in horses and cattle, effective March 11, 1976. In this regulation published in the FEDERAL REGISTER of December 31, 1975 (40 FR 60051), the dosages of the drug were incorrectly reflected.

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), Part 522 is amended in

§ 522.1010 by revising paragraph (c) to read as follows:

§ 522.1010 Furosemide injection.

(c) *Conditions of use—(1) Dogs and cats.* (i) It is used for the treatment of edema (pulmonary congestion, ascites) associated with cardiac insufficiency and acute noninflammatory tissue edema.

(ii) The drug is administered intramuscularly or intravenously at a dosage of 12.5 to 25 milligrams per 10 pounds of body weight; once or twice daily after a 6- to 8-hour interval. The lower dosage is suggested for cats. The dosage should be adjusted to the individual animal's response. In refractory or severe edematous cases, the dosage may be doubled or increased by increments of 1 milligram per pound of body weight to establish the effective dose. The established effective dose should be administered once or twice daily on an intermittent daily schedule. Diuretic therapy should be discontinued after reduction of edema, or when necessary, maintained after determining a programmed dosage schedule to prevent recurrence.

(2) *Horses.* (i) It is used for the treatment of edema (pulmonary congestion, ascites) associated with cardiac insufficiency and acute noninflammatory tissue edema.

(ii) The drug is administered intramuscularly or intravenously at a dosage of 250 to 500 milligrams per animal once or twice daily at 6- to 8-hour intervals until desired results are achieved.

(iii) Do not use in horses intended for food.

(3) *Cattle.* (i) It is used for the treatment of physiological parturient edema of the mammary gland and associated structures.

(ii) The drug is administered intramuscularly or intravenously at a dosage of 500 milligrams per animal once daily or 250 milligrams per animal twice daily at 12-hour intervals, treatment not to exceed 48 hours postparturition.

(iii) Milk taken during treatment and for 48 hours (four milkings) after the last treatment must not be used for food.

(iv) Cattle must not be slaughtered for food within 48 hours following last treatment.

(4) The drug if given in excessive amounts may result in dehydration and electrolyte imbalance.

(5) Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. This amendment shall become effective March 11, 1976.

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

Dated: March 5, 1976.

C. D. VAN HOUWELING,

Director,

Bureau of Veterinary Medicine.

[FR Doc.76-6901 Filed 3-10-76;8:45 am]

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Virginiamycin; Correction

In FR Doc. 76-1755 published in the FEDERAL REGISTER of January 21, 1976 (41 FR 3079), the use of the term "feed products" is incorrect. The term should read "feed supplements." This document corrects the regulations to insert the term "feed supplements," effective March 11, 1976.

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), § 558.635 *Virginiamycin* is corrected in paragraph (e) (3) by changing "feed product" to read "feed supplements."

Dated: March 5, 1976.

C. D. VAN HOUWELING,

Director,

Bureau of Veterinary Medicine.

[FR Doc.76-6902 Filed 3-10-76;8:45 am]

[FAP4H5053/T10; FRL 502-4]

PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-Benzofuranyl Methanesulfonate

On February 11, 1975, the Environmental Protection Agency (EPA) announced (40 FR 6325) that, in response to a petition (FAP 4H5053) submitted by Fisons Corp., Agricultural Chemicals Div., Two Preston Court, Bedford MA 01730, a food additive regulation had been established to permit the experimental use of the herbicide 2-ethoxy-2,3-dimethyl-5-benzofuranyl methanesulfonate on growing sugar beets with a tolerance of 0.5 part per million (ppm) for residues of the herbicide and its metabolites 2-hydroxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and 2,3-dihydro-3,3-dimethyl-2-oxo-5-benzofuranyl methanesulfonate (both calculated as the parent compound) in sugar beet molasses, in accordance with a temporary permit that was issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Fisons Corp. has subsequently requested a two month extension of this tolerance, which expired February 4, 1976.

The scientific data provided in the petition and other relevant material have been evaluated. Residues of the herbicide will result in sugar beet molasses from the uses as provided for by the temporary permit issued under FIFRA, and it has been determined, therefore, that the extension of the tolerance requested by the petitioner will protect the public health, and that 21 CFR 561.235 should

be amended by extending the expiration date of the tolerance as requested.

Any person adversely affected by this regulation may, on or before April 12, 1976, file written objections with the Hearing Clerk, Environmental Protection Agency, Room 1019, East Tower, 401 M St. SW, Washington DC 20460. Such objections should be submitted in quintuplicate and should specify both the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 11, 1976.

Dated: March 5, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator
for Pesticide Programs.

AUTHORITY: Section 409(c) (1) and (4) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346(c) (1) and (4)].

Section 561.235 is revised by extending the expiration date of the tolerance of 0.5 part per million in sugar beet molasses to April 4, 1976, as follows:

§ 561.235 2-ethoxy-2,3 - dihydro - 3,3-dimethyl-5-benzofuranyl methanesulfonate.

A tolerance of 0.5 part per million is established for combined residues of the herbicide 2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and its metabolites 2-hydroxy-2,3-dihydro-3,3-dimethyl - 5 - benzofuranyl methanesulfonate and 2,3-dihydro-3,3-dimethyl-2-oxo-5-benzofuranyl methanesulfonate (both calculated as the parent compound) in sugar beet molasses. Such residues may be present therein only as a result of application of the herbicide in accordance with the temporary permit which expires April 4, 1976. Residues not in excess of this tolerance remaining after expiration of this temporary permit will not be considered actionable if the herbicide has been legally applied during the term of and in accordance with the provisions of the temporary permit and feed additive tolerance.

[FR Doc.76-7024 Filed 3-10-76; 8:45 am]

SUBCHAPTER F—BIOLOGICS

[Docket No. 75N-0181]

AMENDMENTS TO CLARIFY AND UPDATE CERTAIN REGULATIONS

The Food and Drug Administration (FDA) is conducting a review of the existing regulations governing biological products to assure that the criteria of safety, purity, potency, and efficacy established by the regulations are updated to remain consistent with the judgment of the scientific community. Incidental to the review, the Commissioner of Food and Drugs finds that a number of non-substantive amendments should be made to update and clarify certain regulations, effective March 11, 1976.

A discussion of the amendments follows:

1. Paragraph (b) of § 600.11. *Physical establishment, equipment, animals, and care* (21 CFR 600.11(b)) requires that all surfaces that come in contact with products shall be clean and free of extraneous material. The Director, Bureau of Biologics, Food and Drug Administration, considers "extraneous material" to be surface solids, leachable contaminants, and other materials that will hasten deterioration of the product or otherwise render it less suitable for the intended use. This wording is used in paragraph (h) of § 600.11, which refers to cleanliness of final containers and closures. Because it affords manufacturers and the general public a better description of the standards of cleanliness that manufacturers are expected to maintain with regard to equipment used to produce biological products, the Commissioner is amending § 600.11(b) to delete "extraneous material" and substitute the wording used in § 600.11(h).

2. By an order published in the FEDERAL REGISTER of August 1, 1974 (39 FR 27795), certain biological products were deleted from § 610.53 *Dating periods for specific products* (21 CFR 610.53) because the licenses for these products had been revoked in response to the manufacturers' notices of intent to discontinue manufacture. However, a number of the products deleted from § 610.53 remain listed under other sections in 21 CFR Parts 600 and 610. Since licenses for the products have been revoked and the products are no longer being manufactured, nor are they intended for manufacture in the foreseeable future, references to the products should be deleted. Accordingly, the Commissioner concludes that the following items should be deleted wherever they appear in §§ 600.13, 610.12, 610.13, 610.20 and 610.21 (21 CFR 600.13, 610.12, 610.13, 610.20 and 610.21): Antihemophilic Plasma (Human), Anti-Hemophilus Influenza Type b Serum, Anti-Influenza Virus Serum for the Hemagglutination Inhibition Test, Dysentery Antitoxin (Shiga), Normal Human Plasma, Normal Rabbit Serum, Scarlet Fever Streptococcus Antitoxin and Scarlet Fever Streptococcus Toxin.

3. The sterility of most biological products must be demonstrated as prescribed in § 610.12. Pursuant to § 610.12 (a), final container material not containing a mercurial preservative (non-mercurial material) must be tested in each of two media: Fluid Thioglycollate Medium and Soybean-Casein Digest Medium. Final container materials containing a mercurial preservative (mercurial material) must be tested in Fluid Thioglycollate Medium at each of two incubation temperatures. If the non-mercurial material fails in either medium, or the mercurial material fails at either incubation temperature, up to two repeat tests are permitted to rule out the possibility that faulty test procedures are affecting the test results. These repeat tests, pursuant to § 610.12(b), must repeat the procedure for nonmercurial materials in both media, even if the mate-

rial failed in only one medium. Likewise, the procedure for mercurial materials must be repeated at both incubation temperatures, even if the material failed at only one temperature.

The Commissioner has learned that a number of manufacturers have misinterpreted the procedures for repeat testing and are repeating the test only in the medium or only at the incubation temperature that the material failed to pass. Therefore, the Commissioner is revising paragraph (b) of § 610.12 to make clear that the repeat test must include both media or both incubation temperatures, according to whether the material contains a mercurial preservative.

Also, the provisions of § 610.12(d) (2), regarding final container test samples and volumes for final containers, require that tests be conducted on no less than 20 final containers from each filling of each lot; the fillings are selected to represent all stages of filling from the bulk vessel. If there are more than 2 filling machines, no less than 10 filled containers shall be tested from each filling machine. It is the Commissioner's intention that the prescribed number of samples be used for each test medium or for each incubation temperature, whichever is appropriate. However, the Commissioner has learned that a number of manufacturers have been dividing the prescribed number of samples into two groups, one group for each medium or incubation temperature. In view of this misinterpretation, the Commissioner is amending paragraph (d) (2) of § 610.12 to indicate clearly the number and manner in which final container samples are to be used in repeat testing.

4. The additional standards for Poliovirus Vaccine, Live, Oral (21 CFR Part 630, Subpart B), currently require in § 630.17(e) (2) (21 CFR 630.17(e) (2)) that manufacturers of the product submit a 500-milliliter bulk sample of each final monovalent pool to the Director, Bureau of Biologics, Food and Drug Administration, for testing. The additional standards for Mumps Virus Vaccine, Live (21 CFR Part 630, Subpart F), currently require in § 630.56(f) (2) (21 CFR 630.56(f) (2)) that manufacturers of the product submit for testing a total of no less than a 500-milliliter sample of the bulk vaccine. The additional standards for Measles Virus Vaccine, Live, Attenuated (21 CFR Part 630, Subpart D) in § 630.36(h) (2) (21 CFR 630.36(h) (2)) and Rubella Virus Vaccine, Live (21 CFR Part 630, Subpart G) in § 630.66(e) (2) (21 CFR 630.66(e) (2)), require, in part, that for each lot of vaccine manufactured, samples consisting of a total of no less than 120 milliliters in 10-milliliter volumes of preclarification bulk vaccine be submitted for testing. The Commissioner has reviewed these provisions and finds that the volume of bulk sample required for submission to FDA exceeds that which is needed to test each product. He has determined that the present requirements are wasteful, unnecessarily increase the cost to FDA in processing, storing, and disposing of samples, and impose an undue hardship on manufacturers. Accordingly, the Commissioner

concludes that the volumes of bulk sample required for submission for testing should be reduced. Therefore, paragraph (e) (2) of § 630.17 is being amended to reduce the amount of bulk sample to be submitted from 500 milliliters to 200 milliliters. Paragraph (f) (2) of § 630.56 is being amended to reduce the amount of bulk sample to be submitted from 500 milliliters to a total of no less than two 25-milliliter volumes. Sections 630.36(h) (2) and 630.66(e) (2), which are being redesignated as §§ 630.36(h) (1) (ii) and 630.66(e) (1) (ii) respectively, are being amended to require a total of no less than two 25-milliliter volumes of sample, rather than 120 milliliters in 10-milliliter volumes as is presently required.

5. Paragraph (f) of § 630.36 *General requirements*, for Measles Virus Vaccine, Live, Attenuated and paragraph (d) of § 630.56 *General requirements*, for Mumps Virus Vaccine, Live, provide that these products may be dried immediately after completion of processing to final bulk material and stored in the dried state. The Director, Bureau of Biologics, Food and Drug Administration, has contacted by telephone all manufacturers of these products and learned that none store these products in the dried state before placement in final containers. Storage in dried bulk form would necessitate reconstituting and drying the product again before it could be completely processed. All manufacturers agreed this would be both impractical and inefficient. Therefore, the Commissioner concludes that paragraph (f) of § 630.36 and paragraph (d) of § 630.56 are superfluous and should be deleted.

6. The additional standards for Measles Virus Vaccine, Live, Attenuated, in § 630.36(h) (2), and Rubella Virus Vaccine, Live, in § 630.66(e) (2) require, in part, that for each lot of vaccine manufactured, frozen samples consisting of no less than 100 milliliters in 10-milliliter volumes of postclarification bulk vaccine be submitted to FDA for testing. Similarly, the additional standards for Measles-Smallpox Vaccine, Live, in § 630.86(e) (2) require, in part, that for each lot of vaccine manufactured, frozen samples consisting of no less than one 10-milliliter volume of postclarification bulk measles component be submitted to FDA for testing. These postclarification bulk vaccines are used by FDA for the neurovirulence safety test to confirm the absence of neurotropic properties of the seed strain of the virus used in the manufacture of the vaccine. The neurovirulence safety test, however, is conducted only when the manufacturer introduces a new production seed lot or reestablishes and recertifies the source of cell culture substrate (see 21 CFR 630.30(c) (4), 630.60(e) (3) and 630.80(c)). The requirement that the sample be submitted for each lot of vaccine produced is therefore unnecessary and imposes an undue hardship on manufacturers.

Accordingly, the Commissioner is revising and reorganizing §§ 630.36(h) (2), 630.66(e) (2) and 630.86(e) (2) to indicate clearly that samples of postclarification bulk vaccine containing stabilizer

but no preservative or adjuvant taken from five consecutive lots of bulks vaccine must be submitted only when a new production seed lot is introduced or when the source of cell culture substrate must be reestablished and recertified.

Therefore, under the Public Health Service Act (sec. 351, 58 Stat. 702, as amended (42 U.S.C. 262)) and the Administrative Procedure Act (secs. 4, 10, 80 Stat. 238, 243, as amended (5 U.S.C. 553, 702 et seq.)), and under authority delegated to the Commissioner (21 CFR 2.120), Subchapter F of Title 21 of the Code of Federal Regulations is amended as follows:

PART 600—BIOLOGICAL PRODUCTS: GENERAL

1. Part 600 is amended:

a. In § 600.11 by revising paragraph (b) to read as follows:

§ 600.11 Physical establishment, equipment, animals, and care.

(b) *Equipment.* Apparatus for sterilizing equipment and the method of operation shall be such as to insure the destruction of contaminating microorganisms. The effectiveness of the sterilization procedure shall be no less than that achieved by an attained temperature of 121.5° C maintained for 20 minutes by saturated steam or by an attained temperature of 170° C maintained for 2 hours with dry heat. Processing and storage containers, filters, filling apparatus, and other pieces of apparatus and accessory equipment, including pipes and tubing, shall be designed and constructed to permit thorough cleaning and, where possible, inspection for cleanliness. All surfaces that come in contact with products shall be clean and free of surface solids, leachable contaminants, and other materials that will hasten the deterioration of the product or otherwise render it less suitable for the intended use. For products for which sterility is a factor, equipment shall be sterile, unless sterility of the product is assured by subsequent procedures.

b. By revising § 600.13 to read as follows:

§ 600.13 Retention samples.

Manufacturers shall retain for a period of at least 6 months after the expiration date, unless a different time period is specified in additional standards, a quantity of representative material of each lot of each product, sufficient for examination and testing for safety and potency, except Whole Blood (Human), Cryoprecipitated Antihemophilic Factor (Human), Platelet Concentrate (Human), Red Blood Cells (Human), Single Donor Plasma (Human), Source Plasma (Human), and Allergenic Products prepared to physician's prescription. Samples so retained shall be selected at random from either final container material, or from bulk and final containers, provided they include at least one final container as a final package, or package-equivalent of

such filling of each lot of the product as intended for distribution. Such sample material shall be stored at temperatures and under conditions which will maintain the identity and integrity of the product. Samples retained as required in this section shall be in addition to samples of specific products required to be submitted to the Bureau of Biologics. Exceptions may be authorized by the Director, Bureau of Biologics, when the lot yields relatively few final containers and when such lots are prepared by the same method in large number and in close succession.

PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

2. Part 610 is amended:

a. In § 610.12 by revising paragraphs (b), (d) (2) and (g) (7) to read as follows:

§ 610.12 Sterility.

(b) *Repeat tests.* If growth appears in any of the test media during testing of either bulk or final container material, the test may be repeated to rule out faulty test procedures as follows:

(1) *Repeat bulk test.* The volume of inoculum to be used for the repeat bulk test shall be as prescribed in paragraph (d) (1) of this section. The repeat test shall be performed using the procedure prescribed in paragraph (a) (1) (i) of this section.

(2) *First repeat final container test.* The number of test samples and the volumes of product used for the first repeat test shall be as prescribed in paragraph (d) (2) of this section. For products that do not contain a mercurial preservative, the repeat test shall be performed, using both Fluid Thioglycollate Medium and Soybean-Casein Digest Medium, following the procedures prescribed in paragraphs (a) (1) (i) and (a) (2), respectively, of this section. If the product contains a mercurial preservative, the repeat test shall be performed using Fluid Thioglycollate Medium and the procedures prescribed in paragraph (a) (1) (i) and (ii) of this section.

(3) *Second repeat final container test.* If growth appears in any of the first repeat final container tests, all tests of the first repeat final container test shall be repeated, provided there was no evidence of growth in any test of the bulk material. The test samples used for the second repeat final container test shall be twice the number used for the first repeat final container test.

(d) * * *

(2) *Final containers.* The sample used for each test medium or each incubation temperature of a test medium for the final container and first repeat final container test shall be no less than 20 final containers from each filling of each lot, selected to represent all stages of filling from the bulk vessel. If the amount of material in the final container is 1.0 milliliter or less, the entire contents shall be tested. If the amount of ma-

terial in the final container is more than 1.0 milliliter, the volume tested shall be the largest single dose recommended by the manufacturer or 1.0 milliliter, whichever is larger, but no more than 10 milliliters of material or the entire contents from a single final container need be tested. If more than 2 filling machines, each with either single or multiple filling stations, are used for filling one lot, no less than 10 filled containers shall be tested from each filling machine for each test medium or each incubation temperature condition, but no more than 100 containers of each lot need be tested. The items tested shall be representative of each filling assembly and shall be selected to represent all stages of the filling operation. (Note exceptions in paragraph (g) of this section.)

(g) * * *

(7) *Samples—large volume of product in final containers.* For Normal Serum Albumin (Human), Plasma Protein Fraction (Human), and Fibrinogen (Human) when the volume of product in the final container is 50 milliliters or more, the final containers selected as the test sample may contain less than the full volume of product in the final containers at the filling from which the sample is taken: *Provided*, That the containers and closures of the sample are identical with those used for the filling to which the test applies, and the sample represents all stages of that filling.

b. In § 610.13 by revising paragraph (a) (2), the introductory text of paragraph (b), and paragraph (b) (1) to read as follows:

§ 610.13 Purity.

(a) * * *

(2) *Test results; standard to be met.* The residual moisture and other volatile substances shall not exceed 1 percent except that, (i) they shall not exceed 1.5 percent for BCG Vaccine; (ii) they shall not exceed 2 percent for Measles Virus Vaccine, Live, Attenuated; Measles-Smallpox Vaccine, Live; Rubella Virus Vaccine, Live; and Antihemophilic Factor (Human); (iii) they shall not exceed 3 percent for Modified Plasma (Bovine); Thrombin; Fibrinogen; Streptokinase; and Streptokinase-Streptodornase; and (iv) they shall not exceed 4.5 percent for Antibody to Hepatitis B Surface Antigen for the Reversed Passive Hemagglutination Test.

(b) *Test for pyrogenic substances.* Each lot of any product intended for use by injection shall be tested for pyrogenic substances by intravenous injection into rabbits as provided in paragraph (b) (1) and (2) of this section: *Provided*, That notwithstanding any other provision of Subchapter F of this chapter, the test for pyrogenic substances is not required for the following products: Products containing formed blood elements; Cryoprecipitated Antihemophilic Factor (Human); Single Donor Plasma (Human); Source Plasma (Human); Normal Horse Serum; bacterial, viral, and

rickettsial vaccines and antigens; toxins; allergenic extracts; venoms; diagnostic substances and trivalent organic arsenicals.

(1) *Test dose.* The test dose for each rabbit shall be at least 3 milliliters per kilogram of body weight of the rabbit and also shall be at least equivalent proportionately, on a body weight basis, to the maximum single human dose recommended, but need not exceed 10 milliliters per kilogram of body weight of the rabbit, except that: (i) Regardless of the human dose recommended, the test dose per kilogram of body weight of each rabbit shall be at least 1 milliliter for immune globulins derived from human blood and at least 30 milligrams for Fibrinogen (Human); (ii) for Streptokinase, Streptokinase-Streptodornase, Aggregated Radio-Iodinated (I^{125}) Albumin (Human), Radio-Chromated (Cr^{51}) Serum Albumin (Human), Radio-Iodinated (I^{125}) Serum Albumin (Human), and Radio-Iodinated (I^{125}) Serum Albumin (Human), the test dose shall be at least equivalent proportionately, on a body weight basis, to the maximum single human dose recommended.

c. In § 610.20 by revising paragraph (a) to read as follows:

§ 610.20 Standard preparations.

(a) *Potency standards.* Potency standards shall be applied in testing for potency all forms of the following:

ANTIBODIES

Botulism Antitoxin, Type A.
Botulism Antitoxin, Type B.
Botulism Antitoxin, Type E.
Diphtheria Antitoxin.
Histolyticus Antitoxin.
Oedematis Antitoxin.
Perfringens Antitoxin.
Antipertussis Serum.
Antirabies Serum.
Sordellii Antitoxin.
Staphylococcus Antitoxin.
Tetanus Antitoxin.
Vibrio Septique Antitoxin.

ANTIGENS

Diphtheria Toxin for Schick Test.
Pertussis Vaccine.
Tuberculin, Old.
Tuberculin, Purified Protein Derivative.
Typhoid Vaccine.

BLOOD DERIVATIVE

Thrombin.

d. By revising § 610.21 to read as follows:

§ 610.21 Limits of potency.

The potency of the following products shall be not less than that set forth below and products dispensed in the dried state shall represent liquid products having the stated limitations.

ANTIBODIES

Diphtheria Antitoxin, 500 units per milliliter.
Tetanus Antitoxin, 400 units per milliliter.
Tetanus Immune Globulin (Human), 50 units of tetanus antitoxin per milliliter.

ANTIGENS

Pertussis Vaccine, 12 units per total human immunizing dose.
Typhoid Vaccine, 8 units per milliliter.

PART 630—ADDITIONAL STANDARDS FOR VIRAL VACCINES

3. Part 630 is amended:
a. In § 630.17 by revising paragraph (e) (2) to read as follows:

§ 630.17 General requirements.

(e) * * *

(2) A 200-milliliter bulk sample of each final monovalent pool having a virus titer of no less than $10^{7.5}$ TCID₅₀ per milliliter, except that if the titer is greater, a correspondingly smaller volume may be submitted.

b. In § 630.36 by deleting and reserving paragraph (f) and revising paragraph (h) to read as follows:

§ 630.36 General requirements.

(f) [Reserved]

(h) *Sample and protocols.* The following materials shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, Bldg. 29A, 8800 Rockville Pike, Bethesda, MD 20014:

(1) For each lot of vaccine:
(i) A protocol which consists of a summary of the history of the manufacture of the lot, including all results of each test for which test results are requested by the Director, Bureau of Biologics.

(ii) A total of no less than two 25-milliliter volumes in a frozen state (-60°C) of preclarification bulk vaccine containing no preservative or adjuvant.

(iii) A total of no less than 30 containers of the vaccine from each filling of each bulk lot of single-dose containers. A total of no less than six 50-dose containers or ten 10-dose containers of the vaccine from each filling of each bulk lot of multiple-dose containers.

(2) In addition to the requirements of paragraph (h) (1) of this section, whenever a new production seed lot is introduced, or whenever the source of cell culture substrate must be reestablished and recertified, samples consisting of no less than 100 milliliters in 10 milliliter volumes, in a frozen state (-60°C), of post-clarification bulk vaccine containing stabilizer but no preservative or adjuvant, taken from each of 5 consecutive lots of the bulk vaccine.

c. In § 630.56 by deleting and reserving paragraph (d) and revising paragraph (f) (2) to read as follows:

§ 630.56 General requirements.

(d) [Reserved]

(f) * * *

(2) A total of no less than two 25-milliliter volumes, in a frozen state

(-60° C), of preclarification bulk vaccine containing no preservative, stabilizer, or adjuvant.

d. In § 630.66 by revising paragraph (e) to read as follows:

§ 630.66 General requirements.

(e) *Samples; protocols; official release.* The following shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, Bldg. 29A, 8800 Rockville Pike, Bethesda, MD 20014:

(1) For each lot of vaccine:
(i) A protocol, which consists of a summary of the history of the manufacture of the lot, including all results of each test for which test results are requested by the Director, Bureau of Biologics.

(ii) A total of no less than two 25-milliliter volumes, in a frozen state (-60° C), of preclarification bulk vaccine containing no preservative or adjuvant.

(iii) A total of no less than 30 containers of the vaccine from each filling of each bulk lot of single-dose containers. A total of no less than six 50-dose containers or ten 10-dose containers of the vaccine from each filling of each bulk lot of multiple-dose containers.

(2) In addition to the requirements of paragraph (e) (1) of this section, whenever a new production seed lot is introduced, or whenever the source of cell culture substrate must be reestablished and recertified, samples consisting of no less than 100 milliliters in 10-milliliter volumes, in a frozen state (-60° C), of postclarification bulk vaccine containing stabilizer but no preservative or adjuvant, taken from each of 5 consecutive lots of the bulk vaccine.

(3) Rubella Virus Vaccine, Live shall not be issued by the manufacturer until notification of official release of the lot is received from the Director, Bureau of Biologics.

e. In § 630.86 by revising paragraph (e) to read as follows:

§ 630.86 General requirements.

(e) *Samples; protocols; official release.* The following materials shall be submitted to the Director, Bureau of Biologics, Food and Drug Administration, Bldg. 29A, 8800 Rockville Pike, Bethesda, MD 20014:

(1) For each lot of vaccine:
(i) A protocol, which consists of a summary of the history of manufacture of each filling, including all results of each test for which test results are requested by the Director, Bureau of Biologics.

(ii) A total of no less than two 25-milliliter volumes, in a frozen state (-60° C), of preclarification bulk measles component containing no preservative or adjuvant.

(iii) A frozen 5-milliliter sample of the smallpox component prior to any dilution or filtration.

(iv) A sample consisting of no less than sixteen 10-dose vials, or twelve 25-dose

vials, or ten 50-dose vials of vaccine in final labeled containers, plus sufficient diluent in final labeled containers to reconstitute the vaccine.

(2) In addition to the requirements of paragraph (e) (1) of this section, whenever a new measles production seed lot is introduced, or whenever the source of measles cell culture substrate must be reestablished and recertified, samples consisting of no less than 100 milliliters in 10-milliliter volumes, in a frozen state (-60° C), of the bulk measles component after clarification and containing stabilizer but no preservative or adjuvant, taken from each of 5 consecutive lots of the bulk vaccine.

(3) Measles-Smallpox Vaccine, Live shall not be issued by the manufacturer until notification of official release of the filling is received from the Director, Bureau of Biologics.

Pursuant to the Administrative Procedure Act (5 U.S.C. 553 (b) and (d)), the Commissioner concludes that notice, public procedure, and delayed effective date are unnecessary for the promulgation of this regulation as it is of a minor nature and does not impose an additional duty or burden on any person, but rather relieves unnecessary requirements and clarifies the intent prescribed in the regulations. Comments are nevertheless requested on or before April 12, 1976, and they may justify further modification of these provisions.

Effective date. This regulation shall become effective on March 11, 1976.

(Sec. 351, 58 Stat. 702, as amended (42 U.S.C. 262).)

Dated: March 4, 1976.

SAM D. FINE,
Associate Commissioner for
Compliance.

[FR Doc. 76-6900 Filed 3-10-76; 8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Miscellaneous Changes to Chapter

• Purpose. The purpose of these amendments is to correct certain citations in this chapter so that they refer to current sections of this chapter. •

Chapter I of title 23 of the Code of Federal Regulations is amended as follows:

PART 130—ADVANCE OF FUNDS

§ 130.403 [Amended]

In § 130.403, the words "Volume 7, Chapter 2, Section 7 of the Federal-Aid Highway Program Manual," are amended to read "Part 712, Subpart G of this Chapter."

PART 140—REIMBURSEMENT

§§ 140.603, 140.604, 140.606, 140.607 and 140.802 [Amended]

In § 140.604(c), the words "the Federal-Aid Highway Program Manual

Volume 6, Chapter 3, Section 2, Subsection 7" are amended to read "Part 635, Subpart A of this Chapter."

In § 140.604(d), the words "the Federal-Aid Highway Program Manual Volume 6, Chapter 4, Section 1, Subsection 6" are amended to read "Part 635, Subpart A of this Chapter."

In § 140.606, the words "Volume 6, Chapter 4, Section 2, Subsection 8 of the Federal-Aid Highway Program Manual" are amended to read "Part 637, Subpart A of this Chapter."

In § 140.607(a), the words "under paragraph 9" are amended to read "in § 140.608 of this Subpart."

In § 140.603, the words "the Federal-Aid Highway Program Manual Volume 6, Chapter 3, Section 2, Subsection 2" are amended to read "Part 630, Subpart A of this Chapter."

In § 140.802, the words "the Federal-Aid Highway Program Manual Volume 1, Chapter 7, Section 2" are amended to read "Part 170 of this Chapter."

PART 420—PROGRAM MANAGEMENT AND COORDINATION

§ 420.104 [Amended]

In § 420.104(a), the words "Volume 4, Chapter 4, Section 7, paragraph 3" are amended to read "§ 450.200(b) of this Chapter."

PART 642—SECONDARY ROAD PLAN

§ 642.7 [Amended]

In § 642.7(a), the words "23 CFR 1.6" are amended to read "Part 470, Subpart A of this Chapter."

In § 642.7(c), the words "23 CFR 1.8" are amended to read "Part 630, Subpart A of this Chapter."

PART 655—TRAFFIC OPERATIONS

§§ 655.205, 655.506, 655.608 [Amended]

In § 655.205(d) (1), the words "Policy and Procedure Memorandum 21-6.2" are amended to read "Part 635, Subpart B of this Chapter." The footnote accompanying those words is deleted.

In § 655.506(b) (3), the words "Federal-Aid Highway Program Manual, Volume 4, Chapter 4, Section 2" are amended to read "Part 450, Subpart A of this Chapter."

In § 655.506(b) (4), the words "Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 2" are amended to read "Part 771 of this Chapter."

In § 655.506(b) (5), the words "PPM 20-8 (Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 5 and part of 6)" are amended to read "part 790 of this Chapter" and the words "Federal-Aid Highway Program Manual, Volume 7, Chapter 7, Section 7," are amended to read "Part 795 of this Chapter."

In § 655.608(d), the words "23 CFR 1.22" are amended to read "§ 635.117 of this Chapter."

These amendments are entirely editorial in nature, therefore, no purpose

would be served by following the public rulemaking process.

Issued on: March 3, 1976.

NORBETT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.76-6968 Filed 3-10-76; 8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-931]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of the Town of Bradenton Beach, Florida, Base Flood Elevations

On January 8, 1976, at 41 FR 1472, the Federal Insurance Administrator published a list of communities with Flood Insurance Rate Maps for portions of the Town of Bradenton Beach, Florida.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Bradenton Beach, Florida. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) 42 U.S.C. 4001-4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 125091A, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mayor A. K. Leach, P.O. Box 730, Town Hall, Bradenton Beach, Florida 33506.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Bradenton Beach Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Bradenton Beach map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968, effective January 28, 1969 (33 FR 17804, November 28, 1968)), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 18, 1976.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.76-6935 Filed 3-10-76; 8:45 am]

[Docket No. FI-932]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of the Town of Longboat Key, Florida, Base Flood Elevations

On January 8, 1976, at 41 FR 1473, the Federal Insurance Administrator published a list of communities with Flood Insurance Rate Maps for portions of the Town of Longboat Key, Florida.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Longboat Key, Florida. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) 42 U.S.C. 4001-4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 125126A, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and

their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mr. G. Wayne Allgire, Town Manager, Box 107, Town Hall, Longboat Key, Florida 33548

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Longboat Key Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Longboat Key map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968)), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 18, 1976.

J. ROBERT HUNTER,
Acting Federal
Insurance Administrator.

[FR Doc.76-6936 Filed 3-10-76; 8:45 am]

[Docket No. FI-933]

PART 1916—CONSULTATION WITH LOCAL OFFICIALS

Changes Made in Determinations of Sarasota County, Florida, Base Flood Elevations

On January 8, 1976, at 41 FR 1473, the Federal Insurance Administrator published a list of communities with Flood Insurance Rate Maps for portions of Sarasota County, Florida.

The Federal Insurance Administration, after consultation with the Chief Executive Officer of the community, has determined that it is appropriate to modify the base (100-year) flood elevations of some locations in Sarasota County, Florida. These modified elevations are currently in effect and amend the Flood Insurance Rate Map, which was in effect prior to this determination. A revised rate map will be published as soon as possible. The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Pub. L. 90-448) 42 U.S.C. 4001-4128, and 24 CFR Part 1916.

For rating purposes, the new community number is 125144A, and must be used for all new policies and renewals.

Under the above-mentioned Acts of 1968 and 1973, the Administrator must develop criteria for flood plain management. In order for the community to continue participation in the National Flood Insurance Program, the community must use the modified elevations to carry out the flood plain management measures of the Program. These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and contents.

From the date of this notice, any person has 90 days in which he can request through the community that the Federal Insurance Administrator reconsider the changes. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data. All interested parties are on notice that until the 90-day period elapses, the Administrator's new determination of elevations may itself be changed.

Any persons having knowledge or wishing to comment on these changes should immediately notify:

Mr. William A. Multhead, Chairman, County Commissioners, P.O. Box 8, Sarasota County Courthouse, Sarasota, Florida 33578.

Also, at this location is the map showing the new base flood elevations. This map is a copy of the one that will be printed. The numerous changes made in the base flood elevations on the Sarasota County Flood Insurance Rate Map make it administratively infeasible to publish in this notice all of the base flood elevation changes contained on the Sarasota County map.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 28, 1968), as amended; 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator 34 FR 2680, February 27, 1969, as amended by 39 FR 2787, January 24, 1974.)

Issued: February 18, 1976.

J. ROBERT HUNTER,
*Acting Federal
Insurance Administrator.*

[FR Doc. 76-6937 Filed 3-10-76; 8:45 am]

Title 27—Alcohol, Tobacco Products and Firearms

CHAPTER I—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE TREASURY

SUBCHAPTER A—LIQUOR

[Notice No. 292; Reference T.D. ATF-23]

PART 18—PRODUCTION OF VOLATILE FRUIT-FLAVOR CONCENTRATES

Recodification of Regulations and Transfer of High-Proof Concentrates; Correction

In FR Doc. 76-1460 appearing on page 2643 for Monday, January 19, 1976, certain material was omitted. The document was a final Treasury decision, pursuant to a notice of proposed rulemak-

ing published in the FR on March 15, 1974.

The FR version of the Treasury decision contained only the changes that had been made subsequent to publication of the notice of proposed rulemaking. The unchanged material, which was to have been carried over intact from the notice of proposed rulemaking, was omitted. In addition, in the Treasury decision, a minor change explained in the preamble was omitted from the specific changes, one item was incorrect, and there were three typographical errors. The minor change that was omitted concerns § 18.91(b), in which the phrase "a proof gallon of" is being deleted. The incorrect item appeared at the beginning of the document, in the heading: "Subchapter M—Alcohol, Tobacco and Other Excise Taxes." It should have read "Subchapter A—Liquors." The typographical errors were: (1) in the heading of the document, "BUREAU" should be "BUREAU"; (2) in the authority statement, at the end of the document, "contained" should be "contained"; and (3) also in the authority statement, "63A" should be "68A".

Since this correction notice merely rectifies minor inaccuracies and omissions contained in T.D. ATF-23, this notice does not affect the effective date of T.D. ATF-23, which remains March 1, 1976.

In consideration of the foregoing, the entire Treasury decision is being reprinted as it should have appeared.

Background. On March 15, 1974, the Bureau of Alcohol, Tobacco and Firearms published in the FEDERAL REGISTER (39 FR 9974) a notice of proposed rulemaking to amend and recodify 27 CFR Part 198, Production of Volatile Fruit-Flavor Concentrates. The proposed changes would (1) allow the production and transfer of high-proof volatile fruit-flavor concentrate, and (2) recodify 27 CFR Part 198 as Part 18 of Title 27 of the Code of Federal Regulations, as part of the Bureau's continuing program to reissue all of its regulations under 27 CFR.

SUMMARY OF CHANGES SUBSEQUENT TO NOTICE OF PROPOSED RULEMAKING

In accordance with the notice of proposed rulemaking, interested persons were afforded the opportunity to submit written comments or suggestions for changes in the proposals. No comments or requests for a public hearing were received from the concentrate industry. However, after further study of the proposed amendments and suggestions submitted by the Bureau's field personnel, several changes are being made to the regulations as originally proposed. These are discussed below:

1. **Definition of high-proof concentrate liberalized.** As published in the notice, high-proof concentrate was defined as having an alcohol content of more than 15 percent by volume and being unfit for use as a beverage because of its natural constituents.

Very high-proof concentrate (that having an alcohol content of around 70 to 80 percent by volume) was in mind

when the proposed regulations were published. However, it has been brought to our attention that many volatile fruit-flavor concentrate producers presently make a relatively low-proof concentrate naturally unfit for beverage use, that attains an alcohol content of as much as 24 percent by volume, depending on the particular process used. These producers then reduce the alcohol content of the concentrate, in accordance with § 198.114a (new § 18.125), to comply with the limitation that concentrate transferred from a manufacturing plant be not more than 15 percent alcohol by volume. As originally proposed, the regulations would have required these producers to secure additional bond coverage as well as to otherwise comply with new provisions concerning the production of high-proof concentrate.

To eliminate the problem of classifying producers of relatively low-proof concentrate as high-proof concentrate producers, the percent of alcohol by volume limit is being extended from 15 percent to 24 percent. (§§ 18.11, 18.124, and 18.127 further amended.)

2. **Reporting requirements for changes in officers, directors, and stockholders liberalized.** To conform to similar requirements now in effect for other regulated industries, provisions have been added which (1) allow a period of 30 days for reporting changes in corporate officers and directors, (2) permit waiver of the requirement for reporting changes in corporate officers if it can be shown that such persons have no plant operation responsibilities, and (3) allow lists of stockholders to be submitted annually. (§§ 18.81 and 18.82 added.)

3. **Penal sums of bonds.** We had initially proposed that, where high proof concentrate is produced, the penal sum of the bond, Form 1694, would equal the tax liability of the high proof concentrate on hand, determined "at the rate prescribed by law as the tax on a proof gallon of distilled spirits".

The tax on distilled spirits, however, is determined on a proof gallon basis only if the spirits have an alcohol content of 50 percent by volume or more. The tax on spirits of less than 50 percent alcohol by volume is figured on a wine gallon basis. Since it is possible to produce high proof concentrate that is under 50 percent alcohol by volume, the reference to the term "proof gallon" is being deleted. (§ 18.91 further amended.)

4. **Transfer of concentrate.** The regulations governing the transfer of concentrate have been further amended to make it clear that concentrate which is produced at not more than 24 percent alcohol by volume, but which is subsequently reduced to not more than 15 percent alcohol by volume, may be transferred without notice. Further, since the form used for exportation of concentrate from the United States, Form 3874, Notice of Transfer of Fruit-Flavor Concentrate, has been amended to include a certificate of export on the form itself for completion by the proprietor of the volatile fruit-flavor con-

concentrate plant, the regulations have been revised to reflect this change. (§ 18.127 further amended.)

SPECIFIC CHANGES SUBSEQUENT TO NOTICE

In consideration of the foregoing, the regulations as published in the notice of proposed rulemaking are hereby adopted, subject to the following changes and additions:

1. A preamble to the recodified regulations is added immediately preceding the table of contents. As added, the preamble reads as follows:

Preamble. a. The regulations in this part supersede 27 CFR Part 198 in its entirety.

b. These regulations shall not affect any act done or any liability or right accruing, or accrued, or any suit or proceeding had or commenced before the effective date of these regulations.

c. The regulations in this part shall become effective on March 1, 1976.

2. The table of contents for Part 18 is changed by inserting new section numbers and headings, § 18.81. *Change in officers and directors*, and § 18.82. *Change in stockholders*, immediately following § 18.80.

3. Section 18.11 is changed by amending the definition of high proof concentrate. As changed, § 18.11 reads as follows:

§ 18.11 Meaning of terms.

High-proof concentrate. For the purposes of this part, "high-proof concentrate" shall mean a concentrate (essence), as defined in this section, having an alcohol content of more than 24 percent by volume but which is deemed unfit for beverage use because of its natural constituents.

4. A new § 18.81, is added immediately following § 18.80, to liberalize reporting requirements for changes in officers and directors. As added, new § 18.81 reads as follows:

§ 18.81 Change in officers and directors.

Where there is any change in the list of officers and directors furnished under the provisions of § 18.54(b), the proprietor shall submit, within 30 days of any such change, an amended application on Form 27-G to cover such change. Where the proprietor has shown to the satisfaction of the regional director that the holders of certain corporate offices, as listed on the original application, have no responsibilities in connection with the operations conducted under this part, the regional director may waive the requirement for submitting applications for amended registration to cover changes in such corporate offices.

5 A new § 18.82, is added immediately following new § 18.81, to liberalize reporting requirements for changes in stockholders. As added, new § 18.82 reads as follows:

§ 18.82 Change in stockholders.

Changes in the list of stockholders furnished under the provisions of § 18.54

(c) may, in lieu of submission within 10 days of the change under the provisions of § 18.71, be submitted annually by the proprietor on May 1, except where the sale or transfer of capital stock results in a change of control or management of the business.

6. Section 18.91 is changed by deleting the phrase "a proof gallon of" from paragraphs (b)(1) and (b)(2). As changed, § 18.91 reads as follows:

§ 18.91 Bond, Form 1694.

(a) *General.* Every person intending to commence the business of manufacturing concentrates shall file bond, Form 1694, with the regional director at the time of filing his original application, Form 27-G, and at such other times as are required by this subpart. Such bond shall be conditioned that each such person shall fully and faithfully comply with all of the requirements of the law and regulations relating to the manufacture, removal, sale, transportation, or use of any concentrate (or any fruit mash or juice from which such concentrate is produced) and shall pay or cause to be paid all taxes, together with penalties and interest, on all such concentrates or any other alcoholic products manufactured, removed, sold, transported, or used by him contrary to law or regulations. No person shall commence or continue the business of manufacturing concentrates until such bond has been approved by the regional director.

(b) *Penal sum of bond.* The penal sum of bond, Form 1694, shall be \$5,000 except as follows:

(1) Where high-proof concentrates are to be produced in addition to other concentrates, the bond, Form 1694, shall be in a sufficient penal sum to equal the tax liability on the maximum quantity of high proof concentrate which will be on hand or unaccounted for at any one time, at the rate prescribed by law as the tax on distilled spirits, plus \$5,000: *Provided*, That the maximum penal sum shall not exceed \$105,000; or

(2) Where high-proof concentrates only are to be produced, the bond shall be in a sufficient penal sum to equal the tax liability on the maximum quantity of high-proof concentrate which will be on hand or unaccounted for at any one time, at the rate prescribed by law as the tax on distilled spirits: *Provided*, That the maximum penal sum shall not exceed \$100,000; or

(3) Where, in any other case, it is the opinion of the regional director that a bond in a larger penal sum or an additional bond should be required for the protection of the revenue, he may require additional bond coverage not to exceed \$20,000.

(72 Stat. 1392, as amended; 26 U.S.C. 5511)

7. Section 18.124 is changed by (1) striking, in paragraph (a), the words "15 percent by volume, except concentrate not exceeding 24 percent by volume to be transferred to a bonded wine cellar under the provisions of § 18.127(b)" and inserting instead, the words "24 percent by volume"; (2) inserting in paragraphs

(b) and (c), the words "27-G Supplemental" in the space provided for the form number; and (3) increasing the size of the sample of high-proof concentrate to be submitted to the Director from one ounce to eight ounces. As changed, § 18.124 reads as follows:

§ 18.124 Production of high-proof concentrate.

(a) *General.* Concentrates having an alcohol content of more than 24 percent by volume, may not be produced (except to furnish the sample required by paragraph (c) of this section) in a volatile fruit-flavor concentrate plant unless such product has been found by the regional director to be unfit for use as a beverage because of its natural constituents as provided in paragraph (c) of this section.

(b) *Application.* Application on Form 27-G Supplemental must be filed and approved by the regional director before high-proof concentrate can be produced. A separate application shall be filed for each kind of such concentrate to be produced.

(c) *Sample.* An 8-ounce sample of high proof concentrate, accompanied by a copy of Form 27-G Supplemental, must be submitted to the Director for laboratory analysis. If it is found to be naturally (without addition of other substances) unfit for use as a beverage, the regional director may approve the application on Form 27-G Supplemental. Such sample must be truly representative of the concentrate to be produced and must be labeled to show:

(1) Name, plant number and address of the producer,

(2) In bold type, HIGH-PROOF CONCENTRATE—NOT FOR BEVERAGE USE,

(3) Kind of concentrate,

(4) Percent alcohol by volume, and

(5) Fold.

8. Paragraphs (a), (d)(3), and (e) of § 18.127 are changed to (1) conform language to the amended definition of high-proof concentrate; and (2) provide for certification of export on Form 3874. As changed, § 18.127 reads as follows:

§ 18.127 Transfer of concentrate.

(a) *General.* Concentrate fit for use as a beverage or which contains more than 15 percent alcohol by volume may not be removed from its place of manufacture except as provided in paragraphs (b), (c) and (d) of this section. Concentrate containing not more than 15 percent alcohol by volume (including high-proof concentrate and concentrate produced at not more than 24 percent alcohol by volume, reduced as provided in § 18.125 to not more than 15 percent alcohol by volume) and which is unfit for use as a beverage may be removed from its place of manufacture as provided in paragraph (e) of this section.

(b) *Transfer to a bonded wine cellar.* Pursuant to an approved application on Form 3873, made as provided for in 27 CFR Part 240, and notice on Form 3874, as provided for in paragraph (d) of this section, concentrate of not more than 24

percent alcohol by volume may be transferred to a bonded wine cellar for use in the production of natural wine.

(c) *Transfer of high-proof concentrate.* Pursuant to a notice on Form 3874, high-proof concentrate may be transferred from a concentrate plant to a manufacturer using the high-proof concentrate for any purpose authorized by law, or for export. Such notice shall be filed in accordance with paragraph (d) of this section.

(d) *Notice of transfer.* When concentrate is transferred under paragraphs (b) and (c) of this section, the proprietor shall give notice thereof on Form 3874 as follows:

(1) *Transfer in the same region.* When concentrate is transferred in the same region, the proprietor shall prepare an original and three copies of Form 3874 and, on the day of shipment, forward the original and one copy to the consignee and one copy to his regional director, and retain the remaining copy for his files.

(2) *Transfer to another region.* When concentrate is transferred to another region, the proprietor shall prepare an original and four copies of Form 3874 and, on the day of shipment, forward the original and one copy to the consignee, one copy to the consignee's regional director, and one copy to his own regional director, and retain the remaining copy for his files.

(3) *Transfer out of the United States.* When high-proof concentrate is removed for exportation to a foreign country, the proprietor shall prepare an original and two copies of Form 3874 and, on the day of shipment, forward one copy to his regional director and retain the original and remaining copy. As soon as possible after shipment, he shall furnish his regional director with the original of Form 3874, having completed the certification of export on the form, accompanied by the ocean bill of lading and the through or export bill of lading: *Provided*, That the regional director may authorize other proof of exportation acceptable to him.

(e) *Transfers without notice.* Concentrate containing not more than 15 percent alcohol by volume (including high-proof concentrate and concentrate produced at not more than 24 percent alcohol by volume, reduced as provided in § 18.125 to not more than 15 percent alcohol by volume) which is unfit for beverage use may be transferred without notice of transfer. Where such concentrate containing not more than 15 percent alcohol has been found to be fit for beverage use, there shall be added to each gallon thereof before removal not less than:

- (1) 8 $\frac{1}{10}$ pounds of sucrose; or
- (2) One gallon of concentrated fruit juice of not less than 70 Brix made from the same kind of fruit used in the manufacture of the concentrate; or
- (3) 2 $\frac{1}{2}$ ounces of any of the following:

- (i) Malic acid;
- (ii) Citric acid; or
- (iii) Tartaric acid.

(This Treasury decision is issued under the authority contained in 26 U.S.C. 7805 (68A Stat. 917).)

Signed: March 8, 1976.

REX D. DAVIS,
Director.

[FR Doc. 76-6988 Filed 3-10-76; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 76-029]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Richardson Bay, California

This amendment changes the regulations for the temporary work bridge across Richardson Bay near Sausalito, California, because this bridge has been removed.

§ 117.712(f) [Reserved]

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revoking § 117.712(f).

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655 (g) (2); 49 CFR 1.46 (c) (5), 33 CFR 1.05-1 (c) (4))

Effective date. This revision shall become effective on March 15, 1976.

Dated: March 4, 1976.

D. J. RILEY,
Captain, U.S. Coast Guard, Acting
Chief, Office of Marine
Environment and Systems.

[FR Doc. 76-6989 Filed 3-10-76; 8:45 am]

[CGD 75-097]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Duwamish Waterway, Washington

This amendment changes the regulations for the two drawbridges across the Duwamish Waterway at West Spokane Street and First Avenue South to shift the closed periods to coincide with current traffic patterns, and provides that vessels of 5,000 tons, rather than 1,000 tons, may require a draw opening during the closed periods. This amendment was circulated as a public notice dated May 19, 1975, by the Commander, Thirteenth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rulemaking (CGD 75-097) on May 13, 1975 (40 FR 20824). Ten responses were received. Six either supported the proposal or had no comment or no objection thereto. Two supported the proposal if vessels of 5,000 tons or more could be passed at any time, while one response opposed the 5,000 ton ex-

ception. The original proposal was for a vessel drawing 28 feet of water or more to pass at any time. The Coast Guard feels that while there is some validity in the opposition expressed, vessels of 5,000 tons or more should be passed due to the hazardous nature of the Duwamish Waterway caused by a narrow channel, relatively small horizontal draw clearances and tidal fluctuations (approximately eleven feet) which make it possible for some of the larger vessels to transit only during periods of high tide. One comment suggested that vessels with drafts of 25 feet or more be allowed to pass at any time. The 5,000 ton proviso will provide for almost all vessels that draw at least 25 feet. A provision has been added to require the use of sound or visual signals to assure the safety of navigation if radiotelephone contact cannot be maintained between a vessel and one of the bridges. The Coast Guard will closely monitor this case and if further amendments are deemed appropriate they may be made.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising § 117.790 to read as follows:

§ 117.790 Duwamish Waterway at Seattle, Washington; bridges.

(a) The owners of or agencies controlling these drawbridges shall provide the necessary tenders and the proper machinery for the safe, prompt opening of the draws for the passage of vessels.

(b) *Sound signals.* A long blast shall be of three seconds duration; a short blast shall be of one second duration. The opening sound signals are as follows:

(1) *Burlington Northern Bridge and Southwest Spokane Street Bridge, mile 0.3:* One long blast followed quickly by three short blasts.

(2) *Burlington Northern Bridge, mile 0.4:* One long blast followed quickly by one short blast.

(3) *First Avenue South Bridge, mile 2.5:* Three long blasts.

(4) *Fourteenth Avenue South Bridge, mile 3.8:* One long blast followed quickly by one short blast and one long blast.

(c) Acknowledging Sound Signals are as follows:

(1) When the draw will open, same as opening signal.

(2) When the draw will not open or must close immediately, four short blasts, repeated until acknowledged by the vessel.

(3) As soon as the draw can open, the draw tender shall sound the opening signal.

(d) *Visual Signals.* Lights shall be of sufficient intensity to be readily visible at night and flags be of sufficient size to be readily visible from both the vessel and the bridge. Visual signals are as follows:

(1) From the vessel, a white light at night or a white flag by day swung in full circle at arm's length in full sight of and facing the drawbridge.

(2) When the draw of the bridge will open immediately the draw tender shall

reply by vertically raising and lowering a white light at night or a white flag by day.

(3) When the draw of the bridge will not open immediately, the draw tender shall reply by swinging a red light at night or a red flag by day in full circle at arm's length in full sight of and facing the vessel. This signal may also be used by a vessel to countermand its signal to open the draw.

(e) During conditions of restricted visibility, as defined in the Rules of the Road, the draw tender, after giving the acknowledging signals that the draw will open, shall toll a bell continuously during the approach and the passage of the vessel.

(f) The draws of each bridge across the Duwamish Waterway shall open promptly on signal except that the draws of the Southwest Spokane Street bridges and the First Avenue South bridge need not open for the passage of vessels from 6:30 a.m. to 8:30 a.m. and 3:45 p.m. to 5:45 p.m., Monday through Friday, except holidays. However, the draws shall open at any time for a vessel of 5,000 tons or more.

(g) City of Seattle Southwest Spokane Street bridges and the Burlington Northern drawbridges have two-way radiotelephones. When the request for bridge opening and answering acknowledgment is given by radiotelephone, sound or visual signals are not required. Both vessel and bridge must continue to monitor the selected radiotelephone channel until the vessel has cleared the draw. If radiotelephone contact cannot be maintained, sound or visual signals shall be used.

(h) Appurtenances. The draws of the Southwest Spokane Street bridges need not open for a vessel equipped with appurtenances that can be readily lowered to enable the vessel to pass under the closed draws. If a vessel passes through the draws of the Southwest Spokane Street bridges 40 times or more in any twelve month period and is equipped with appurtenances that can be altered to enable the vessel to pass under the closed draws, the district commander, upon request of the bridge owner, may notify the vessel owner and the bridge owner of his determination of required modification and grant a reasonable time to accomplish the required modification. If after the expiration of this time, necessary modifications to the appurtenances have not been made, the draws need not open for the passage of this vessel.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4))

Effective date. This revision shall become effective on April 12, 1976.

Dated: March 4, 1976.

D. J. RILEY,
Captain, U.S. Coast Guard, Acting Chief, Office of Marine Environment and Systems.

[FR Doc.76-6990 Filed 3-10-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 9—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA-PR TEMP. REG. NO. 15]

PART 9-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

PART 9-16—PROCUREMENT FORMS

Use of ERDA Facilities; Reporting Requirements

MARCH 8, 1976.

• 1. **Purpose:** This regulation deletes reporting requirements in § 9-4.5109-7, Equipment; § 9-16.5002-8, Article B-XXI-d and § 9-16.5002-9, Appendix AIII.

2. **Effective date:** This regulation is effective March 11, 1976.

3. **Expiration date:** This regulation will remain in effect until canceled and replaced by a permanent ERDA Procurement Regulation.

4. **Background:** Pub. L. 93-608 eliminates the need to report the equipment granted to contractors. Accordingly, § 9-4.5109-7 is deleted. Clauses in § 9-16.5002-8, Article B-XXI-d and § 9-16.5002-9, Appendix A-III requiring this report also are deleted.

5. **Explanation of change:**

a. In Subpart 9-4.51, *Research Agreements and Contracts With Educational Institutions*, § 9-4.5109-7, paragraphs (a) and (b) are deleted and reserved.

b. In Subpart 9-16.50, *Contract Outlines*, § 9-16.5002-8, Article B-XXI-d and § 9-16.5002-9, Appendix A-III are deleted and reserved.

6. **Authority:** Section 105 of the Energy Reorganization Act of 1974 (Pub. L. 93-438).

ROBERT F. ALLNUTT,
Acting Director of Procurement.

[FR Doc.76-6987 Filed 3-10-76;8:45 am]

CHAPTER 14—DEPARTMENT OF THE INTERIOR

PART 14-1—GENERAL

PART 14-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Architect-Engineer Service

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Parts 14-1 and 14-4 of Chapter 14 of Title 41 of the Code of Federal Regulations are hereby amended as stated herein.

In Subpart 14-1.10, § 14-1.1003-7 prescribes certain statements to be included in synopses for architect-engineer services. The first paragraph of the notice requires that supplemental data shall complement the data furnished on SF-251. Amendments to 41 CFR Chapter 1 published at 40 FR 30440-30459, July 18, 1975, superseded SF-251 with a new SF-254 and provided that supplemental data be submitted on a new SF-255. Therefore, the first paragraph of the notice in § 14-1.1003-7 is no longer required.

The second paragraph of the notice in § 14-1.1003-7 concerns the method of establishing the order of preference. The

amendments to 41 CFR Chapter 1 referenced above now provide under § 1-1.1003-7(b) (9) that notices shall include, where applicable, the relative importance of the significant evaluation factors. Therefore, the second paragraph of the notice in § 14-1.1003-7 is no longer required.

In Subpart 14-4.10, § 14-4.1004-2(b) requires that evaluation board reports shall list in the order of preference the firms which are considered the most highly qualified. Amendments to 41 CFR Chapter 1 published at 40 FR 30440-30459, July 18, 1975, now provide under § 1-4.1004-2(c) that the order of preference shall be stated in evaluation board reports. Therefore, the order of preference requirement of § 14-4.1004-2(b) is no longer required.

It is the general policy of the Department of the Interior to allow time for interested persons to participate in the rulemaking process. However, the amendments herein are revisions in Departmental Administrative procedures. Because the amendments are entirely administrative in nature, the public rulemaking process is waived in this instance and the amendments stated herein are effective immediately.

Dated: March 3, 1976.

RICHARD R. HITE,
Deputy Assistant Secretary
of the Interior.

1. The Table of Contents of Part 14-1 is amended by deleting and reserving Subpart 14-1.10 and §§ 14-1.1003 and 14-1.1003-7 as follows:

Subpart 14-1.10—[Reserved]

Sec.
14-1.1003 [Reserved]
14-1.1003-7 [Reserved]

2. Part 14-1 is amended by deleting and reserving Subpart 14-1.10 and §§ 14-1.1003 and 14-1.1003-7, as follows:

Subpart 14-1.10—[Reserved]

§ 14-1.1003 [Reserved]
§ 14-1.1003-7 [Reserved]

3. Section 14-4.1004-2 of Subpart 14-4.10 is amended by deleting the designation of paragraphs (a) and (b); by deleting the last part of the first sentence of paragraph (b) beginning with the word "shall"; and by combining the remainder of paragraph (b) with the text of the section. As amended § 14-4.1004-2 reads as follows:

Subpart 14-4.10—Architect-Engineer Services

§ 14-4.1004 Selection.

§ 14-4.1004-2 Functions of the evaluation boards.

The provisions of § 1-4.1004-2 of this title are supplemented to provide that architect-engineer evaluation boards within the Department of the Interior shall operate under the general authority of the appointing official; shall submit to the official designated by the appointing official the report required of the evaluation board as specified in

§ 1-4.1004-2(c) of this title; and shall assist the contracting officer to the maximum extent possible and appropriate in the establishment of a contract.

[FR Doc.76-6959 Filed 3-10-76;8:45 am]

Title 45—Public Welfare

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

PART 100d—CERTIFICATION WITH RESPECT TO OPEN MEETINGS BY LOCAL EDUCATIONAL AGENCIES IN CERTAIN PROGRAMS

Final Regulations

A notice of proposed rulemaking was published on May 9, 1975, in 40 FR 20285, inviting public comments on proposed regulations to amend Title 45 of the Code of Federal Regulations by adding a new part 100d, implementing Section 812 of the Elementary and Secondary Education Act (Certification With Respect to Open Meetings by Local Educational Agencies in Certain Programs) as added by Section 110, Education Amendments of 1974 (Pub. L. 93-380).

In accordance with the requirements of the Education Amendments of 1974 (Pub. L. 93-380), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, amends Title 45, Part 100 of the Code of Federal Regulations by adding a new part 100d, to read as set forth below.

1. *Program purpose.* Section 812 of the Elementary and Secondary Education Act of 1965, as amended, requires that no application for assistance under the Act for funds under the applicable programs may be considered unless the local educational agency making the application certifies to the Commissioner that members of the public have been afforded the opportunity upon reasonable notice to testify or otherwise comment regarding the subject matter of the application. The applicable programs are those ESEA programs where the application for assistance is submitted directly to the Commissioner of Education.

2. *Comments.* The following comments, suggestions, and criticisms were submitted in writing in response to the proposed rules issued on May 9, 1975. After the summary of each comment, a response is set forth stating the changes which have been made in the regulations or the reasons why no changes were deemed necessary. The general comments are followed by comments based on the sections affected, arranged in sequence.

(a) *Comment.* One commenter felt that the intent of the provision was to insure parental involvement in the development of all local educational programs receiving Federal funds under the Act, especially innovative and experimental programs under Title III. He urged that Section 812 be interpreted to include State-administered programs.

Response. In reaching a final interpretation of this section it should be noted, as indicated in the preamble to the notice of proposed rulemaking, that the open

meeting provision is subject to both readings: (1) That it only applies to grants which are made directly by the Commissioner to local educational agencies and (2) that it applies also to State-administered programs. The legislative history was examined for guidance; however, it did not include this issue.

The designation of the Commissioner as the officer to receive and review the certification from the local educational agency strongly implies that the requirement applies only to direct grant programs in which the Commissioner directly participates in the application review process. To read the statute as requiring its application to State-administered programs would require additional procedures to be implemented, either by having the Commissioner communicate the certification to the State agency before an application is approved, or by having the Commissioner delegate the authority to the State agency in the first instance. Neither of these procedures is provided for in the statutory language. Had State-administered programs been intended to be within the ambit of this requirement, it is assumed that Congress would have provided for the submission of the certification directly to the administering State agencies.

As an additional factor, the requirement that local educational agencies applying for grants in State-administered programs make a separate certification to the Commissioner would impose a cumbersome and time-consuming burden on these programs. The Commissioner would be required to review thousands of certifications a year for program applications over which only the State agency has further review authority. No action could be taken by the State agency charged by the program statute with the review of the local applications until the long certification review process was completed, and the assurance came from the Commissioner that a local educational agency's certification requirement was satisfied.

In addition, consideration has been given to the existence of provisions in current laws for public participation in the application process in State-administered programs. Title I of ESEA provides for participation by local parent advisory councils, and Titles III and IV of ESEA provide for the review of applications by State advisory councils in which public representation is required. The statute has thus been interpreted as applying only to direct grant programs enumerated in section 100d.1(b) of the draft regulations.

(b) *Comment.* Three reviewers objected to the open meeting requirement of Section 812, as implemented by the proposed regulation. One of these reviewers felt that the open meeting requirement was superfluous because of lack of public interest, while another saw it as unnecessary because of the active public participation in local school board meetings. All three felt that additional paperwork was a bad idea.

Response. Open meetings and certification are both required by statute; the

purpose of the regulation is to implement them as efficiently as possible. As discussed above, the regulation is drawn to minimize delay and excessive paperwork.

(c) *Comment.* Section 100d.1(b) One commenter stated that: "Under Title IV, ESEA, Consolidation of Certain Federal Programs, the LEA will no longer make applications directly to the Commissioner for Title V, ESEA, Parts B & C and Title VIII, ESEA, Sections 807 and 808. These will be handled by the SEA under the Annual Program Plan."

Response. Section 100d.1(b) lists those programs in which certification is required when application is made to the Commissioner. Under Title IV, ESEA, Consolidation, these programs will be administered as discretionary programs by the Commissioner in years in which the threshold funding requirement for consolidation is not met pursuant to Section 401(b)(2), 521(b), 531(b), 807(c), and 808(d) of ESEA (20 U.S.C. 1801(b)(2), 866(b), 867(b), 887(c), and 887a(d)). When consolidation does take place, no application will be made to the Commissioner, and no certification is required under § 100d.1(b).

(d) *Comment.* Section 100d.2(b) Two objections were made to the requirement that the meeting be held at least seven days before submission of the application, on the grounds that it would unnecessarily restrict the flexibility of the LEA.

Response. The specific requirement for holding a meeting seven days before the application is submitted has been deleted in order to allow for LEA flexibility. However, it is felt that some requirements are necessary to insure that the public has a meaningful opportunity to participate and the LEA gives proper consideration to this participation. Therefore, the regulations require that a copy of the proposed application be available for public examination 24 hours before the open meeting, and that the LEA assure that it has given thorough consideration to comments received at the meeting.

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended as set forth below.

Effective date: Pursuant to Section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)) these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(20 U.S.C. 887e)

Dated: January 9, 1976.

T. H. BELL,
U.S. Commissioner of Education.
Approved: March 5, 1976.

MARJORIE LYNCH,
Acting Secretary of Health,
Education, and Welfare.

- Sec.
100d.1 Purpose and scope.
100d.2 Requirement for open meetings by local educational agencies.
100d.3 Certification of open meetings.

AUTHORITY: Sec. 812, Elementary and Secondary Education Act of 1965, as added by sec. 110 of Pub. L. 93-380, 88 Stat. 513 (20 U.S.C. 887e).

§ 100d.1 Purpose and scope.

(a) *Purpose.* The purpose of this part is to implement the provisions of section 812 of the Elementary and Secondary Education Act of 1965, as added by section 110 of Pub. L. 93-380. Section 812 provides that before the application of a local educational agency under a program covered by this part may be considered, that agency must certify to the Commissioner that the public has been given the opportunity to testify or otherwise comment regarding the subject matter of the application.

(b) *Scope.* The provisions contained in this part are applicable to applications for Federal assistance from local educational agencies submitted to the Commissioner under the following authorities: Title III, section 306 (direct grants for supplementary services and centers (this section is revoked as of July 1, 1975)); Title V, Parts B and C (strengthening local educational agencies, comprehensive educational planning and evaluation); Title VII (bilingual education); Title VIII, section 807 (dropout prevention), 808 (school nutrition and health services), 810 (improvement of educational opportunities for Indian children), 811 (consumers education); and Title IX (ethnic heritage studies) of the Elementary and Secondary Education Act of 1965, as amended.

(20 U.S.C. 887e)

§ 100d.2 Requirement for open meetings by local educational agencies.

(a) *Open meetings.* Prior to the submission of an application under an applicable program listed in § 100d.1(b), a local educational agency shall hold at least one meeting, open to the public, at which the program or project for which assistance is being sought and the activities proposed to be conducted in the application are explained, and the persons in attendance are afforded an opportunity to testify or otherwise comment on the contents of the application.

(b) *Notice of the meetings and availability of application.* The local educational agency shall advertise a notice of the meeting in a newspaper of general circulation serving the area affected by the program or project for which assistance is being sought, or otherwise provide adequate public notice, not less than seven days prior to the date of such meeting. A copy of the application to be discussed shall be made available to the public at least 24 hours before the meeting is held.

(20 U.S.C. 887e)

§ 100d.3 Certification of open meetings.

An application filed by a local educational agency with the Commissioner un-

der any applicable program shall contain a certification, in such form as the Commissioner may prescribe, that an open meeting was held as required by section 812 of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 887e) and the regulation under this part; the certification will further assure that the applicant has given meaningful consideration to the comments or other testimony received at the open meeting, before submission of the final application.

(20 U.S.C. 887e)

[FR Doc. 76-6970 Filed 3-10-76; 8:45 am]

Title 46—Shipping

**CHAPTER I—COAST GUARD,
DEPARTMENT OF TRANSPORTATION**

[CGD 75-186]

PART 160—LIFESAVING EQUIPMENT

PART 163—CONSTRUCTION

Marking of Inspected Equipment

These amendments revise the procedure for marking Coast Guard inspected lifesaving equipment and watertight doors.

The rules for marking inspected lifesaving equipment and watertight doors require each item passing Coast Guard inspection to have a marking that contains the marine inspector's initials and other prescribed information including in some instances the name of the port. Because of the number of marine inspectors involved in the inspection of this equipment and the frequent turnover of personnel, it becomes difficult with the passage of time to identify the marine inspector or the Marine Inspection Office to which he was assigned.

Consequently, the Coast Guard is changing the procedure for marking inspected lifesaving equipment and watertight doors by replacing the marine inspector's initials, and the port designation where used, with the identification letters of the Marine Inspection Office to which the marine inspector is assigned. The identification letters are listed in Table 50.10-30 of Title 46, Code of Federal Regulations. The use of this revised marking procedure will permit identification of the Marine Inspection Office responsible for inspecting the equipment. If identification of the marine inspector becomes necessary, the Marine Inspection Office can provide that information.

Since these rules relate only to Coast Guard procedure and place no additional burden on any person, they are being issued without prior notice of proposed rule making and public comment procedure.

In consideration of the foregoing, Parts 160 and 163 of Chapter I, Title 46 of the Code of Federal Regulations are amended as follows:

Part 160 [Amended]

1. In §§ 160.002-5(g), 160.005-5(g), and 160.055-7(g) delete the words

“(Port), (Inspector's initials)” and insert in their places the words “(Marine Inspection Office identification letters).”

2. In §§ 160.006-5(b) and 160.009-6(b) delete the words “(Inspector's initials), (port)” and insert in their places the words “(Marine Inspection Office identification letters).”

3. In two places in § 160.009-5(a) and in § 160.009-6(a) delete the words “(Inspector's initials), (Port)” and insert in their places the words “(Marine Inspection Office identification letters).”

4. In §§ 160.010-7(j), 160.010-8(a), 160.015-5(d), 160.018-8(a), 160.027-7(j), 160.027-8(a), 160.031-6(a), and 160.032-5(d) delete the words “Inspector's initials” and insert in their places the words “Marine Inspection Office identification letters.”

5. In §§ 160.021-4(o), 160.022-4(n), 160.024-4(m), 160.026-6(g), 160.036-4(m), 160.037-4(p), and 160.057-4(m) delete the words “(port), Inspector's initials” and insert in their places the words “Marine Inspection Office identification letters.”

6. In § 160.032-5(a)(1) delete the words “initials of his name” and insert in their place the words “Marine Inspection Office identification letters.”

7. In § 160.035-3(u)(7)(iv) delete the abbreviation “Insp.” and insert in its place the abbreviation “OCMI.”

8. In §§ 160.035-13(c)(1), 160.051-8(a), 160.062-5(b)(1), and 160.062-5(b)(2), and in two places in § 160.062-5(a)(2), delete the words “marine inspector's initials” and insert in their places the words “Marine Inspection Office identification letters.”

9. In § 160.039-5(a) delete the words “his initials, the port” and insert in their place the words “the Marine Inspection Office identification letters.”

10. In § 160.040-5(d) delete the words “initials of the marine inspector” and insert in their place the words “Marine Inspection Office identification letters.”

11. In § 160.050-6(a) delete the words “(U.S.C.G. Inspector's initials)” and insert in their place the words “U.S.C.G. (Marine Inspection Office identification letters).”

12. In § 160.051-6(e) delete the words “the port, and the marine inspector's initials” and insert in their place the words “and the Marine Inspection Office identification letters.”

13. In § 160.062-4(f)(1)(iii) delete the words “His initials” and insert in their place the words “The Marine Inspection Office identification letters.”

14. In § 160.062-4(f)(5)(ii) delete the words “his initials” and insert in their place the words “The Marine Inspection Office identification letters.”

15. In § 163.001-7(a) revise the second sentence to read

§ 163.001-7 Nameplate and marking.

(a) * * * Where the tests have been witnessed by a Coast Guard inspector, the Marine Inspection Office identification letters are used, followed by the letters “U.S.C.G.”

* * *

RULES AND REGULATIONS

(46 U.S.C. 375, 416, 481; 49 U.S.C. 1655(b); 49 CFR 1.4(b), and 1.46)

Effective date: April 12, 1976.

Dated: March 8, 1976.

O. W. SILVER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.76-6991 Filed 3-10-76; 8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Bowdoin National Wildlife Refuge; Montana

The following special regulation is issued and is effective March 11, 1976.

§ 33.5 Special regulations; sport fishing, for individual wildlife refuge areas.

MONTANA

BOWDOIN NATIONAL WILDLIFE REFUGE

Sport fishing by rod, reel and pole, bow and arrow and the capturing of bait fish (minnows) by seine and minnow trap on Bowdoin National Wildlife Refuge, Phillips County, Montana is permitted on a year-round basis, but only on areas designated by signs as open to fishing. These open areas are delineated on maps available at refuge headquarters, seven miles east of Malta, Montana and from the Regional Director, Bureau of Sport Fisheries and Wildlife, P.O. Box 25486, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1976.

JOHN R. FOSTER,
Refuge Manager, Bowdoin National Wildlife Refuge, Malta, Montana.

JANUARY 1, 1976.

[FR Doc.76-6956 Filed 3-10-76; 8:45 am]

PART 33—SPORT FISHING

Red Rock Lakes National Wildlife Refuge, Montana

The following special regulations are issued and are effective March 11, 1976.

§ 33.5 Special regulations; sport fishing, for individual wildlife refuge areas.

MONTANA

RED ROCK LAKES NATIONAL WILDLIFE REFUGE

Sport fishing is permitted as posted from the third Saturday in June through November (June 19 through November 30, 1976). All areas open to fishing are delineated on a map available at the refuge headquarters and from the office of the Area Manager, U.S. Fish & Wildlife Service, 711 Central Avenue, Billings,

Montana 59102. Areas closed the entire year include Upper and Lower Red Rock Lakes, Rivermarsh and Shambow Pond.

Sport fishing will be in accordance with all applicable State of Montana regulations subject to the following special conditions:

(1) Boats with motors are prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1976.

E. D. STROOPS,
Refuge Manager, Red Rock Lakes
National Wildlife Refuge.

MARCH 1, 1976.

[FR Doc.76-6957 Filed 3-10-76; 8:45 am]

PART 33—SPORT FISHING

UL Bend National Wildlife Refuge

The following special regulation is issued and is effective March 11, 1976.

§ 33.5 Special regulations; sport fishing, for individual wildlife refuge areas.

MONTANA

UL BEND NATIONAL WILDLIFE REFUGE

Sport fishing with hook and line and bow and arrow on UL Bend National Wildlife Refuge, Phillips County, Montana is permitted on a year round basis on the entire refuge. Maps are available from refuge headquarters, seven miles east of Malta, Montana and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25483, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1976.

JOHN R. FOSTER,
Refuge Manager, UL Bend National Wildlife Refuge, Malta, Montana.

JANUARY 1, 1967

[FR Doc.76-7006 Filed 3-10-76; 8:45 am]

PART 32—HUNTING

Charles M. Russell National Wildlife Range

The following special regulation is issued and is effective on March 11, 1976.

§ 32.22 Special regulations; upland game birds, for individual wildlife refuge areas.

MONTANA

CHARLES M. RUSSELL NATIONAL WILDLIFE RANGE

Hunting of male Merriam's turkey is permitted in two areas of the Charles M. Russell National Wildlife Range in accordance with all applicable State regulations. The only areas open to turkey

hunting are that portion of Garfield County, Montana, inside the Charles M. Russell National Wildlife Range, lying west of Hell Creek State Park and that portion of Fergus County, Montana, inside the Charles M. Russell National Wildlife Range.

These hunting areas comprising approximately 160,000 acres, are delineated on maps available at refuge headquarters, Lewistown, MT, and from the area office headquarters, U.S. Fish and Wildlife Service, 711 Central Avenue, Billings, MT 59102.

The provisions of this special regulation supplement the regulations which govern upland game bird hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through August 31, 1976.

LARRY L. CALVERT,
Refuge Manager, Charles M.
Russell National Wildlife
Range, Lewistown, Montana.

MARCH 4, 1976.

[FR Doc.76-7125 Filed 3-10-76; 8:45 am]

Title 7—Agriculture

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

[Navel Orange Reg. 371]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period March 12-18, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.671 Navel Orange Regulation 371.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel 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 Navel 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 Navel oranges, as here-

inafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel 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 Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel 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 Navel oranges is only fair but picking up.

Prices f.o.b. averaged \$3.29 a carton on a reported sales volume of 1,101 cartons last week, compared with an average f.o.b. price of \$3.36 per carton and sales of 1,069 cartons a week earlier.

Track and rolling supplies at 485 cars were up 91 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 Navel 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 rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time this regulation 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 Navel 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, 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 Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation 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 March 9, 1976.

(b) Order. (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 12, 1976, through March 18, 1976, are hereby fixed as follows:

- (i) District 1: 1,066,000 cartons;
- (ii) District 2: 234,000 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: March 10, 1976.

CHARLES R. BRADER,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[FR Doc. 76-7237 Filed 3-10-76; 11:28 am]

[Valencia Orange Reg. 524]

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

Minimum Size Requirement

This regulation sets a minimum size requirement of 2.20 inches in diameter applicable to the handling of Valencia oranges grown in District 3 of the production area of California and Arizona during the period March 12 through April 29, 1976. Such action is necessary to satisfy current and prospective market demand for shipments of fresh California-Arizona Valencia oranges. The specified minimum size requirement is consistent with the size composition and available supply of the developing crop of Valencia oranges in District 3.

Findings. (1) Pursuant to the market-
§ 908.824. Valencia Orange Regulation
524.

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 recommendation 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 regulation of shipments of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The minimum size requirement specified herein reflects the Department's appraisal of the crop and current and prospective marketing conditions during the period March 12 through April 29, 1976. The 1975-76 season crop of Valencia oranges is currently estimated at 43,500 cartons, while last year's production amounted to about 63,000 and production for the previous year amounted to nearly

43,100 cartons. Demand in regulated market channels will require an increase in percentage of the new crop to about 43 percent of the volume, and the remaining 57 percent will be available for utilization in export, processing, and other outlets. Demand in regulated markets last year amounted to 35 percent of the volume, and the remaining 65 percent was utilized in export, processing, and other outlets. Fresh shipments of Valencia oranges from District 3 are expected to begin about March 12, 1976. The volume and size composition of the crop of Valencia oranges grown in District 3 are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. The regulation herein specified is designed to permit shipment of ample supplies of fruit of acceptable sizes in the interest of both growers and consumers. The action is necessary to maintain orderly marketing conditions, provide consumer satisfaction, and guard against the shipment of undesirable sizes of Valencia oranges, which tend to weaken the market for such fruit. The regulation, therefore, is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

(3) It is hereby 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 hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which is 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, 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, 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 regulation 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 regulation effective during the period herein specified; and compliance with this regulation 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 February 20, 1976. Necessary supplemental information was received on February 23, 1976.

Order. (a) During the period March 12, 1976, through April 29, 1976, no handler shall handle any Valencia oranges grown in District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container any measure smaller than 2.20 inches in diameter.

(b) As used in this section, "handler", "handler's", and "District 3" shall have the same meaning as when used in said amended marketing agreement and order.

It is hereby certified that the economic and inflationary impact of regulations of Valencia oranges throughout the 1975-76 season in the form of minimum size has been carefully evaluated in accordance with OMB Circular A-107.

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

Dated March 8, 1976 to become effective March 12, 1976.

Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 76-7082 Filed 3-10-76; 8:45 am]

PART 910—HANDLING OF LEMONS GROWN IN CALIFORNIA AND ARIZONA

Prorate Bases and Allotment

This document amends the rules and regulations under Marketing Order No. 910, regulating the handling of lemons grown in California and Arizona. The order contains a provision under which a handler may receive prorate base adjustments which results in his receiving allotment to ship lemons on an accelerated basis during the first half of his season subject to compensating adjustments to effect repayment in the last half of his season. This amendment would provide handlers an alternative method of satisfying repayment obligations which enables them to avoid uneconomic harvesting and handling of lemons.

Notice was published in the *FEDERAL REGISTER* on February 6, 1976 (41 FR 5402), that the Department was giving consideration to a proposed amendment, hereinafter set forth, to the rules and regulations (Subpart—Rules and Regulations; 7 CFR 910.100-910.180) currently effective pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in Arizona and designated part of California, hereinafter referred to as the "order." This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment was unanimously recommended by the Lemon Administrative Committee established under the order as the agency to administer its terms and provisions. Said notice provided that in-

terested persons could submit written data, views, or arguments until February 20, 1976, for consideration in connection with the proposed amendment. None were received. However, during the notice period the committee reviewed the provision in the proposal which specified "The committee may establish such minimum quantities of lemons remaining on the tree as it deems feasible to certify", and recommended that a more specific provision be included in lieu thereof. Such provision as hereinafter set forth provides that to be eligible for certification, acreage shall be comprised of trees on which the remaining quantity of lemons on a per acre basis is equal to 10 percent of the prior three year average per acre production for the district or at least 70 carton equivalents per acre.

Under § 910.53 of the order the prorate base of each handler is computed on the basis of the average weekly quantity of lemons picked and delivered to his packinghouse in a specified base period. A handler receives allotment to ship lemons proportional to the relationship his prorate base bears to the total of the prorate bases of all handlers. However, the order also contains a provision in the aforesaid section which permits a handler upon application to the committee to receive, during the first half of his shipping season, an upward adjustment in his average weekly picks equal to 50 percent of such average which results in his receiving extra allotment during such period, subject to an offsetting adjustment during the last half of his shipping season to effect repayment of the extra allotment received. Hence, during the repayment period a substantial part of the handler's allotment rather than being available for use by the handler to ship lemons in regulated channels is withheld as an offset against the upward adjustment he received.

This amendment to the rules and regulations specifies an alternate repayment procedure whereby handlers receiving upward adjustments would be permitted to repay such upward adjustments by leaving an appropriate quantity of lemons on the trees during the period repayment is required. Often the fruit remaining on the trees at the time repayment is required is of marginal quality and the demand for such fruit is weak. Consequently, fruit harvested to repay the upward adjustment may be disposed of only at a loss to the handler.

The procedure would permit the handler to repay his upward adjustment by obtaining a written certification from the committee that the volume of fruit remaining on the trees is sufficient to offset the handler's repayment obligation. The committee's field department would make an on-site estimate of such fruit to enable issuance of such certification. The handler would then receive an offset equal to the repayment required during each week of the repayment period. If during such repayment period, the handler elects to pick lemons, any allotment earned on such lemons would still be applied to the required repayment. The lemons could be disposed of in

export or to products which are not regulated and do not require allotment.

Section 910.153(e) (5) is amended by adding a new subdivision (iv), reading as follows:

§ 910.153 Prorate bases and allotments.

(e) * * *

(5) * * *

(iv) The obligation for repayment of upward adjustments shall be deemed satisfied upon fulfillment of the following conditions:

(a) Any handler who desires to take advantage of the provisions of this subsection, shall, not less than three weeks prior to the date he wishes to stop picking, file a request with the committee stating the date that he intends to stop picking and request committee certification of the crop remaining under his control to be picked. To be eligible for certification the designated acreage shall be comprised of trees on which the remaining quantity of lemons on a per acre basis is equal to 10 percent of the prior three year average per acre production for the district or at least 70 carton equivalents per acre.

(b) The committee shall conduct such investigation as it deems necessary to verify the quantity of lemons on the trees, and shall promptly notify the handler as to its certification findings.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to engage in further notice and good cause exists for not postponing the effective date hereof until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 553) in that (1) the handling of lemons is now in progress subject to regulated weekly allotment provisions of the order and to be of maximum benefit the provisions of this amendment should become effective at the time specified herein, (2) this amendment would provide handlers an alternative method of satisfying allotment repayment obligations of upward adjustments which enables them to avoid uneconomic harvesting and handling of lemons, and (3) the effective time hereof will not require of handlers any preparation that cannot be completed prior thereto.

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

Dated: March 8, 1976, to become effective March 11, 1976.

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

[FR Doc. 76-7005 Filed 3-10-76; 8:45 am]

[Amdt. 2]

PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Handling Regulation

This amendment relieves the Sunday packaging prohibition for the remainder

of the season. Recent rainy weather has reduced harvest and packing. This amendment is necessary so that the industry can have sufficient operating time to satisfy existing and prospective orders for lettuce.

Findings. (a) Pursuant to Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas it is hereby found that the amendment to the handling regulation, hereinafter set forth, will tend to effectuate the declared policy of the act. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The amendment is based upon recommendations and information submitted by the South Texas Lettuce Committee, established pursuant to said marketing agreement and order and upon other available information.

(b) It is hereby found that it is impractical and contrary to the public interest to give preliminary notice, or to engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) this amendment must become effective immediately if producers are to derive any benefits therefrom, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the proposed amendment has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of lettuce grown in the production area.

Regulation, as amended.

In § 971.316 (40 FR 53225; 59589) the introductory paragraph is hereby amended to read as follows:

§ 971.316 Handling regulation.

During the period beginning the effective date hereof through March 31, 1976, no person shall handle any lot of lettuce grown in the production area unless such lettuce meets the requirements of paragraphs (a), (b), (c), and (d) of this section, or unless such lettuce is handled in accordance with paragraphs (e) or (f) of this section.

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

Effective date. Dated March 5, 1976, to become effective upon signing.

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

[FR Doc.76-6905 Filed 3-10-76; 8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

PART 1804—PLANNING AND PERFORMING DEVELOPMENT WORK

Subpart C—Handling Construction Complaints

DELETION OF SUBPART

Subpart C of Part 1804, "Handling Construction Complaints," (37 FR 9618) is deleted from Chapter XVIII, Title 7 of the Code of Federal Regulations. The provisions of this Subpart have been superseded by and partially incorporated into a new Subpart C of Part 1918, Subchapter I of this Chapter.

(Delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Effective date. This deletion is effective March 11, 1976.

Dated: March 3, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.76-6908 Filed 3-10-76; 8:45 am]

SUBCHAPTER B—LOANS AND GRANTS PRIMARILY FOR REAL ESTATE PURPOSES

PART 1822—RURAL HOUSING LOANS AND GRANTS

Subpart J—Unsatisfactory Performance or Improper Action by Persons Dealing with Farmers Home Administration Rural Housing (RH) Applicants, Borrowers, and Grantees

DELETION OF SUBPART

Subpart J of Part 1822, "Unsatisfactory Performance or Improper Action by Persons Dealing with Farmers Home Administration Rural Housing (RH) Applicants, Borrowers, and Grantees," (36 FR 13766) is deleted from Chapter XVIII, Title 7 of the Code of Federal Regulations. The provisions of this Subpart have been superseded by and partially incorporated into a new Subpart C of Part 1918, Subchapter I of this Chapter.

(Delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70)

Effective date. This deletion is effective March 11, 1976.

Dated: March 3, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.76-6909 Filed 3-10-76; 8:45 am]

SUBCHAPTER I—LOAN AND GRANT PROGRAMS DEVELOPMENT (INDIVIDUAL)

PART 1918—PLANNING AND PERFORMING DEVELOPMENT (INDIVIDUAL)

Subpart C—Complaints, Suspension, and Debarment Proceedings

DEBARMENT REGULATIONS

There is hereby established under Chapter XVIII, Title 7, a new Subchapter I, "Loan and Grant Programs (Individual)," Part 1918, "Planning and Performing Development (Individual)," Subparts A through C, in the Code of Federal Regulations. Present regulations pertaining to complaints, suspension, and debarment, Subpart C of Part 1804, "Handling Construction Complaints" and Subpart J of Part 1822, "Unsatisfactory Performance or Improper Action by Persons Dealing with Rural Housing (RH) Applicants, Borrowers, and Grantees" are revised and redesignated as new Subpart C, "Complaints, Suspension, and Debarment Proceedings," (§§ 1918.101-1918.150). New Subparts A and B are reserved.

On February 26, 1975, there was published a notice of proposed rulemaking in the FEDERAL REGISTER (39 FR 8212) proposing to add a new Part 1817, which would have replaced the present regulation, Subpart J of Part 1822. This proposal prescribed the action to be taken by the Farmers Home Administration (FmHA) when there is need for administrative action against any person or any representative or affiliate thereof in any program administered by FmHA. Since publication of the proposed new Part 1817, FmHA has established two new parts under Chapter XVIII: Parts 1900 and 2000. The proposed new Part, instead of being designated Part 1817, will be added and designated as Subpart C of Part 1918 of this chapter.

Interested persons were given the opportunity to submit, not later than April 28, 1975, comments, suggestions or objections regarding the proposed addition of Part 1817 to this Chapter. Comments and suggestions were received and given due consideration. The comments have resulted in editorial changes for clarification and in the following substantive changes:

(A) Revisions and amendments.

(1) Revision has been made to clarify and condense the purpose of the regulation.

(2) The regulation has been amended to clarify the definition of a person.

(3) The regulation has been amended to clarify the designation of the list officer.

(4) The section regarding the selection of the time and place of any requested meeting to answer the notice has been clarified.

(5) The section pertaining to the debarment determination has been clarified.

(B) Additions to regulations.

(1) Sureties and insurance companies have been included in the definition of a person.

(2) A section has been added to provide for the handling of dwelling construction and other complaints.

(3) A section has been added to include, as grounds for debarment, the violation of FmHA nondiscrimination or equal opportunity requirements.

(4) Provision has been made to inform complainants of the disposition of their complaints.

(5) Provision has been added for Office of General Counsel telephone approval of temporary suspension proceedings.

(6) A requirement that a list of affiliates be included in the notice of proposed debarment has been added.

Accordingly new Subpart C of Part 1918 is set forth below.

Subparts A-B [Reserved]

Subpart C—Complaints, Suspension, and Department Proceedings

- Sec.
1918.101 Purpose.
1918.102 Policy and scope.
1918.103 Definitions.
1918.104–1918.109 [Reserved].
1918.110 Complaints.
1918.111 Dwelling construction complaints.
1918.112 Handling of dwelling construction complaints.
1918.113–1918.119 [Reserved].
1918.120 Sanctions.
1918.121 Grounds for debarment.
1918.122–1918.125 [Reserved].
1918.126 Procedure for debarment and temporary suspension.
1918.127–1918.129 [Reserved].
1918.130 Suspension and debarment lists.
1918.131–1918.150 [Reserved].

AUTHORITY: 7 U.S.C. 1989; 42 U.S.C. 1480; 40 U.S.C. 442; 42 U.S.C. 2942; 5 USC 301; Sec. 10 P.L. 93-357, 88 Stat 392; delegation of authority by Sec. of Agr., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70; delegations of authority by Dir., OEO, 29 FR 14764, 33 FR 9850.

Subparts A-B [Reserved]

Subpart C—Complaints, Suspension, and Department Proceedings

§ 1918.101 Purpose.

The purpose of this Subpart is to prescribe the action to be taken by the Farmers Home Administration (FmHA) when there are complaints or when there is need for administrative action against any person, or any representative or affiliate thereof.

§ 1918.102 Policy and scope.

This Subpart applies to both individual- and group-type loans or grants in connection with any program administered by the FmHA. Any action to be taken under this Subpart is to be corrective or for the protection of the public interest.

§ 1918.103 Definitions.

(a) *Person*. For the purposes of this Subpart a person is an individual, un-

incorporated association, trust, corporation, partnership, or other entity, such as a purchaser, builder, contractor, dealer, supplier, realtor, surety, insurance company, broker, packager, salesman, escrow agent, sales agent, lender, holder, engineer, architect, inspector, or attorney, or any representative, affiliate or successor in interest thereof.

(b) *Debarment*. Debarment is the exclusion from participation in FmHA programs for a reasonable period of time commensurate with the seriousness of the person's offense or failure, or the inadequacy of his performance.

(c) *Temporary suspension*. Temporary suspension is the disqualification from FmHA programs for a temporary period of time in conjunction with debarment proceedings.

(d) *Affiliates*. Persons are affiliates of each other when directly or indirectly one person controls or has the power to control another or when a third party controls or has the power to control both.

(e) *OGC*. The Office of the General Counsel performing legal services for the FmHA.

(f) *List Officer*. A person designated by the Administrator of FmHA to compile and maintain a list of persons suspended and debarred by the Agency.

(g) *FmHA representatives*. The State Director or a qualified individual designated by the State Director to preside over a meeting under these regulations.

(h) *Days*. This refers to calendar days.

(i) *Filing*. An item is filed when it is delivered in hand.

(j) *Notices*. All notices to be sent to a person in accordance with these regulations will be sent by certified mail, return receipt requested.

§ 1918.104–1918.109 [Reserved]

§ 1918.110 Complaints.

When a matter subject to action under this subpart arises involving unsatisfactory performance or improper action by persons dealing with applicants, borrowers, and grantees, a complainant may submit all information to the County Supervisor. The County Supervisor will attempt to resolve the problem, assisted if necessary, by the District Director. If the complaint is not resolved, the County Supervisor will forward the complaint and all related information to the State Director for review and assistance. Complainants may, if they prefer, submit their complaint directly to the State Director, whose address may be obtained at any FmHA County Office.

§ 1918.111 Dwelling construction complaints.

(a) *General*. The County Supervisor is charged with the responsibility of receiving and resolving, with such assistance and advice as he deems necessary, all complaints concerning the construction of houses financed by the Farmers Home Administration (FmHA). The County Supervisor must decide whether the complaints are "justified" or "not justified." If a complaint is justified, the builder is expected to make the necessary correc-

tions. If it is not justified, the builder is not obligated to correct the defect. The handling of construction complaints is a matter of prime importance because the FmHA has an interest not only in assisting the borrower-owner, but also in protecting its financial position in the property. The desire to retain homeownership is directly related to the homeowner's satisfaction with his house. If the homeowner is dissatisfied with the condition of his property, he will be less likely to maintain the property and less likely to meet his financial obligations with respect to it.

(b) *Justified Complaints*. A "justified complaint" means a complaint is justified if:

- (1) It is covered by the warranty.
- (2) It is received within the warranty period: Provided, That a complaint may be made after 1 year if there is evidence of accelerated deterioration of structural soundness or material failure in advance of normal life expectancy and the defect can be ascertained with exactness to be the builder's responsibility; and
- (3) It is determined that: (i) The construction is defective in workmanship, material, or equipment, or

(ii) That the structure has not been constructed in accordance with the approved drawings and specifications, or

(iii) The structure does not comply with FmHA's Minimum Property Standards; or

(iv) The property does not meet code requirements.

(c) *Not justified complaint*. A "not justified complaint" means any complaint that does not meet the definition of a justified complaint. If the complaint is not justified, the repairs are the responsibility of the homeowner who should be encouraged to make them immediately to preserve the property.

(1) Examples of complaints that are not justified are those involving the question of who is responsible for such matters as:

- (i) The repairs of cracks attributed to normal curing or settlement.
- (ii) The repairs of leaky faucets.
- (iii) The application of protective painting and grouting to prevent accelerated deterioration of material.
- (iv) Normal care of mechanical equipment.
- (v) Changing the contour of the land or drainage system.
- (vi) Keeping the well free from contamination.
- (vii) Cleaning of individual sewage disposal systems.

§ 1918.112 Handling of dwelling construction complaints.

The County Supervisor is assigned the function of receiving and resolving with such assistance and advice as he deems necessary, all complaints concerning the construction of FmHA financed housing in the following manner:

(a) Each complaining homeowner should be requested to make a written complaint, but an oral complaint may be accepted if making a written complaint will impose a hardship.

(b) The homeowner will be told that he must first endeavor to resolve the complaint with the builder.

(1) The homeowner should be urged to give the builder a written list of the alleged defects, except where it would involve a hardship.

(2) The homeowner should be informed that if after 30 days the defects have not been corrected or other satisfactory arrangements have not been made by the builder, the homeowner should so notify the County Supervisor, preferably in writing.

(c) If the County Supervisor does not hear from the homeowner within 30 days, he can reasonably assume that the complaint has been satisfied, unless he has or receives information to the contrary.

(d) If the homeowner notifies the County Supervisor that the complaint has not been satisfied, the County Supervisor should request the homeowner to furnish copies of all correspondence between the builder and himself, and, unless it would involve a hardship, reduce the complaint to writing if that has not already been done.

(e) The County Supervisor should write the builder and notify him of the homeowner's complaint and request the immediate correction of the defects.

(f) If the builder informs the FmHA that he has corrected or will correct the alleged defects, the County Supervisor will notify the homeowner by letter and the case will be closed unless a subsequent complaint is received from the homeowner.

(g) If no reply is received from the builder within 15 days, the County Supervisor should send a followup letter to the builder.

(h) If the builder fails to respond within 15 days thereafter, the County Supervisor should advise the homeowner that the builder has not responded to FmHA's inquiries and it is presumed that he will not correct the alleged defects.

(i) The County Supervisor should make a finding that:

(1) None of the complaints are justified, or

(2) Some of the complaints are justified, or

(3) All of the complaints are justified.

NOTE: Advice and assistance must be obtained before the question of responsibility can be determined. Such advice and assistance should be sought immediately.

(j) If the County Supervisor is unable to reconcile differences within a reasonable period of time, and if a review of his findings is desired by either the homeowner or the builder, the County Supervisor should refer the complete file, including all correspondence, to the District Supervisor. Should the parties fail to resolve their differences, the findings of the County and District Supervisor with all related correspondence should be referred to the State Director for review and final determination. Such a proceeding should be very informal. The principal goal is to work out a satisfactory solution while avoiding unnecessary expense.

(k) Should a builder decline to correct a justified complaint after being officially requested in writing to do so, formal suspension and debarment proceedings should be instituted promptly. If the builder fails to reply to official correspondence, his failure can be taken as his refusal to correct the justified complaint. Also, a builder's inability to correct a justified complaint constitutes noncompliance.

(1) In all instances involving a complaint, the County Supervisor shall notify the homeowner and builder in writing at each stage of their respective obligations. They shall both be informed of the final disposition of the case. All letters must be courteous and clearly state the position of the FmHA.

(m) All action in connection with complaints shall be maintained in a complaint file under the builder's name. A chronological history of every action of the complaint from date of receipt to the date of final disposition shall be kept in the file as well as related documentary information. Such records should be reviewed periodically for the purpose of evaluating the performance of such builders or for formulating a course of action to be taken.

§ 1918.113-1918.119 [Reserved]

§ 1918.120 Sanctions.

(a) *General.* Debarment and temporary suspension are drastic actions which may severely affect the economic well-being of the persons debarred or suspended. They shall not be based upon an unsupported accusation. In assessing whether adequate evidence exists for invoking this procedure, consideration should be given to the amount of credible evidence which is available, to the existence or absence of corroboration as to important allegations, as well as to the inferences which may be properly drawn from the existence or absence of affirmative facts.

Debarment. Debarment may be imposed by the State Director, for a specified period of time, generally not to exceed 3 years, except in more serious cases. Debarment may also be imposed for a short, indefinite period of time, pending correction of the conditions which led to the debarment.

(c) *Temporary suspension.* Temporary suspension may be imposed by the State Director pending the debarment determination only in cases where immediate action is necessary to protect the interest of the FmHA and its program borrowers or grantees. The interests of the person to be suspended must be reasonably deemed to be of less importance than that of the FmHA or its program participants. Temporary suspension must be based on adequate evidence supporting at least one of the grounds listed under § 1918.121. When a debarment determination adverse to the person is appealed, temporary suspension is automatic.

§ 1918.121 Grounds for debarment.

(a) A person may be debarred if any of the following have occurred within a

reasonable period of time prior to institution of debarment proceedings:

(1) Serious or repetitive violation of any of the provisions of any laws administered by FmHA or any regulation issued thereunder.

(2) Serious or repetitive failure to perform obligations or carry out representations or warranties made to FmHA or to any borrower or grantee under any program administered by FmHA.

(3) Acts of misconduct where a lack of business integrity directly affecting responsibility to participate in FmHA programs is indicated, including but not limited to false representation, embezzlement, theft, forgery, bribery, falsification of records and receiving stolen property.

(4) Conviction of one of the following criminal offenses:

(i) One involving any statute authorizing a program administered by FmHA, or

(ii) As an incident to obtaining or attempting to obtain a private or a public contract, or subcontract thereunder, or in the performance of such contract or subcontract, or

(iii) Under the Organized Crime Control Act of 1970, or

(iv) Where a lack of business integrity directly affecting responsibility to participate in FmHA programs is indicated, including but not limited to false representation, embezzlement, theft, forgery, bribery, falsification or destruction of records, and receiving of stolen property, or

(v) Under the Federal Antitrust Statutes arising out of the submission of bids or proposals.

(5) The lack of the right to do business or practice at his profession in the jurisdiction where the contractual services are to be performed.

(6) Violation of any nondiscrimination or equal opportunity requirement administered by FmHA in connection with any FmHA programs.

§ 1918.122-1918.125 [Reserved]

§ 1918.126 Procedures for debarment and temporary suspension.

(a) *Notice.* (1) When a matter subject to action under § 1918.120 arises, the County Supervisor, assisted by the District Director, will obtain as much relevant, factual information about the specific problem as is feasible and will forward such information to the State Director. The State Director may proceed on this information or on information revealed by an audit or investigation, or by a complaint or information from any source. The State Director will inform complainants of the disposition of their complaints.

(2) Debarment proceedings may not commence and notice of proposed debarment or temporary suspension may not be issued without the approval of OGC, which in temporary suspension cases, may be obtained by telephone. In addition, debarment proceedings involving loans or grants under Part 1823 (Association Loans and Grants—Community

Facilities, Development, Conservation, Utilization—all FmHA 442, 476, and 447 series Instructions) or Subpart E of Part 1980 of this Chapter (Business and Industrial Loan Program) will be reviewed and concurred in by the Administrator of FmHA before notice is given under this Subpart.

(3) Notice shall be provided to the person and its known concerned affiliates against whom debarment is proposed, in writing and signed by the State Director, and shall include all of the following elements:

(i) Debarment is proposed and is an exclusion from participation in all FmHA programs and may last as long as 3 years or may be permanent.

(ii) A list of affiliates against whom debarment is proposed.

(iii) One or more of the grounds specified in § 1918.121.

(iv) A short, plain statement of the reasons for the proposed debarment.

(v) A statement that the person has a right to a meeting at which all charges may be rebutted, if requested, and an answer filed with the State Director within 20 days following receipt of the notice.

(vi) The answer may contain additional factual statements, legal arguments, and any other writings deemed relevant by the person.

(vii) Whether or not a temporary suspension has been imposed pending a debarment determination and in cases of temporary suspension, that a suspension is a temporary disqualification from participation in FmHA programs.

(viii) The date of the commencement of any such temporary suspension, which date may not be before the receipt of the notice.

(ix) That after 20 days following the receipt of the notice by the person, if no meeting has been requested, the debarment determination will be made by the State Director, after due consideration of such information as may be available to him.

(x) Citation of these regulations.

(b) *Answer*—(1) *Filing*. The answer shall be filed with the State Director within 20 days of receipt of the notice.

(2) *Contents*. The answer shall contain a short and plain statement of facts which constitute grounds of defense and shall admit or deny averments on which FmHA relies, unless the person is without knowledge, in which case the answer shall so state. The answer shall contain a request for a meeting with an FmHA representative if such a meeting is desired. The answer may contain additional factual statements, legal arguments, and any other writings deemed relevant by the person.

(3) *Effect of failure to deny averments or submit an answer*. Averments in the notice are admitted when not denied in an answer.

(4) *Extension of time*. The State Director, for good cause shown, may grant a timely request for an extension of time to file an answer.

(c) *Meeting*—(1) *Request for meeting*. Any person who has been notified of

a proposed debarment is entitled to a meeting with an FmHA representative at which all charges may be rebutted, if requested in an answer filed with the State Director within 20 days following receipt of the notice.

(2) *Time and place*. The meeting shall be scheduled and shall be held promptly after receipt of the answer. The State Director, in setting the time and place for the meeting shall give consideration to the convenience of the person and the Agency.

(3) *Notice*. The State Director shall promptly notify the parties of the time and place of the meeting.

(4) *Procedure*. The meeting will be an informal proceeding at which the person will be given an opportunity to rebut the charges. The person may be represented by counsel. The proceeding will not, however, be a formal hearing and will not include presentation of evidence by FmHA.

(5) *Evidence*. Technical rules of evidence shall not apply.

(6) *Record*. The record of a debarment proceeding shall include any notices and orders, the answer, any written evidence in the possession of the Government or adduced by the person, and a synopsis of any oral evidence presented at the meeting. The synopsis will be prepared by FmHA and be submitted to the person for his approval and any noted exceptions.

(7) *Prior adjudication*. If a person has been a party to an action in a court involving any issue or issues involved in the proceeding, or if a person has been debarred by another Federal agency and such debarment involves any issues or issues involved in the proceeding, evidence of such a court holding or Federal agency debarment determination may be made part of the record.

(8) *Failure to appear*. If any party to the proceeding, after being duly notified, fails to appear at the meeting, without reasonable cause, he shall be deemed to have waived the right to a meeting.

(d) *Debarment determination*—(1) *Meeting held*. Within 10 days after the meeting, the State Director upon the basis of and after due consideration of the record, shall make a debarment determination.

(2) *Meeting waived*. If no meeting has been requested, the State Director, after 20 days following receipt of the notice by the person, on the basis of an after due consideration of the information he possesses, including any written rebuttal, shall make a debarment determination.

(3) *Proof required*. Any debarment determination in the proceeding shall be supported by and in accordance with the reliable, probative, and substantial evidence in the possession of FmHA.

(4) *Prior adjudication*. If a person has been a party to an action in a court involving any issue or issues involved in the proceeding, or if a person has been debarred by another Federal agency and such debarment involves any issue or issues involved in the proceeding, the State Director may accept the decision of the court or other Federal agency as to the issue or issues decided by it.

(5) *Effective date*. A person will be debarred upon issuance of the notice of debarment determination by the State Director.

(e) *Notice of debarment determination*—(1) Notice of the debarment determination may not be issued without the approval of OGC.

(2) Notice of the debarment determination shall be provided to the persons affected in writing and signed by the State Director.

(3) In cases of an adverse debarment determination, the notice shall include all of the following elements:

(i) That debarment has been imposed.

(ii) The scope thereof as to affiliates.

(iii) The period of time for which debarment is imposed.

(iv) One or more of the grounds specified in § 1918.121 on which the debarment is based.

(v) That the debarment determination may be appealed to the United States Department of Agriculture (USDA) Board of Contract Appeals.

(vi) That appeals must be filed within 30 days of the issuance of the notice of the debarment determination and in accordance with the rules of the USDA Board of Contract Appeals as found in 7 CFR Part 24. All communications shall be directed to the "Executive Secretary, Board of Contract Appeals, U.S. Department of Agriculture, Washington, D.C. 20250."

(vii) That a copy of any notice of appeal to the board must be filed concurrently with the FmHA State Director.

(viii) That if the debarment determination is appealed, the person will be in a status of temporary suspension until final decision by the board.

(4) In cases where it is determined that debarment will not be imposed, the notice shall indicate:

(i) That debarment will not be imposed.

(ii) In cases where a temporary suspension has been imposed, that the suspension has been lifted.

(f) *Appeals*. Appeals may be taken from an adverse debarment determination within 30 days of the issuance of the notice of such determination, unless an extension is granted by the State Director for good cause. The manner of filing appeals and the procedure on appeal shall be governed by the rules of the Board of Contract Appeals. See 7 CFR Part 24. A copy of the notice of appeal required by the board shall be forwarded concurrently to the State Director. No appeal may be taken to the Board of Contract Appeals from any temporary suspension imposed under these regulations.

(g) *Rescission and reinstatement*. (1) A person debarred under the subpart for one year or more may request reinstatement any time after six months have passed from the final determination as indicated by:

(i) The issuance of the notice of debarment determination by the State Director if no appeal is taken, or

(ii) Decision of the appeal by the USDA Board of Contract Appeals.

(2) A person debarred under this subpart for less than one year may request reinstatement at any time after the final determination.

(3) The State Director will review the request. In reaching a decision to reinstate, the State Director must be satisfied that the original wrongful act has been righted and is not likely to recur and also be persuaded by the assurance of the person in writing that the person understands the requirements of all applicable statutes and regulations, and that he will comply with them in the future.

§ 1918.127-1918.129 [Reserved]

§ 1918.130 Suspension and debarment lists.

(a) *Temporary suspension.* When a person is temporarily suspended either

pending debarment or pending appeal, the State Director shall notify the List Officer. The List Officer will keep a list of all persons temporarily suspended under this Subpart, and will distribute copies of the list to all FmHA State Directors and to the Administrator. The list of persons temporarily suspended shall not be released to any person or agency outside of FmHA.

(b) *Debarment.* (1) When a person is debarred after a final decision by the USDA Board of Contract Appeals or, in cases where no appeal is taken, when the time allowed for appeal has passed, the State Director shall notify the List Officer of the debarment. The List Officer will keep a list of all persons debarred under this Subpart, and will distribute copies of the list to the Administrator and to all FmHA State Directors, District Directors, and County Supervisors.

(2) The List Officer shall coordinate the debarment list with similar lists compiled by other Federal agencies by informing such agencies of additions and deletions on the debarment list and obtaining the lists of the other agencies. Such lists are obtained for informational purposes only, and are not of themselves grounds for suspension or debarment by FmHA.

§ 1918.131-1918.150 [Reserved]

Effective date. This new regulation shall become effective on March 11, 1976.

Dated: February 27, 1976.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.76-6907 Filed 3-10-76;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 HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 404]

[Reg. No. 4]

FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

Introduction, General Definitions and General Provisions

Notice is hereby given pursuant to the Administrative Procedure Act (5 U.S.C. 553) that the amendment to the regulation set forth in tentative form below is proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare. The proposed amendment relates to the introduction, general definitions and general provisions of Subpart A which apply in Part 404 of the regulations.

The proposed amendment brings up to date the existing Subpart A by adding to the general definitions section, references to the 1965, 1967, 1969, and the 1972 Amendments to the Social Security Act along with their corresponding U.S. Statutes at Large references.

Special payments at age 72 for certain uninsured individuals, as provided in section 228 of the Social Security Act and section 404.374 of Subpart D of Regulations No. 4, is included under the definition of the term "Benefit."

In addition the category of father's benefits is included under the definition of the term "Benefit". Father's insurance benefits are provided as a result of the Supreme Court decision in *Weinberger v. Wiesenfeld*, 420 U.S. 636 (1975). In that decision the Supreme Court held unconstitutional the denial of benefits under the Social Security Act to widowers of deceased workers having minor children of the worker in their care while the Act grants benefits to widows of deceased workers when they have minor children of such workers in their care. Section 404.335a of Subpart D, published in the FEDERAL REGISTER on November 12, 1975, at 40 FR 52740, effectuated the Supreme Court's decision by providing that father's insurance benefits are payable on the same basis and under the same conditions as they are payable to mothers having children of the deceased worker in their care.

Prior to the final adoption of the amendment to the regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Maryland,

21203, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

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

The proposed amendments are to be issued under the authority contained in section 205 and 1102 of the Social Security Act as amended; 53 Stat. 1368, as amended; 79 Stat. 379, 49 Stat. 647, as amended; 42 U.S.C. 405 and 1302.

(Catalog of Federal Domestic Program Nos. 13,802, 13,803, 13,804, and 13,805—Disability Insurance, Retirement Insurance, Special Benefits for Persons Age 72 and Over, and Survivors Insurance.)

Dated: February 17, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: March 5, 1976.

MARJORIE LYNCH,
Acting Secretary of Health,
Education, and Welfare.

Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

Section 404.2 is amended by revising paragraph (a)(1), redesignating paragraphs (a)(10) through (a)(15) as paragraphs (a)(14) through (a)(19) respectively, by adding new paragraphs (a)(10) through (a)(13), by revising the heading to paragraph (b), and by revising paragraph (c)(2) to read as follows:

§404.2 General definitions and use of terms.

(a) *Terms relating to the acts and regulations.* (1) "The Act" means the Social Security Act, as amended.

(10) "Social Security Amendments of 1965" means the act approved July 30, 1965 (79 Stat. 286).

(11) "Social Security Amendments of 1967" means the act approved January 2, 1968 (81 Stat. 821).

(12) "Social Security Amendments of 1969" means the act approved December 30, 1969 (83 Stat. 487).

(13) "Social Security Amendments of 1972" means the act approved October 30, 1972 (86 Stat. 1329).

(b) *Secretary; Commissioner; Administration; Appeals Council; Administrative Law Judge defined.*

(c) *Miscellaneous.* * * *

(2) "Benefit" means an old-age insurance benefit, disability insurance benefit, wife's insurance benefit, husband's insurance benefit, child's insurance benefit, widow's insurance benefit, widower's insurance benefit, mother's insurance benefit, father's insurance benefit, parent's insurance benefit, or special payment at age 72 under title II of the Act. (Lump sums, which are death payments under title II of the Act, are excluded from the term "benefit" as defined in this part to permit greater clarity in the regulations).

[FR Doc. 76-6972 Filed 3-10-76; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGD 76 024]

OLD BRAZOS RIVER, TEXAS

Proposed Drawbridge Operation Regulations

At the request of the City of Freeport, the Coast Guard is considering revising the regulations for the Missouri Pacific railroad bridge across the Old Brazos River, mile 4.4, Freeport, Texas to require that the draw be maintained in the fully open to navigation position at all times, except when a train is crossing or for maintenance. The draw is presently required to open on signal if at least 24 hours notice is given. This change is being considered because of increased vessel use of this stretch of the Old Brazos River.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Eighth Coast Guard District, Customhouse, New Orleans, Louisiana 70130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Eighth Coast Guard District.

The Commander, Eighth Coast Guard District, will forward any comments received on or before April 12, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, Washington, D.C., who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by revising § 117.245(j) (35) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(j) * * *

(35) Old Brazos River, Freeport, Texas: Missouri Pacific Railroad bridge, mile 4.4. The draw shall be maintained in the fully open to navigation position except for the crossing of trains or for maintenance.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5), 33 CFR 1.05-1(c) (4))

Dated: March 5, 1976.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc. 76-6992 Filed 3-10-76; 8:45 am]

Federal Aviation Administration [14 CFR Part 39]

[Docket No. 76-CE-13-AD]

AIRWORTHINESS DIRECTIVES

Beech Models 214, B200, R201, R202 and R203 Propellers

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive (AD) applicable to Beech Models 214, B200, R201, R202 and R203 propellers. There have been reports of failures of the wood blades used in these model propellers originally installed on Beech 35 series, Models 45 and 50 airplanes, and which could be installed on other aircraft makes and models under Supplemental Type Certificate (STC) procedures. Investigations have disclosed that the blades are weakening due to normal operating stress and material deterioration caused by age and/or exposure to the elements. This condition is concealed by the plastic covering on the blades and would not be detected by normal inspection and maintenance of airplanes on which these propellers are installed. To detect this condition, an AD is being proposed requiring initial and repetitive inspections of the wood blades used in Beech Models 214, B200, R201, R202 and R203 propellers.

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 regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Administration, Office of the Regional Counsel, 1558 Federal

Building, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before April 12, 1976 will be considered before action is taken upon the proposed Rule. The proposals contained in this Notice may be changed in light of the comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness 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 sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Section 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new AD.

BEECH.—Applies to Beech Aircraft Corporation wood blade propellers Models 214-XXX/214-XXX-XX, B200-XXX/B200-XXX-XX, R201-XXX/R201-XXX-XX, R202-XXX/R202-XXX-XX, R203-XXX/R203-XXX-XX. (These propellers were installed originally on Beech Models 35, A35, B35, C35, D35, E35, 35R, 45 (Military YT-34), and 50 (Military L-23A) airplanes, but may be installed on other airplanes.)

Compliance: Required as indicated, unless already accomplished.

To prevent failure of wood blades in these propellers due to service deterioration from age and exposure to the elements, accomplish the following:

(A) Within the next 100 hours' time in service or one year, whichever comes first, after the effective date of this AD, and thereafter at intervals not to exceed 300 hours' time in service or five years, whichever comes first, from the last inspection, visually inspect the blades as follows:

1. Carefully remove the plastic coating to expose the shank of the blade for a minimum distance of 4½" outboard of the ferrule.

2. Using a 10-power glass, visually inspect the blade surface for cracks and separation as shown on the reproduction of a deteriorated blade in Figure 1.

3. If no deterioration is found, reinstall the plastic film over the exposed area in accordance with Univair Process (P-200) or an FAA approved equivalent procedure.

4. If the blade shows any sign of deterioration prior to further flight, remove it from service and replace it with an eligible airworthy blade.

5. Only an approved propeller repair station is authorized to accomplish the inspection required in this paragraph.

(B) Within the next 100 hours' time in service or one year, whichever comes first, after the effective date of this AD and at each annual inspection thereafter, visually inspect the blade leading edge and tips as follows:

1. Using a 10-power magnifying glass examine the tipping area for cracks in the plastic coating coming from under the tipping.

2. Check for looseness of the tip and leading edge sheathing by holding the blade securely and gripping the sheathing by hand and attempting to flex the tipping while visually observing for relative motion between the piece to which force is applied and adjacent sheathing and blade.

3. If any of the above conditions are noted, prior to further flight, replace the blade with an eligible airworthy blade.

NOTE: (Beech Aircraft Corporation no longer manufactures Beech Models 214, B200, R201, R202 and R203 propellers; however, propellers and replacement blade as herein-after listed may be installed on the indicated airplane models.)

REPLACEMENT UNIVAIR WOOD BLADES

Univair Blade Model	Beech Propeller Assembly Models
FA203-218 or FA203-219.	R200-100/R201-217-88 and R203-218-88.
FA200-244 or FA200-245.	B200-105/B200-220-88 and B200-100/B200-220-88 and B200-100/B200-244-88 and B200-100/B200-234-88 and B200-100/B200-264-88.

See Propeller Specification P-875 for further information.

REPLACEMENT METAL BLADE PROPELLER ASSEMBLIES

Eligible Propeller Assemblies	Aircraft Models
Beech 215-109/215-207-88.	35, A35, B35, C35, D35, E35, 35R.
Beech 215-109/215-213-84 or Beech 215-107/215-213-84.	A35, B35, C35, D35, E35, F35, G35.
Beech 215-107/215-207-88.	35, A35, B35, C35, D35, E35, 35R.
Hartzell HC12X20-7(B, C, or D) or Hartzell HCD2X20-7/8433-0.	35, A35, B35, C35, D35, E35, 35R.
Beech 215-102/272-234-98.	Model 50.

See Aircraft Type Certificate Data Sheet and/or Propeller Specifications for approval of specific airplane propeller engine combinations.

Issued in Kansas City, Missouri, on February 27, 1976.

C. R. MELUGIN, Jr.,
Director, Central Region.

[FR Doc. 76-6723 Filed 3-10-76; 8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 76-GL-4]

DESIGNATION OF FEDERAL AIRWAYS Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a VOR Federal Airway from Fort Dodge, Iowa, to Mankato, Minn.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Ill. 60018. All communications received on or before April 12, 1976 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Information Services, Attention: Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendment would designate a VOR Federal Airway from Fort Dodge, Iowa, to Mankato, Minn.

Pilots are presently flying this direct route. By designating it as an airway, the communications workload would be reduced for both the pilot and the controllers.

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

Issued in Washington, D.C., on March 4, 1976.

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

[FR Doc. 76-8724 Filed 3-10-76; 8:45 am]

[14 CFR Parts 71 and 73]

[Airspace Docket No. 75-WA-21]

ALTERATION OF RESTRICTED AREAS

Notice of Proposed Rule Making

NOTE: This document is reprinted without change, with the exception of the correction of a typographical error, from the issue of Friday, March 5, 1976.

The Federal Aviation Administration (FAA) is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would: (1) redefine Restricted Areas R-4807 Tonopah, Nev., R-4808 Las Vegas, Nev., and R-4809 Tonopah, Nev.; (2) designate a new Restricted Area R-4817 Tonopah, Nev.; (3) designate the redefined segments of R-4807, R-4809 and R-4817 as joint use restricted areas; and (4) include the R-4807 segments, R-4809 and R-4817 in the Continental Control Area. Docket No. 13817, Notice No. 76-5 issued concurrently herewith proposes a related amendment of Part 93 that would establish special air traffic rules for operating areas located adjacent to Nellis Air Force Base (AFB) and the aforementioned restricted areas.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Admin-

istration, 15000 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received on or before June 2, 1976 will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief. Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Information Services, Attention: Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendments would:

1. Redefine R-4807 Tonopah, Nev., as follows:

a. R-4807A Tonopah, Nev.

Boundaries.

Beginning at Lat. 37°53'00" N., Long. 116°30'00" W.; to Lat. 37°53'00" N., Long. 116°11'00" W.; to Lat. 37°42'00" N., Long. 116°11'00" W.; to Lat. 37°42'00" N., Long. 115°53'00" W.; to Lat. 37°33'00" N., Long. 115°53'00" W.; to Lat. 37°33'00" N., Long. 116°30'00" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

b. R-4807B Tonopah, Nev.

Boundaries.

Beginning at Lat. 37°33'00" N., Long. 116°00'00" W.; to Lat. 37°16'00" N., Long. 116°00'00" W.; to Lat. 37°16'00" N., Long. 116°30'00" W.; to Lat. 37°33'00" N., Long. 116°30'00" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

c. R-4807C Tonopah, Nev.

Boundaries.

Beginning at Lat. 37°33'00" N., Long. 116°30'00" W.; to Lat. 36°51'00" N., Long. 116°30'00" W.; to Lat. 36°51'00" N., Long. 116°33'30" W.; to Lat. 37°26'30" N., Long. 117°04'30" W.; to Lat. 37°33'00" N., Long. 117°03'40" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

2. Redefine R-4808 Las Vegas, Nev., as follows:

Boundaries.

Beginning at Lat. 36°41'00" N., Long. 115°56'00" W.; to Lat. 36°41'00" N., Long. 116°26'30" W.; to Lat. 36°51'00" N., Long. 116°26'30" W.; to Lat. 36°51'00" N., Long. 116°30'00" W.; to Lat. 37°16'00" N., Long. 116°30'00" W.; to Lat. 37°16'00" N., Long. 116°00'00" W.; to Lat. 37°33'00" N., Long. 116°00'00" W.; to Lat. 37°33'00" N., Long. 115°35'00" W.; to Lat. 37°06'00" N., Long. 115°35'00" W.; to Lat. 37°06'00" N., Long. 115°56'00" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Using agency. Manager, Energy Research and development Administration, Las Vegas, Nev.

3. Redefine R-4809 Tonopah, Nev., as follows:

Boundaries.

Beginning at Lat. 37°53'00" N., Long. 116°30'00" W.; to Lat. 37°33'00" N., Long. 116°30'00" W.; to Lat. 37°33'00" N., Long. 117°03'40" W.; to Lat. 37°53'00" N., Long. 117°01'00" W.; to point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. Manager, Energy Research and Development Administration, Albuquerque, N. Mex.

4. Designate the following new restricted area: R-4817 Tonopah, Nev.

Boundaries.

Beginning at Lat. 37°17'00" N., Long. 115°18'00" W.; to Lat. 37°17'00" N., Long. 115°35'00" W.; to Lat. 37°33'00" N., Long. 115°35'00" W.; to Lat. 37°33'00" N., Long. 115°53'00" W.; to Lat. 37°42'00" N., Long. 115°53'00" W.; to Lat. 37°42'00" N., Long. 116°11'00" W.; to Lat. 37°53'00" N., Long. 116°11'00" W.; to Lat. 37°53'25" N., Long. 116°38'20" W.; to Lat. 37°59'55" N., Long. 116°38'10" W.; to Lat. 38°00'10" N., Long. 116°33'30" W.; to Lat. 38°00'30" N., Long. 116°33'45" W.; to Lat. 38°01'50" N., Long. 116°19'45" W.; to Lat. 38°01'40" N., Long. 115°58'00" W.; to Lat. 38°06'00" N., Long. 115°28'00" W.; to Lat. 38°07'00" N., Long. 115°18'00" W.; to point of beginning.

Designated altitudes. 200 feet AGL to but not including FL 180.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Los Angeles ARTC Center.

Using agency. USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

5. Include the following restricted areas in the continental control area: a. R-4807A, b. R-4807B, c. R-4807C, d. R-4809, e. R-4817.

The alterations described in this docket and the Part 93 amendment addressed in Notice No. 76-5 were previously publicized in an advance notice of proposed rule making, Notice No. 74-20, which was published in the FEDERAL REGISTER (39 FR 20612) on June 12, 1974.

As stated in the Notice No. 74-20, the Air Force has a requirement for a con-

[14 CFR Part 93]

[Docket No. 13817; Notice No. 76-5]

NELLIS AFB SPECIAL AIR TRAFFIC
RULE

Notice of Proposed Rule Making

NOTE: This document is reprinted without change from the issue of Thursday, March 4, 1976.

trolled operational environment large enough to allow participating aircraft to stimulate combat conditions with the capability to test and evaluate air crew effectiveness in the delivery of airborne weapons, and the performance of combat tactics at supersonic speeds. The military activities include air-to-air combat maneuvering, air-to-ground attack maneuvering, simulated combat search and rescue, simulated combat tactical airlift, reconnaissance missions at low and intermediate altitudes and at varying speeds, tests of remotely piloted aircraft, and simulated strategic bombing missions. These missions would be flown by individual aircraft, small formations and, on occasion, as large scale exercises. The maneuvers would involve flights at very high speeds, subsonic flights at low altitude, and vertical movement tactics. To accommodate this activity with safety, an area with low densities of population and air traffic is desired. The operating areas proposed for special air traffic rules in Notice No. 76-5 would provide a controlled environment for some of the operations; however, restricted airspace would also be needed where positive control cannot be provided and where the activities would create a hazard for nonparticipating aircraft. The alterations described in this docket would satisfy the restricted airspace requirement.

As proposed herein, R-4807, R-4809 and R-4817 would be designated for joint use. This would permit their temporary return to public use when the using agency has no requirement for them. Furthermore, subdividing R-4807 and redefining R-4808 and R-4809 would simplify the measures required to effect the return by aligning the area boundaries more closely to the airspace actually used for specific testing or training operations.

The Air Force has stated that it will recommend revocation of R-4817 as soon as equipment necessary to control aircraft activities within that airspace has been installed. The R-4817 airspace would then be combined with one or both of the operating areas proposed in Notice No. 76-5 so that flight through the area can be made, subject to the special air traffic rules proposed in the notice. Current Air Force planning indicates that equipment installation will be completed within two years.

These amendments are proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

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

Issued in Washington, D.C., on February 27, 1976.

[FR Doc. 76-6291 Filed 3-3-76; 8:45 am]

The Federal Aviation Administration (FAA) is considering amending Part 93 of the Federal Aviation Regulations (14 CFR Part 93) to establish special air traffic rules for operating areas that would be established adjacent to Nellis Air Force Base (AFB) and Energy Research and Development Administration (ERDA) restricted areas located generally north of Las Vegas, Nevada. Airspace Docket No. 75-WA-21 issued concurrently herewith, proposes related airspace actions that would designate Restricted Area R-4817, Tonopah, Nev., alter the descriptions of Nellis AFB and ERDA Restricted Areas R-4807, R-4808 and R-4809, and would make all of the Nellis AFB, and ERDA restricted areas in this complex except R-4808 joint use.

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 regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. Comments on the overall environmental impacts of the proposed rule are specifically invited. All communications received on or before June 4, 1976, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

On June 12, 1974, an advance notice of proposed rule making, Notice No. 74-20, was published in the FEDERAL REGISTER (39 FR 20612) stating that the Federal Aviation Administration had received a request from the Department of the Air Force to propose the restructuring of certain Nellis AFB restricted areas, the designation of a new restricted area tentatively identified as R-4817, and the establishment of two new operating areas adjacent to proposed R-4817 wherein special air traffic rules would apply.

As stated in the Notice No. 74-20, the Air Force has a requirement for a controlled operational environment large enough to allow participating aircraft to simulate combat conditions with the capability to test and evaluate air crew effectiveness in the delivery of airborne

weapons, and the performance of combat tactics at supersonic speeds. The military activities include air-to-air combat maneuvering, air-to-ground attack maneuvering, simulated combat search and rescue, simulated combat tactical airlift, reconnaissance missions at low and intermediate altitudes and at varying speeds, tests of remotely piloted aircraft, and simulated strategic bombing missions. These missions would be flown by individual aircraft, small formations and, on occasion, as large scale exercises. The operating areas within which the special air traffic rules proposed herein would apply would be used for operational testing under simulated combat conditions. The maneuvers would involve flights at very high speeds, subsonic flights at low altitude, and vertical movement tactics. To accommodate this activity with safety, an area with low densities of population and air traffic is desired. The operating areas proposed herein were selected on that basis.

Each operating area would extend from 100 feet above the surface to, but not including, Flight Level 180. As proposed herein, the public may operate within these areas at all times and at any altitude that would be otherwise available to that aircraft, provided that ATC is notified, prior to entry, of the intended route, and that radio communications with ATC are maintained continuously or to the extent limited by radio reception, while operating within either of these areas. Notification may be accomplished either by filing a flight plan or by an inflight radio communication with ATC, prior to entering the area, identifying the aircraft and its proposed route, including point of entry and exit (or destination), altitude and airspeed.

Several VFR flyways, generally of three nautical miles in width, and extending from 1,500 above the surface to and including 12,500 feet above mean sea level, would traverse each of the two areas primarily to accommodate aircraft not equipped with radios. No prior notice, clearance, or maintenance of communications would be required for any flight operation within these VFR flyways. However, pilots would be encouraged to contact ATC in the interest of safety.

Comments received in response to the advance notice, and forthcoming from approximately 70 meetings held by the Air Force with the public or user groups, raised a number of objections, principally that the proposed operating areas (1) would impede surface activities such as mining, grazing of live stock, hunting, etc.; (2) would preclude or unduly inhibit aerial operations necessary to support mining, geological activities, ranching, and transiting or local flight operations; (3) would have a detrimental effect on airport revenue in Nevada; (4) would increase aircraft operating costs; (5) would be effectively sealed off from

the public through failure to establish communications with the appropriate military users; and (6) would not contain a sufficient number of VFR flyways.

The proposed areas should not interfere with any surface activity since they extend no lower than 100 feet above the surface. No ordnance would impact within the proposed areas, and it is not the intention of the Air Force to gain land use rights underlying the proposed operating areas except for certain small leased parcels needed for the installation of air traffic surveillance radar, communications and operational test equipment, and evaluation and training equipment.

This proposal would not preclude aerial operations necessary to support surface activity nor would it unduly interfere with those activities or other transiting or local flight operations. The Air Force would accommodate public flight operations in the proposed areas by vectoring the military operations around the routes and altitudes as notified by the operators of transiting aircraft. On occasions when large scale exercises may be scheduled, the public may be requested to avoid certain areas in the interest of safety, but it is the stated intention of the users not to interfere with the route an operator of a civil aircraft has stated that he intends to follow. It is for that reason that prior notification of routes and maintenance of radio communications is required.

This proposal should not have a detrimental effect on airport revenue, nor cause any increase in aircraft operating cost that is not outweighed by the advantages of enhanced flight safety. Flight to or from airports within the areas would not be prohibited nor would routes proposed by the public be restrained except to the extent that a deviation may be recommended occasionally for safety considerations. The operating areas would not become effective until sufficient radar surveillance and communications capability are available to ensure complete separation of aircraft. This communications capability also would assist in providing point-to-point vectoring service. Further, search and rescue capability would likewise be enhanced.

The Air Force agreed with several of the public comments suggesting that the VFR flyways be widened. Therefore, as now proposed, they would be 3 nautical miles wide (1.5 nautical miles each side of the centerline) except for the east-west flyway underlying V-244 which would have the width of that airway. It is recognized that the possibility exists wherein deviation from a VFR flyway would be necessary to avoid inclement weather or for safety considerations as determined by the pilot. When such deviation occurs, the pilot of an aircraft not having radio communications capability would be expected to take due regard for all other aircraft and return to the VFR flyway as soon as practicable.

The Department of the Air Force has requested that the operating areas be identified as Sadek North and Sadek

East, to commemorate Lt. Col. Louis C. Sadek (deceased) who was instrumental in developing the concept of these operating areas.

A VFR flyway in the Sadek North area aligned along State Highway 93 that was inadvertently omitted from the advance notice is included in this proposal. The using agencies understand that their aircraft would be required to observe the minimum safe altitude requirements prescribed in § 91.79 of Part 91 of the Federal Aviation Regulations.

AUTHORITY: (Secs. 307 and 313(a) of the Federal Aviation Act of 1958, (49 U.S.C. 1348 and 1354(a)); and sec. 6(c) of the Department of Transportation Act, (49 U.S.C. 1655 (c))).

In consideration of the foregoing, it is proposed to amend Part 93 of the Federal Aviation Regulations by adding a new Subpart G to read as follows:

Subpart G—Nellis AFB, Nevada, Operating Areas

- Sec.
93.91 Applicability.
93.93 Description of areas.
93.95 Aircraft operations.

Subpart G—Nellis AFB, Nevada, Operating Areas

§ 93.91 Applicability.

This subpart prescribes the Sadek North and Sadek East operating areas, and the special air traffic rules for operating aircraft within these areas.

§ 93.93 Description of areas.

(a) Sadek North. (1) Boundaries:

Beginning at Lat. 37°59'55" N., Long. 116°38'10" W.; to Lat. 38°00'10" N., Long. 116°33'30" W.; to Lat. 38°00'30" N., Long. 116°33'45" W.; to Lat. 38°01'50" N., Long. 116°19'45" W.; to Lat. 38°01'40" N., Long. 115°58'00" W.; to Lat. 38°06'00" N., Long. 115°28'00" W.; to Lat. 38°07'00" N., Long. 115°18'00" W.; to Lat. 38°10'50" N., Long. 114°24'30" W.; to Lat. 38°11'50" N., Long. 114°27'30" W.; to Lat. 38°30'00" N., Long. 114°35'15" W.; to Lat. 38°30'00" N., Long. 116°38'00" W.; to point of beginning.

Altitude: from 100 feet above the surface to, but not including, Flight Level 180.

Time: Continuous.

Controlling agency: Federal Aviation Administration, Salt Lake City ARTC Center.

Using agency: USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

(2) VFR flyways—extending in altitude from 1,500 feet above the surface to and including 12,500 feet MSL in the following areas:

(i) Flyway A. Beginning at Lat. 38°30'00" N., Long. 115°55'00" W.; thence southwest, 1.5 nautical miles on each side of U.S. Highway 6 to Lat. 38°08'30" N., Long. 116°38'00" W.

(ii) Flyway B. Beginning at Lat. 38°30'00" N., Long. 115°37'00" W.; thence southwest, 1.5 nautical miles on each side of a direct line to Lat. 38°13'00" N., Long. 115°48'00" W.

(iii) Flyway C. Beginning at Lat. 38°30'00" N., Long. 115°37'00" W.; thence south, 1.5 nautical miles on each side of

State Highway 38 to Lat. 38°16'45" N., Long. 115°01'45" W.

(iv) Flyway D. V-244 and the airspace thereunder extending upward from 1,500 feet above the surface is a VFR flyway for east-west bound traffic between Tonopah, Nevada, and Wilson Creek, Nevada.

(v) Flyway E. Beginning at Lat. 38°30'00" N., Long. 114°38'55" W.; thence south, 1.5 nautical miles on each side of State Highway 93 to Lat. 38°18'40" N., Long. 114°36'25" W.

b. Sadek East. (1) Boundaries:

Beginning at Lat. 38°07'00" N., Long. 115°18'00" W.; to Lat. 37°17'00" N., Long. 115°18'00" W.; to Lat. 37°17'00" N., Long. 113°58'45" W.; to Lat. 37°31'00" N., Long. 113°47'30" W.; to Lat. 37°36'00" N., Long. 113°44'00" W.; to Lat. 37°41'00" N., Long. 113°40'00" W.; to Lat. 37°52'20" N., Long. 113°30'30" W.; to Lat. 38°10'50" N., Long. 114°24'30" W.; to point of beginning.

Altitude: From 100 feet above the surface to, but not including, Flight Level 180.

Time: Continuous.

Controlling agency: Federal Aviation Administration, Los Angeles ARTC Center.

Using agency: USAF Tactical Fighter Weapons Center, Nellis AFB, Nev.

(2) VFR flyways—extending in altitude from 1,500 feet above the surface to and including 12,500 feet MSL in the following areas:

(i) Flyway A. Beginning at Lat. 37°17'00" N., Long. 115°07'00" W.; thence north 1.5 nautical miles on each side of U.S. Highway 93 to Lat. 37°31'40" N., Long. 115°13'30" W.; thence northwest 1.5 nautical miles on each side of State Highway 25 to Lat. 37°32'00" N., Long. 115°14'00" W.; thence north 1.5 nautical miles on each side of State Highway 38 to Lat. 38°08'30" N., Long. 114°58'05" W.

(ii) Flyway B. Beginning at Lat. 37°17'00" N., Long. 114°28'25" W.; thence north 1.5 nautical miles on each side of the Union Pacific railroad track to Caliente, Nev.; thence north 1.5 nautical miles on each side of U.S. Highway 93 to Lat. 38°10'05" N., Long. 114°35'20" W.

(iii) Flyway C. Beginning at Lat. 37°47'30" N., Long. 114°24'30" W.; thence east 1.5 nautical miles on each side of U.S. Highway 25 to Modena, Utah, thence northeast 1.5 nautical miles on each side of the Union Pacific railroad track to Lat. 37°54'30" N., Long. 113°37'30" W.

§ 93.95 Aircraft operations.

Except when operating within a VFR flyway, no person may operate an aircraft in flight within an operating area prescribed in § 93.93 of this subpart unless—

(a) Before operating within that area, that person notifies an appropriate ATC facility of his intended flight route therein, including identification of aircraft, point of entry and exit or destination, altitude and airspeed; and

(b) That person maintains two-way radio communications with an appropriate

ate ATC facility while operating within that area.

Issued in Washington, D.C., on February 27, 1976.

GLEN D. TIGNER,
Acting Director,
Air Traffic Service.

[FR Doc.76-6290 Filed 3-3-76;8:45 am]

**National Highway Traffic Safety
Administration**

[49 CFR Part 571]

[Docket No. 74-21; Notice 4]

WINDSHIELD ZONE INTRUSION

Response to Petition for Reconsideration

This notice proposes to exempt a class of vehicles known as walk-in van-type vehicles from the requirements of Federal Motor Vehicle Safety Standard No. 219, *Windshield Zone Intrusion* (49 CFR 571.219).

The National Highway Traffic Safety Administration (NHTSA) recognizes that the barrier crash requirements of the standard are inappropriate for forward control vehicles and open body type vehicles with fold down or removable windshields and currently exempts these vehicles from the standard. General Motors has petitioned the NHTSA to exempt walk-in van-type vehicles as well, arguing that in light of the similarity between this type of vehicle and forward control vehicles, application of the standard to its P-10 vehicle would needlessly eliminate that truck from the market and force customers to purchase larger, heavier, and therefore less fuel-efficient van-type trucks.

A forward control vehicle is defined in the standard as "a configuration in which more than half of the engine length is rearward of the foremost point of the windshield base and the steering wheel is in the forward quarter of the vehicle length." The P-10 truck is a shorter version of General Motors P-20 and P-30 trucks which do fall within this definition. However, because the cargo compartment of the P-10 is shortened while the front end chassis remains similar to the larger vans of the series, the hub of the steering wheel is no longer located in the first quadrant of the total vehicle length. Therefore, the P-10 is not technically a forward control vehicle. General Motors argues that the changes to the rear of the vehicle should actually make the P-10 safer with respect to windshield zone intrusion than its larger vans, in that the P-10 has an identical amount front end crush space and yet, because it is lighter, it will have to dissipate less kinetic energy at any given speed.

The NHTSA believes that these arguments may have merit and hereby proposes to exempt walk-in van-type vehicles from Standard No. 219 by amending that standard as follows:

S.3. *Application*. This standard applies to passenger cars and to multipurpose passenger vehicles, trucks and buses of 10,000 pounds or less gross vehicle weight rating. However, it does not ap-

ply to forward control vehicles, walk-in van-type vehicles, or open-body type vehicles with fold-down or removable windshields.

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

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

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Comment closing date: April 26, 1976.

Proposed effective date: September 1, 1976.

Issued on March 5, 1976.

ROBERT L. CARTER,
Associate Administrator
Motor Vehicle Programs.

[FR Doc.76-6944 Filed 3-10-76;8:45 am]

DEPARTMENT OF COMMERCE

**National Oceanic and Atmospheric
Administration**

[50 CFR Part 240]

**REGULATED COMMERCIAL FISHERIES
Herring and Mackerel**

On January 6, 1976, the National Marine Fisheries Service published in the *FEDERAL REGISTER* (41 FR 1067) rules and regulations to carry out the recommendations of the International Commission for the Northwest Atlantic Fisheries (ICNAF). These regulations did not specify the annual quotas for herring in subareas 4, 5, and Stat. 6 for the 1976 season. It was stated in § 240.41 that these quotas would be published in the *FEDERAL REGISTER* at a later date.

At a special meeting held in Rome, Italy, January 20-26, 1976, the Commission established catch quotas for herring and mackerel, provided for on board inspection of incidental catch of under-size herring and mackerel and limited a directed fishery for herring during the period January 1 to June 30, 1976 to purse seines of vessels less than 110 feet (33.5 meters).

Recent discussions with members of the industry pointed up the need to in-

clude in the Optional Settlement Agreement Form special requirements relative to fishing in Division 4X of Subarea 4 (Browns Bank) for haddock. These special requirements will permit United States vessels to take and possess haddock under the quota established for the United States in that area.

The position of the vessel, quantity of fish taken during the previous 24 hours, and the arrival and departure of the vessel in Division 4X must be reported to the U.S. Coast Guard on a daily basis.

The following amendments to Part 240 are proposed:

1. In § 240.41 an annual catch quota for herring of 6,000 metric tons is provided for Division 5Y of Subarea 5. A catch quota for herring was adopted for the first 6 months of 1976 (January 1 to June 30, 1976) of 9,400 metric tons in Division 5Z of Subarea 5 and in Statistical Area 6. A directed fishery for herring is prohibited in Division 5Z of Subarea 5 and in Statistical Area 6 from January 1 to June 30, 1976 by purse seiners or vessels larger than 110 feet in length (33.5 meters). An incidental catch is provided for vessels fishing for other species (either at sea or at the time of off-loading) in Division 5Z of Subarea 5 and Statistical Area 6 in amounts not exceeding 7.5 percent by weight of all fish on board.

2. In § 240.46 the procedure to determine the incidental take of herring and mackerel below the legal size limit is changed to provide for observations during an inspection within the first 48 hours after the vessel entered the fishery.

3. It is proposed to amend Appendix I "Optional Settlement Agreement Form" to require fishing vessels under the jurisdiction of the United States to contact the U.S. Coast Guard when fishing under the Agreement in Division 4X of Subarea 4.

The proposed amendments are to be issued under the authority contained in subsection (a) of section 7 of the Northwest Atlantic Fisheries Act of 1950 (64 Stat. 1069; U.S.C. 986) as modified by Reorganization Plan No. 4 effective October 3, 1970 (35 FR 15637).

Prior to the final adoption of the proposed amendments, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Director, National Marine Fisheries Service, Washington, D.C. 20235 on or before April 1, 1976.

Issued at Washington, D.C., and dated March 5, 1976.

JACK W. GEHRINGER,
Deputy Director,
National Marine Fisheries Service.

The proposed amendments to Subpart E are described below:

1. Amend paragraphs (2) and (3) and add new paragraphs (4) and (5) of § 240.41(a) to read as follows:

§ 240.41 Catch quota.

(a) (1) * * *

(2) The annual catch of herring by persons or fishing vessels fishing in Di-

vision 5Y of Subarea 5 shall not exceed 6,000 metric tons.

(3) The catch of herring for the period January 1 to June 30, 1976 by persons or fishing vessels fishing in Division 5Z of Subarea 5 and Statistical Area 6, shall not exceed 9,400 metric tons.

(4) A directed fishery for herring in Division 5Z of Subarea 5 and Statistical Area 6 shall be prohibited from January 1 to June 30, 1976, except with purse seiners or vessels of less than 110 ft. (33.5 meters).

(5) A person fishing for other species in Division 5Z of Subarea 5 and Statistical Area 6 may have in possession on board (either at sea or at the time of off-loading) herring in amounts not to exceed 7.5 percent by weight of all fish on board. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a vessel is taking herring in amounts greater than that permitted during the first seventy-two hours of fishing since entering the fishery within the areas specified in paragraph (4), the inspector shall note this fact on the inspection report and bring it to the attention of the Master.

2. Amend paragraphs (b) and (d) of § 240.46 to read as follows:

§ 240.46 Size limits.

(b) A person on any trip may take herring less than 9 inches (22.7 cm), measured as specified in paragraph (a) of this section: Provided that the total amount taken does not exceed 10 percent by weight or 25 percent by count of all herring on board the vessel caught in the areas specified in paragraph (a) above which can be identified as to size at the time of inspection. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a vessel is taking herring less than 9 inches (22.7 cm) in excessive amounts during the first forty-eight hours of fishing, since entering the fishery within the areas specified in paragraph (a), the inspector shall note this fact on the inspection report and bring it to the attention of the Master.

(d) A person on any trip may take mackerel less than 10 inches (25 cm) measured as specified in paragraph (c) of this section provided: that the total amount taken does not exceed 10 percent by weight or 25 percent by count of all mackerel on board the vessel caught in the areas specified in paragraph (c) which can be identified as to size at the time of the inspection. Should it be observed during an inspection under the Scheme of Joint International Enforcement that a vessel is taking mackerel less than 10 inches (25 cm) in excessive amounts during the first forty-eight hours of fishing since entering the fishery within the areas specified in paragraph (c), the inspector shall note this

fact on the inspection report and bring it to the attention of the Master.

3. Add new item 10 in Appendix I "Optional Settlement Agreement Form" to read as follows:

10. Notwithstanding the provisions of paragraphs 4(a) and 8(b) above, the master or person in charge of a vessel may take and possess on board a fishing vessel at any time, settlement fish in the amounts up to pounds caught in Division 4X of Subarea 4 (Browns Bank) provided:

(a) The master or person in charge of the vessel contacts CG radio or a CG fishery inspection vessel which may be on the scene once each day (1200 hours local time) and provides:

(i) Pounds of settlement fish taken within the previous 24 hour period from Division 4X of Subarea 4.

(ii) Position at time of radio contact in latitude and longitude or Loran bearing.

(b) The master or person in charge of the vessel contacts CG radio as provided in subparagraph (a) and informs them of his arrival or departure from the fishing grounds within Division 4X of Subarea 4, and of his intent to fish elsewhere prior to landing that trip.

(c) If the total quantity of settlement fish taken in Division 4X of Subarea 4 does not exceed the amount specified and the provision of subparagraphs (a) and (b) are adhered to, then the Regional Director agrees to waive the provisions of paragraphs 4 and 8(b).

(d) The provisions of the paragraph shall remain in force during the period 1976 or until the quota for Division 4X of Subarea 4 as set forth in Subpart B—Groundfish Fisheries Paragraph 240.11(a) (1) is taken. When the quota is attained or anticipated to be caught or failure of the vessel owner(s) to comply with the terms of the agreement, the provisions of paragraph 9 will apply.

[FR Doc.76-6869 Filed 3-10-76; 8:45 am]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 76-175]

FEDERAL SAVINGS AND LOAN SYSTEM Proposed Amendments Relating to Electronic Funds Transfer Through Remote Service Units

MARCH 5, 1976.

Summary. The following summary of the amendments proposed by this Resolution is included for the reader's convenience and is subject to the full description in the preamble and the specific provisions in the regulations.

I. Existing Regulation.—Expires by its terms on July 31, 1976.

II. Proposed Amendment.—Would make two changes to the existing regulation:

a. Extend the term of the experimental regulation to December 31, 1977.

b. Permit additional applications to be made through March 31, 1977.

III. Reason for Proposal.—To permit continued experimentation by Federal

associations in the use of remote service units.

The Federal Home Loan Bank Board by Resolution No. 74-573, dated June 26, 1974 (39 FR 23991), permitted Federal associations, upon application therefor, to establish, maintain or use, or to participate in the establishment, maintenance or use of, remote service units. In doing so, the Board expressed its opinion that reports from, and observations of, actual operation of electronic funds transfer systems would furnish valuable experience and information to the Board, the savings and loan industry, and the public relating to the substance of any permanent regulations which the Board may promulgate regarding such systems.

Thereafter, the Board by Resolution No. 75-555, dated June 25, 1975 (40 FR 27477), extended the application period and expiration date of the existing experimental regulation to February 29, 1976, and July 31, 1976, respectively, in accordance with its view that operation of a variety of experimental electronic funds transfer systems by savings and loan associations would contribute significantly to the study and investigation to be undertaken by the National Commission on Electronic Funds Transfers created under Public Law 93-495 (October 28, 1974; 88 Stat. 1500), and would enlarge the informational base for development of permanent Board regulations. The Board continues to be of this opinion, and has determined that it would be appropriate to propose extension of its current experimental regulation until December 31, 1977, and to reopen the application period for approximately nine additional months.

Extension of the termination date of remote service unit applications approved under existing § 545.4-2 would be considered on an individual basis, but without need for further application. Any material alteration of applications approved under the existing regulation would require application during the proposed new application period.

Accordingly, the Board hereby proposes to amend paragraphs (g) (1) and (k) of § 545.4-2 to read as set forth below.

Interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street NW., Washington, D.C. 20552, by April 12, 1976, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address.

§ 545.4-2 Remote service units (experimental provision).

(g) *Applications.* (1) A Federal association may not establish, maintain or use a remote service unit, or participate in the establishment, maintenance, or use of a remote service unit, without prior written approval by the Board. Applica-

tions for Board approval shall be filed on or before March 31, 1977. One original and one copy of any application made pursuant to this section shall be filed with the Supervisory Agent and two copies of such application shall be sent to the Director, Office of Industry Development, Federal Home Loan Bank Board, Washington, D.C. 20552. An applicant may file additional information in support of its application and may amend the application. The Director or the Supervisory Agent may request an applicant to furnish additional information.

(k) *Termination.* This section and any approval granted under this section shall automatically terminate at the close of December 31, 1977.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Sec. 2, Public Law 93-100, 87 Stat. 342. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 C.F.R., 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL]

RONALD A. SNIDER,
Assistant Secretary.

(FR Doc. 76-6975 Filed 3-10-76; 8:45 am)

FEDERAL TRADE COMMISSION

[16 CFR Part 437]

FOOD ADVERTISING

Final Notice Regarding Proposed Trade Regulation Rule

Correction

In FR Doc. 76-5914, appearing at page 8980 in the issue for Tuesday, March 2, 1976, make the following change:

The last line of the second column on page 8983 should follow the third line of the second full paragraph of the third column.

eral Power Commission for review and approval.

The proposed effective date of the proposed Bonneville wheeling rates will be the later of June 1, 1976, or the first day of the billing month subsequent to the effective date of approval by the Federal Power Commission, with these rate schedules proposed to be in effect until December 20, 1979. These rates and general rate schedule provisions were developed to recover increased costs associated with such transmission and to meet the statutory requirements of the Federal Columbia River Transmission System Act (Pub. L. 93-454) signed into law on October 18, 1974.

A brief presentation will be made by Bonneville Power Administration officials after which questions will be answered. Both oral and written statements will be accepted at this meeting and will be made a part of the filing record. Those commenting orally can assist by also submitting a written copy of their statement. For those unable to attend the public meeting, written comments are invited and will be accepted until the close of business April 20, 1976. Comments should be sent to the Branch of Customer Service at the address shown below.

Copies of the transmission rate schedules and general provisions are available upon request at the headquarters building 1002 NE Holladay Street, Portland, Oregon, or by writing to the Branch of Customer Service, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208.

DONALD PAUL HODEL,
Administrator.

MARCH 5, 1976.

[FR Doc.76-6969 Filed 3-10-76; 8:45 am]

Bureau of Land Management

[NM 27695]

NEW MEXICO

Notice of Application

MARCH 1, 1976.

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

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 31 N., R. 13 W.,
Sec. 19, lots 15 and 16.

This pipeline will convey natural gas across .075 of a mile of national resource land in San Juan County, New Mexico.

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

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, 3550

Pan American Freeway, NE, Albuquerque, New Mexico 87107.

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

[FR Doc.76-6868 Filed 3-10-76; 8:45 am]

[Serial No. I-10293]

IDAHO

Proposed Withdrawal and Reservation of Lands

MARCH 4, 1976.

The Bureau of Land Management has filed an application serial number I-10293, for the withdrawal of the lands described below from all forms of appropriation and location under the public land laws, including the mining laws, but not the mineral leasing laws, subject to valid existing rights. The purpose of the withdrawal is to protect the scenic and recreational values of the land for future public use.

Until April 12, 1976, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Room 398, Federal Building, 550 West Fort Street, P.O. Box 042, Boise, Idaho 83724.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BOISE MERIDIAN

The area described aggregates 54 acres in Shoshone County, Idaho.

T. 45 N., R. 3 E.,
Sec. 4, Lot 14
Sec. 9, Lot 4

The area described aggregates 54 acres in Shoshone County, Idaho.

VINCENT S. STROBEL,
Chief, Branch of L&M Operations.

[FR Doc.76-6953 Filed 3-10-76; 8:45 am]

SALT LAKE DISTRICT OFFICE; UTAH

Restriction of Use of Motorized Vehicles on National Resource Lands

Notice is hereby given that use of motorized vehicles on certain national resource lands (public lands and roads) in the Puddle Valley area are restricted, in accordance with the provisions of 43 CFR, Part 6010.4. These restrictions do not apply to emergency, law enforcement, and federal or other government vehicles while being used for official or emergency purposes, or vehicles authorized by permit, contract or statute.

The area and roads affected by this restriction are located approximately 70 miles west of Salt Lake City. The area

is accessible from the Delle, Lakeside and Aragonite exits off Interstate 80. Puddle Valley is bounded on the west by the Grassy Mountains, on the east by the Lakeside Mountains, on the north by the Wendover bombing and gunnery range and on the south by Interstate 80. Major roads maintained by the military, Tooele County and BLM are not closed by this notice. Cross-country travel by all motorized vehicles is restricted. Roads to all the livestock wells are left open. The area known as Skunk Ridge is closed.

The purpose of the restriction is to protect a herd of antelope. In December, 1975 approximately 100 head of antelope were reintroduced into this area. Off-road vehicle travel would disturb this new herd. After consultation with the Utah Division of Wildlife Resources and the Utah Division of Parks and Recreation a motorized vehicle restriction was determined to be necessary to the new antelope herd from disturbance. These restrictions have been discussed with a variety of off-road vehicle clubs, wildlife clubs and interested publics in the Skull Valley-Lakeside Planning Unit meetings. Additional meetings and individual contacts have been made with other concerned individuals.

The restriction is effective immediately until July 31, 1977. After July 31, 1977 the restrictions will only apply to the antelope fawning time period from April 1, until July 1 annually. The entire area will be posted and signed at common points of vehicular access.

Maps showing the area are available at the Salt Lake District Office, 2370 South 2300 West, Salt Lake City, Utah 84119.

This Notice is effective upon publication.

Dated: February 24, 1976.

GERALD E. HILLIER,
District Manager.

[FR Doc.76-6954 Filed 3-10-76; 8:45 am]

[Utah 31031]

RESTORATION AND OPENING OF PART OF THE LANDS; UTAH

Modification of Proposed Protective Withdrawal and Reservation of Lands

The Bureau of Land Management, U.S. Department of the Interior, has filed an application, Serial No. Utah 31031, for the withdrawal of the national resource lands described in a notice of proposed withdrawal published at 40 FR 49583 on October 23, 1975 (FR Doc. 75-28561 Filed 10/22/75).

That notice is modified by deleting some of the lands described therein and adding additional lands described as:

SALT LAKE MERIDIAN, UTAH
KANE COUNTY

EAST CLARK BENCH

Delete

T. 43 S., R. 1 E.,
Sec. 12, N½SE¼.

T. 43 S., R. 2 E.,
Sec. 7, Lot 3, NE¼SW¼, N½SE¼;

Sec. 8, N½S½.
The area described contains 403.59 acres.

NOTICES

Add.

T. 43 S., R. 1 E.,
 Sec. 1, Lots 1, 2, 3, 4, $8\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.
 T. 43 S., R. 2 E.,
 Sec. 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 6, Lot 11;
 Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ con-
 sisting of Lots 1 and 19, and part of
 Lot 2;
 Sec. 11, NW $\frac{1}{4}$.
 The area described contains 1,403.59 acres.

The balance of the application re-
 mains as described in the notice of pro-
 posed withdrawal referred to above.

All of these lands are withdrawn from
 all forms of appropriation under the
 public land laws, including the general
 mining, material sales, and mineral leas-
 ing laws; excepting quantity and special
 grants to the State, State indemnity se-
 lections, State exchanges, private ex-
 changes, and such other laws or special
 legislation as might be found suitable for
 such disposal, in support of the proposed
 Kaiparowits Electric Power Generating
 Project. This withdrawal is under the
 authority of Executive Order 10355.

The purpose of this withdrawal is for
 the protection of the proposed plantsite
 and townsite from conflicting appropri-
 ations, applications, entries or selections,
 and to provide ample time for comple-
 tion of the necessary investigation and
 assessment of the environmental im-
 pacts. When the sites are finally selected,
 the withdrawal will be revoked as to
 those lands not needed for plantsite or
 townsite development.

On or before April 12, 1976 all per-
 sons who wish to submit comments, sug-
 gestions, or objections in connection
 with the proposed withdrawal, may pre-
 sent their views in writing to the Utah
 State Director, Bureau of Land Manage-
 ment, University Club Building, 136 East
 South Temple, Salt Lake City, Utah
 84111.

If circumstances warrant, a public
 hearing will be held at a convenient time
 and place which will be announced.

The determination of the Secretary on
 the application will be published in the
 FEDERAL REGISTER. A separate notice will
 be sent to each interested party of record.

As to the 403.59 acres described under
 "delete", above, it is ordered as follows:

At 10:00 A.M. on April 12, 1976 the
 above described lands will be restored to
 the operation of the public land laws,
 generally, subject to valid existing rights,
 and subject to the segregative effect of
 classification for multiple use manage-
 ment pursuant to the Act of September
 19, 1964 (78 Stat. 986; 43 U.S.C. 1411-
 18), Serial No. Utah 5699. All valid ap-
 plications received prior to that time will
 be considered as simultaneously filed at
 that time. Those received after that time
 will be considered in the order of filing.

Further information regarding these
 lands is available from the State Direc-
 tor, Bureau of Land Management, Uni-

versity Club Building, 136 East South
 Temple, Salt Lake City, Utah 84111.

PAUL L. HOWARD,
 State Director, Utah.

MARCH 4, 1976.

[FR Doc.76-6955 Filed 3-10-76; 8:45 am]

BAKER DISTRICT ADVISORY BOARD

Meeting

Notice is hereby given that the Baker
 District, Bureau of Land Management
 Multiple Use Advisory Board will meet
 April 15, 1976.

The meeting will begin at 9:00 a.m.,
 April 15, 1976, in the Conference Room,
 Room 235, Federal Building, Baker,
 Oregon. The purpose of the meeting will
 be to present the Grande Ronde Unit
 Management Framework Plan to the
 Board and obtain their input to the pro-
 posed plan.

The meeting is open to the public.

ALBERT ROMEO,
 District Manager.

MARCH 4, 1976.

[FR Doc.76-7001 Filed 3-10-76; 8:45 am]

[N-12360]

NEVADA

Airport Lease Application

MARCH 5, 1976.

1. Notice is hereby given that pur-
 suant to the Act of May 24, 1928 (49
 U.S.C. 211-214), Norman R. Williams
 has applied for an airport lease for the
 following land:

MOUNT DIABLO MERIDIAN, NEVADA

T. 2 S., R. 35 E.,
 Sec. 16, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ -
 NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ -
 NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$.

2. The purpose of this notice is to in-
 form the public that the filing of this ap-
 plication segregates the described land
 from all other forms of appropriation
 under the public land laws.

3. Interested persons desiring to ex-
 press their views should promptly send
 their names and addresses to the District
 Manager, Bureau of Land Management,
 4765 W. Vegas Drive, Box 5400, Las
 Vegas, NV 89102.

WM. J. MALENCIK,
 Chief,
 Division of Technical Services.

[FR Doc.76-6913 Filed 3-10-76; 8:45 am]

[N-12640]

NEVADA

Airport Lease Application

MARCH 5, 1976.

1. Notice is hereby given that pursuant
 to the Act of May 24, 1928 (49 U.S.C.

211-214), Clyde A. Thomas, has applied
 for an airport lease for the following
 land:

MOUNT DIABLO MERIDIAN, NEVADA

T. 31 N., R. 23 E.,
 Sec. 10, SE $\frac{1}{4}$;
 Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

2. The purpose of this notice is to in-
 form the public that the filing of this
 application segregates the described land
 from all other forms of appropriation
 under the public land laws.

3. Interested persons desiring to ex-
 press their views should promptly send
 their names and addresses to the District
 Manager, Bureau of Land Management,
 P.O. Box 41, Winnemucca, Nevada 89445.

WM. J. MALENCIK,
 Chief,
 Division of Technical Services.

[FR Doc.76-6912 Filed 3-10-76; 8:45 am]

[NM 27697, 27698]

NEW MEXICO

Applications

MARCH 3, 1976.

Notice is hereby given that, pursuant
 to section 28 of the Mineral Leasing Act
 of 1920 (30 U.S.C. 185), as amended by
 the Act of November 16, 1973 (87 Stat.
 576), El Paso Natural Gas Company has
 applied for two $4\frac{1}{2}$ inch natural gas
 pipeline rights-of-way across the follow-
 ing land:

NEW MEXICO PRINCIPLE MERIDIAN, NEW MEXICO

T. 31 N., R. 10 W.,
 Sec. 15, lots 3, 4, 6 and 11.

These pipelines will convey natural gas
 across .483 of a mile of national resource
 land in San Juan County, New Mexico.

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

Interested persons desiring to express
 their views should promptly send their
 name and address to the District Man-
 ager, Bureau of Land Management, 3550
 Pan American Freeway, NE, Albuquer-
 que, New Mexico 87107.

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

[FR Doc.76-6812 Filed 3-10-76; 8:45 am]

[NM 27699]

NEW MEXICO

Application

MARCH 3, 1976.

Notice is hereby given that, pursuant
 to section 28 of the Mineral Leasing Act
 of 1920 (30 U.S.C. 185), as amended by
 the Act of November 16, 1973 (87 Stat.
 576), Northwest Pipeline Corporation has

applied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 32 N., R. 7 W.,
Sec. 27, lot 5.

This pipeline will convey natural gas across .041 of a mile of national resource land in San Juan County, New Mexico.

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

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

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

[FR Doc.76-6811 Filed 3-9-76;8:45 am]

[NM 27700]

NEW MEXICO

Application

MARCH 4, 1976.

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

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 23 S., R. 31 E.,
Sec. 25, S½NW¼;
Sec. 35, SE¼NE¼, NE¼SE½ and S½SE¼.

These pipelines will convey natural gas across 1.184 miles of national resource land in Eddy County, New Mexico.

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

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

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

[FR Doc.76-6998 Filed 3-10-76;8:45 am]

[NM 27702]

NEW MEXICO

Application

MARCH 4, 1976.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Phillips Petroleum Company has

applied for two 4½-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 15 S., R. 29 E.,
Sec. 13, SE¼NE¼;
Sec. 22, N½SW¼ and SE¼SW¼;
Sec. 27, NW¼NE¼, S½NE¼, NE¼NW¼ and E½SE¼.
T. 15 S., R. 30 E.,
Sec. 17, S½N½;
Sec. 18, lot 2, S½NE¼ and SE¼NW¼.

These pipelines will convey natural gas across 3.816 miles of national resource lands in Chaves County, New Mexico.

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

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

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

[FR Doc.76-6999 Filed 3-10-76;8:45 am]

[NM 27693, 27711, 27712, 27715, 27718, 27719]

NEW MEXICO

Applications

MARCH 4, 1976.

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

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 25 N., R. 6 W.,
Sec. 13, N½SW¼.
T. 28 N., R. 6 W.,
Sec. 12, lot 4 and SW¼SW¼.
T. 26 N., R. 7 W.,
Sec. 25, NW¼NW¼.
T. 28 N., R. 7 W.,
Sec. 18, NW¼NE¼.
T. 30 N., R. 9 W.,
Sec. 11, N½SE¼;
Sec. 12, NW¼SW¼.
T. 32 N., R. 10 W.,
Sec. 31, lots 13 and 20.

These pipelines will convey natural gas across 1.409 miles of national resource lands in Rio Arriba and San Juan Counties, New Mexico.

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

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

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

[FR Doc.76-7000 Filed 3-10-76;8:45 am]

ROSWELL DISTRICT MULTIPLE USE ADVISORY BOARD

Public Meeting

MARCH 4, 1976.

Notice is hereby given that the Roswell District Multiple Use Advisory Board will meet May 13 and 14, 1976, in the District Office conference room at 1717 West Second Street, Roswell, New Mexico.

The agenda will include half-day field trip to the Mescalero Sands area east of Roswell on May 13. This tour is open to the public; however, members of the public wishing to participate will have to provide their own transportation. The tour will leave the District Office at 8:30 a.m. and return by 1:00 p.m. The balance of May 13 and all of May 14 will be devoted to a working session of resolving significant resource conflicts in the East Chaves management framework planning. There will also be progress reports from the Ft. Stanton Land Use Subcommittee and the Antelope Fencing Conflict Subcommittee.

Meeting times will be from 8:30 a.m. to 4:30 p.m. on May 13 and 9:00 a.m. to 4:30 p.m. on May 14.

The meeting will be open to the public. Time will be available for a limited number of brief statements by members of the public on May 14. Those wishing to make oral statements should notify the District Manager, Roswell District Office at 1717 West Second Street, Roswell, New Mexico 88201, Phone 505-622-7670 before the date of the meeting. Written statements will be received any time.

Further information concerning the meeting may be obtained from Malcolm Charlton, Acting District Manager of the Roswell District, phone number 505-622-7670.

MALCOLM CHARLTON,
Acting District Manager.

[FR Doc.76-6911 Filed 3-10-76;8:45 am]

[INT DES 76-8]

BONNEVILLE POWER ADMINISTRATION; HAYMILL SERVICE

Availability of Draft Supplement to Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bonneville Power Administration has prepared a draft facility location supplement to its Fiscal Year 1977 Environmental Statement. This supplement covers the proposal for the Haymill Service.

The proposed facilities involve the construction of approximately 9 miles of 138-kV transmission line from a tap point on an Idaho Power Company 138-kV line to BPA's Haymill Substation. This proposal will involve Minidoka County, Idaho. Depending upon the final route location chosen, between approximately 8 and 9 miles of new right-of-way would be required between the tap point north of Rupert, Idaho, and Haymill Substation. Little or no new access road would be required under each of the alternatives. Impacts would include slight

disturbances to natural vegetation, cropland, and associated wildlife habitat. Such disturbances will occur primarily during construction.

Copies of the draft supplement are available for inspection in the library of the Headquarters Office of BPA, 1002 N.E. Holladay Street, Portland, Oregon 97232; the Washington, D.C., Office in the Interior Building, Room 5600; the Walla Walla Area Office, West 101 Poplar, P.O. Box 1518, Walla Walla, Washington 99362; and the Idaho Falls District Office, 531 Lomax Street, Idaho Falls, Idaho 83401.

A limited number of copies are also available and may be obtained by writing to the Environmental Office, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208 or to the Walla Walla Area Office and the Idaho Falls District Office at the above addresses. Comments on the supplement should be sent to the Environmental Office by May 10, 1976.

Dated: March 5, 1976.

STANLEY D. DOREMUS,
*Acting Assistant Secretary
of the Interior.*

[FR Doc.76-6914 Filed 3-10-76;8:45 am]

**Office of the Secretary
COMMISSIONER, BUREAU OF
RECLAMATION**

Delegation of Authority

This Notice is published in accordance with the provisions of 5 U.S.C. 552(a) (1) (E). The delegation of authority to the Commissioner of Reclamation, previously published in the FEDERAL REGISTER at 33 FR 12391 and 35 FR 11703, is amended by the addition of subparagraph (15) to Part 255, Chapter 1, paragraph 1A of the Department of the Interior Manual. The delegation was made by Departmental Manual Release No. 1837 dated February 2, 1976, and is published below.

The following material is a portion of the Departmental Manual, and the numbering system is that of the Manual.

PART 255—BUREAU OF RECLAMATION

CHAPTER 1—GENERAL PROGRAM DELEGATION

1. *Delegation.* The Commissioner of Reclamation is authorized, except as provided in 200 DM 1 and in 255 DM 1.2, to:

A. Perform the functions and exercise the authority now or hereafter vested in the Secretary of the Interior, or in the Department of the Interior, by:

(15) The Colorado River Basin Salinity Control Act of June 24, 1974 (88 Stat. 266) to the extent not already delegated under (1) above.

Dated: March 2, 1976.

RICHARD R. HITE,
Assistant Secretary of the Interior.

[FR Doc.76-6958 Filed 3-10-76;8:45 am]

[INT-DES-76-11]

**DALLAS CREEK PROJECT, COLORADO
Availability of Draft Environmental
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement on a proposed water resource project that would develop water for municipal and industrial uses and irrigation in western Colorado. It would also benefit fisheries, recreation, and flood control. Written comments may be submitted to the Regional Director within 45 days of this notice.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, telephone (202) 843-4991. Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234-3006. Office of the Regional Director, Bureau of Reclamation, Federal Building, 125 South State Street, Salt Lake City, Utah 84147, telephone (801) 524-5404.

Western Colorado Projects Office, Bureau of Reclamation, Building 8, ERDA Compound, Grand Junction, Colorado 81501, telephone (303) 242-8283.

Single copies of the draft statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. Please refer to the statement number above.

Dated: March 8, 1976.

STANLEY D. DOREMUS,
*Acting Assistant Secretary
of the Interior.*

[FR Doc.76-7009 Filed 3-9-76;8:45 am]

[INT FES 76-15]

**Bureau of Reclamation
SAN FELIPE DIVISION, CENTRAL VALLEY
PROJECT, CALIFORNIA**

**Availability of Final Environmental
Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement on a proposed water supply project for the purpose of furnishing supplemental and irrigation water supplies to water-deficient portions of Santa Clara and San Benito Counties, south of San Francisco Bay, California. The environmental statement concerns the effects of construction of tunnels and conduits with associated pumping plants and regulating reservoirs to deliver some 200,000 acre-feet of water per year (by the year 2020) from Central Valley Project supplies conveyed through and diverted from the Sacramento-San Joaquin Delta to areas of the two specified Counties.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240.

Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver, Colorado 80225, Telephone (303) 234-3006.

Office of the Regional Director, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825, Telephone (916) 484-4792.

Single copies of the statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. Please refer to the statement number above.

Dated: March 8, 1976.

STANLEY D. DOREMUS,
*Acting Assistant Secretary
of the Interior.*

[FR Doc.7010 Filed 3-10-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Cooperative State Research Service

COMMITTEE OF NINE

Meeting

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given of a meeting of the Committee of Nine at 8:30 A.M., April 14-15, 1976, in Room 3109-S, South Building, U.S. Department of Agriculture, Washington, D.C.

The purpose of the meeting is to evaluate and recommend proposals for cooperative research on problems that concern agriculture in two or more States, and to make recommendations for allocation of funds. The meeting is open to the public and written statements can be filed with the Committee before or after the meeting.

The names of the members of the Committee, the agenda, minutes, and other information pertaining to the meeting may be obtained from the Recording Secretary, Committee of Nine, Cooperative State Research Service, U.S. Department of Agriculture, Washington, D.C. 20250, telephone 202-447-5260.

Dated: March 2, 1976.

R. L. LOVVORN,
Administrator.

[FR Doc.76-6906 Filed 3-10-76;8:45 am]

Forest Service

MINERAL KING RECREATION DEVELOPMENT; SEQUOIA NATIONAL FOREST

**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 Mineral King Recreation Development, Sequoia National Forest, California, USDA-FS-R5-FES(Adm)-75-02.

The proposal is to develop Mineral King for year-round recreational use. Mineral King is a 16,000-acre area of valley and surrounding alpine mountains in the Sequoia National Forest, Tulare County, California. The preferred alternative will provide for about 8,000 visitors a day during winter, 6,000 non-winter. Facilities at Mineral King will include campsites for 625 persons, 25 miles of new hiking trails, and 18 ski lifts. Lodging for up to 4,500 persons and food and service facilities will be provided at Silver City and Faculty Flat and along Monarch Creek in Mineral King valley.

Access is proposed by a new 24-mile road (utilizing about 60 percent of the existing road alignment) from Hammond to Faculty Flat. The existing road from Faculty Flat to Mineral King village will be reconstructed for public transit. General public access by private vehicle will not be provided in Mineral King valley. A five-acre, 2,200-vehicle parking structure at Faculty Flat and a 500-vehicle capacity lot at Silver City are proposed.

This final environmental statement was transmitted to the Council on Environmental Quality (SEQ) on February 26, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Building, Room 3231, 12th Street and Independence Avenue, S.W., Washington, D.C. 20250.

USDA, Forest Service, California Region, 630 Sansome Street, Room 529, San Francisco, California 94111.

Sequoia National Forest, 900 W. Grand, Porterville, California 93257.

Angeles National Forest, 150 South Los Robles Avenue, Pasadena, California 91101.

District Ranger, Tule River Ranger District, 32588 Highway 190, Porterville, California 93257.

District Ranger, Greenhorn Ranger District, Federal Building, Room 326, 800 Truxtun Avenue, Bakersfield, California 93301.

A limited number of single copies are available, upon request, from Regional Forester Douglas R. Leisz, California Region, U.S. Forest Service, 630 Sansome Street, San Francisco, California 94111.

Copies of the final environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

DOUGLAS R. LEISZ,
Regional Forester.

MARCH 3, 1976.

[FR Doc.76-6946 Filed 3-10-76; 8:45 am]

MT. CHARLESTON PLANNING UNIT 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 for the Mount

Charleston Planning Unit, Toiyabe National Forest, Nevada. The Forest Service report number is USDA-FS-DES (Adm) R4-76-11.

The environmental statement identifies and evaluates the probable effects of proposed land uses for the planning unit, evaluates possible alternative courses of action, and provides a summary record of public participation in development of the proposed plan. The purpose of the land use plan is to allocate National Forest lands and resources to specific uses and activities; establish management objectives; provide a record of management direction and decisions for specific areas and units of land; coordinate measures between resource uses and activities; and establish protective measures to keep adverse environmental effects to a minimum.

This draft environmental statement was transmitted to CEQ on March 5, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave., S.W., Washington, D.C. 20250. Forest Supervisor, Toiyabe National Forest, 111 North Virginia Street, Room 601, Reno, Nevada 89501.

Regional Planning Office, USDA, Forest Service, Federal Building, Room 4408, 324-25th Street, Ogden, Utah 84401.

District Forest Ranger, Las Vegas Ranger District, Federal Building, 300 Las Vegas Blvd., South Las Vegas, Nevada 89101.

A limited number of single copies are available upon request to Forest Supervisor John J. Lavin, Toiyabe National Forest, 111 North Virginia Street, Room 601, Reno, Nevada 89501.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

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.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor John J. Lavin, Toiyabe National Forest, 111 North Virginia Street, Room 601, Reno, Nevada 89501. Comments must be received by May 4, 1976, in order to be considered in the preparation of the final environmental statement.

Dated: March 5, 1976.

P. M. REES,
Director,
Regional Planning and Budget.

[FR Doc.76-6947 Filed 3-10-76; 8:45 am]

BLACKTAIL PLANNING UNIT MULTIPLE USE PLAN

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 for Blacktail Planning Unit, Forest Service Report Number USDA-FS-DES (adm) R1-76-13.

The environmental statement concerns a proposed land use plan for Blacktail Planning Unit, Bonner County, Idaho. Approximately 88,010 acres are included in the planning unit of which 21,890 acres are National Forest land. This plan allocates resources and specifies land use prescriptions for National Forest land only. Resource information for lands in other ownership is also included for owners/managers to use as they wish.

Consisting of the higher elevations and more inaccessible areas, much of the National Forest ownership is broken and scattered with one major exception: A continuous portion of the rugged west shoreline of Lake Pend Oreille. The proposed plan emphasizes recreation, wildlife habitat, and high scenic quality on key areas. Timber forage and water uses would also be provided to the extent possible without deterioration of the emphasized values. Fisheries habitat and most wildlife habitat would be maintained or (in some cases) improved. There would be a decrease in the small amount of lands that could be managed for primitive or backcountry recreation. No lands in the Blacktail Planning Unit meet the Region One (U.S. Forest Service) criteria for roadless and undeveloped areas.

This draft environmental statement was filed with CEQ on March 3, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service, South Agricultural Bldg., Room 3230, 12th St. & Independence Ave., SW, Washington, DC 20250.

USDA Forest Service, Northern Region, Federal Building, Missoula, MT 59801.

USDA Forest Service, Idaho Panhandle National Forests, P.O. Box 310, Coeur d'Alene, ID 83814.

USDA Forest Service, Sandpoint Ranger District, Federal Building, Sandpoint, ID 83864.

A limited number of single copies are available upon request to Forest Supervisor Ralph Kizer, Idaho Panhandle National Forests, P.O. Box 310, Coeur d'Alene, ID 83814.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

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.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Ralph Kizer, Idaho Panhandle National Forests, P.O. Box 310, Coeur d'Alene, ID 83814.

Comments must be received by May 3, 1976, in order to be considered in the preparation of the final environmental statement.

RALPH D. KIZER,
Forest Supervisor.

[FR Doc. 76-6996 Filed 3-10-76; 8:45 am]

LAND USE PLAN—HORSE CREEK ADMINISTRATIVE-RESEARCH PROJECT

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 Land Use Plan—USDA—FS—RL(17)—FES—Adm-76-5.

The environmental statement concerns the proposed implementation of a revised Land Use Plan for the Horse Creek Administrative-Research Project, Selway Ranger District, Nezperce National Forest, Idaho County, Idaho. The entire Horse Creek drainage is 16.8 square miles and about 10,750 acres of National Forest land are affected. This is the first intensive effort to accomplish the Meadow Creek Barometer Watershed objective of assessing the impact of land management activities on the soil and water resources in the Northern Rocky Mountain physiographic province. This environmental statement deals with the environmental impacts resulting from this proposed study.

This final environmental statement was transmitted to CEQ on March 4, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence Ave., SW, Washington, D.C. 20250.

USDA, Forest Service, Northern Region, Federal Building, Missoula, MT 59801.

USDA, Forest Service, Nezperce National Forest, 319 E. Main, Grangeville, ID 83530.

USDA, Forest Service, Selway Ranger District, Kooskia, ID 83539.

A limited number of single copies are available upon request to:

USDA, Forest Service, Nezperce National Forest, 319 E. Main, Grangeville, ID 83530.

USDA, Forest Service, Selway Ranger District, Kooskia, ID 83539.

Copies of the environmental statement have been sent to various Federal State and local agencies as outlined in the CEQ guidelines.

ED LARSEN,
Acting Forest Supervisor, Nezperce National Forest, Northern Region.

MARCH 4, 1976.

[FR Doc. 76-6997 Filed 3-10-76; 8:45 am]

TWISP-WINTHROP-CONCONULLY PLANNING UNIT

Availability of Draft Environmental Statement; Extension of Review Period

The notice of availability for the Twisp-Winthrop-Conconully Planning Unit Land Use Plan, Okanogan National Forest, Oregon, USDA-FS-R6-DES-(Adm)-76-5, that appeared in the FEDERAL REGISTER Volume 41, Number 13, Tuesday, January 20, 1976, (41 FR 2838), is corrected to extend the review period to March 19, 1976.

CURTIS L. SWANSON,
Regional Environmental Coordinator
Planning, Programming,
and Budgeting.

MARCH 5, 1976.

[FR Doc. 76-6910 Filed 3-10-76; 8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

UNIVERSITY OF WISCONSIN

Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (40 F.R. 12253 et seq., 15 CFR 701, 1975.)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Subsection 301.8 of the Regulations provides in pertinent part:

"The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. * * * If the applicant fails, within the applicable time periods specified above, to either (a) inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior

denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of Subsection 301.11."

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effects of a final decision denying their respective applications.

Subsection 301.8 further provides:

"* * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant."

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket number: 75-00129-36-46070. Applicant: University of Wisconsin—Oshkosh, Department of Biology, Oshkosh, Wisconsin 54901. Article: Scanning Electron Microscope, Model HHS-2R. Date of denial without prejudice to resubmission: October 14, 1975.

Docket number: 75-00550-99-30095. Applicant: The Evergreen State College, Laboratory Building, Olympia, Washington 98505. Article: Stopped Flow Spectrophotometer and attachments. Date of denial without prejudice to resubmission: November 10, 1975.

Docket number: 75-00573-33-46070. Applicant: University of Illinois at Medical Center, College of Dentistry, Department of Oral Pathology, 808 S. Wood Street, Rm. 386 DMP, Chicago, IL 60612. Article: Stereoscan Scanning Electron Microscope, Model S4-10. Date of denial without prejudice to resubmission: November 13, 1975.

Docket number: 76-00013-33-46500. Applicant: Indiana University, Purchasing Department, 1101 East 17th Street, Bloomington, IN 47401. Article: OMU3 Ultramicrotome with stereoscopic microscope and accessories. Date of denial without prejudice to resubmission: November 11, 1975.

Docket number: 76-00020-33-90000. Applicant: St. Joseph's Hospital & Medical Center, 350 West Thomas Road, P.O. Box 2071, Phoenix, Arizona 85001. Article: EMI Scanner with Magnetic Tape Transport System and Diagnostic Display Console. Date of denial without prejudice to resubmission: November 11, 1975.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import
Programs Division.

[FR Doc.76-6895 Filed 3-10-76;8:45 am]

HARDWARE SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974), notice is hereby given that a meeting of the Hardware Subcommittee of the Computer Systems Technical Advisory Committee will be held on Tuesday, April 13, 1976, at 1:00 p.m. in Room 5230, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Hardware Subcommittee of the Computer System Technical Advisory Committee was established on July 8, 1975, with the approval of the Director, Office of Export Administration, pursuant to the charter of the committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Hardware Subcommittee was formed to continue the work of the Performance Characteristics and Performance Measurements Subcommittee, pertaining to (a) maintenance of the processor performance tables and further investigation of total system performance; and (b) investigation of array processors in terms of establishing the significance of these devices and determining the differences in characteristics of various types of these devices.

The Subcommittee meeting agenda has six parts:

GENERAL SESSION

- (1) Opening remarks by the Subcommittee Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Discussion of applications of microprocessors.
- (4) Difficulties of putting them into operation.
- (5) The netting of microprocessors.

EXECUTIVE SESSION

- (6) Discussion of matters properly classified under Executive Order 11652, dealing

with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (6), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in *Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.*, September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER (40 FR 56960, appearing in the issue of December 5, 1975).

Dated: March 8, 1976.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.76-6915 Filed 3-10-76;8:45 am]

TECHNOLOGY TRANSFER SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C.

App. I (Supp. IV, 1974), notice is hereby given that a meeting of the Technology Transfer Subcommittee of the Computer Systems Technical Advisory Committee will be held on Wednesday, April 14, 1976, at 9:30 a.m. in Room 1851, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C.

The Computer Systems Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) and the Federal Advisory Committee Act. The Technology Transfer Subcommittee of the Computer Systems Technical Advisory Committee was initially established on April 10, 1974. On July 8, 1975, the Director, Office of Export Administration approved the reestablishment of this Subcommittee pursuant to the charter of the Committee.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer systems, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls. The Technology Transfer Subcommittee was formed to examine the impact of transferring Automatic Data Processing technology to Communist destinations.

The Subcommittee meeting agenda has six parts:

GENERAL SESSION

- (1) Opening remarks by the Subcommittee Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Review of previous Subcommittee meeting.
- (4) Discussion of definitions and taxonomy of computer software for use by Office of Export Administration officials.
- (5) Discussion of rationale for control of software exports.

EXECUTIVE SESSION

- (6) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Subcommittee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (6), the Acting Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on November 25, 1975, pursuant to section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive

Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Subcommittee during the Executive Session of the meeting have been properly classified under the Executive Order. All Subcommittee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Domestic and International Business Administration, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in "Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al., September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Computer Systems Technical Advisory Committee and of any subcommittees thereof was published in the FEDERAL REGISTER (40 FR 56960 appearing in the issue of December 5, 1975).

Dated: March 8, 1976.

RAUER H. MEYER,
Director, Office of Export Administration,
Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.76-6916 Filed 3-10-76;8:45 am]

Maritime Administration

[Docket No. S-497]

LYKES BROS. STEAMSHIP CO., INC.

Notice of Amended Application

Notice of Application was given in the FEDERAL REGISTER of May 22, 1975 (40 FR 22288), that Lykes Bros. Steamship Co., Inc., had filed an application with the Maritime Subsidy Board pursuant to Title VI (46 U.S.C. 1171-1183) of the Merchant Marine Act, 1936, as amended, (the Act) for a renewal of its long-term operating-differential subsidy agreement.

Notice is hereby given that the service description contained in the above referenced Notice of Application has been amended to include an additional service summarized as follows:

6. Trade Area 4—A minimum of 3 and a maximum of 10 sailings during each Great

Lakes navigational season between U.S. Great Lakes and St. Lawrence River ports and ports in Portugal, Spain south of Portugal, Atlantic Morocco, and the Mediterranean Sea (including the Adriatic Sea, Aegean Sea, Black Sea and other seas which are arms of the Mediterranean (including in each case the island ports therein)), with permissive calls between a Canadian port or ports on the Great Lakes and St. Lawrence River and the foreign ports stated above; calls may be made on a privilege basis between a United States port or ports on the St. Lawrence River and a Canadian port or ports on the Great Lakes, between a United States port or ports on the Great Lakes and a Canadian port or ports on the St. Lawrence River and between a port or ports on the Great Lakes and the St. Lawrence River and a port or ports in Southwest Asia from Suez to Burma, inclusive and Africa from the Red Sea and Gulf of Aden; vessels on this service may not during the course of a voyage, (a) call at any U.S. port to load or discharge cargo or passengers in the domestic commerce of the United States or, (b) call at any Canadian Great Lakes port to load or discharge cargo or passengers carried between any such Canadian port and United States Great Lakes ports.

Any person, firm or corporation having any interest in this amendment to the application and desiring a hearing on issues pertinent to section 605(c) of the Act (46 U.S.C. 1175), should by the close of business on March 23, 1976, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate and file a petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Maritime Subsidy Board.

Each such statement of interest and petition for leave to intervene shall state whether a hearing is requested under section 605(c) of the Act and, with as much specificity as possible, the facts that the intervenor would undertake to prove at the hearing.

In the event that a hearing is ordered under section 605(c) in regard to this amendment of the application, said hearing will be consolidated with the proceedings (Docket S-451) already ordered and scheduled for May 17, 1976, in regard to the original Notice of Application concerning Lykes' renewal of its long-term operating-differential subsidy agreement. Otherwise the Board will take such action as may be appropriate.

Dated: March 8, 1976.

By Order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS)).

[FR Doc.76-7022 Filed 3-10-76;8:45 am]

[(Docket No. S-496)]

WATERMAN STEAMSHIP CORP.

Notice of Application

Notice is hereby given that Waterman Steamship Corporation (the Operator), a New York Corporation, 120 Wall Street, New York, New York 10005, has filed an

application dated February 11, 1976, with the Maritime Subsidy Board (Board), pursuant to Title VI (46 U.S.C. 1171-1183) of the Merchant Marine Act, 1936, as amended (the Act), for either (1) an extension of its present Operating-Differential Subsidy Agreement, Contract No. MA/MSB-253 (the Agreement), to aid in the operation of four C4 type vessels on its existing service on Trade Route No. 21 (U.S. Gulf/Western Europe), with the privilege of calling at ports in the Scandinavian and Baltic countries (including ports in the U.S.S.R.) and U.S.S.R. ports east of Finland in the Barents Sea, or, alternatively, (2) an interim operating-differential subsidy agreement to be effective upon the termination of the present Agreement on April 22, 1976, and to continue in effect until resolution of issues concerning the Operator's application for a new twenty-year operating differential subsidy agreement covering operations on Trade Route No. 21.

The Operator presently provides regular liner service on Trade Route No. 21 with four C4 Type vessels. The Operator expects to continue its operation on Trade Route No. 21 in the manner permitted by its existing Agreement, with no change in the service description, ships utilized, or sailing requirements. The extension of the Agreement, or, alternatively, an interim contract, is requested in order to provide continuity of service on Trade Route No. 21 pending the resolution of issues concerning the Operator's application for a twenty-year operating-differential subsidy agreement to cover operations on Trade Routes Nos. 21, 5-7-8-9, 6 and 11 (Docket No. S-421).

Interested parties may inspect this application in the Office of the Secretary, Maritime Subsidy Board, Room 3099-B, Department of Commerce Building, 14th & E Streets, N.W., Washington, D.C. 20230.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Act (46 U.S.C. 1175), should by the close of business on March 23, 1976, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate, and file petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Board.

Each such statement of interest and petition for leave to intervene shall state whether a hearing is requested under section 605(c) of the Act (46 U.S.C. 1175), and, with as much specificity as possible, the facts that the intervenor would undertake to prove at such hearing.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

Dated: March 8, 1976.

By Order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.76-7021 Filed 3-10-76;8:45 am]

National Bureau of Standards

FEDERAL INFORMATION PROCESSING STANDARDS TASK GROUP 13 WORKLOAD DEFINITION AND BENCHMARKING

Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that the Federal Information Processing Standards Task Group 13 (FIPS TG-13), "Workload Definition and Benchmarking," will hold a meeting from 10:00 a.m. to 4:00 p.m. on Wednesday, April 14, 1976, in Room B-255, Building 225, of the National Bureau of Standards at Gaithersburg, Maryland.

The purpose of this meeting is to review the progress of two work-groups which are addressing the areas of Problem Definition and Benchmark Program Transferability.

The public will be permitted to attend, to file written statements, and, to the extent that time permits, to present oral statements. Persons planning to attend should notify the Acting Executive Secretary, Mr. Arthur F. Chantker, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234 (Phone—301-921-3485).

Dated: March 5, 1976.

ERNEST AMBLER,
Acting Director.

[FR Doc.76-6897 Filed 3-10-76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. 76F-0063]

ASHLAND OIL, INC.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 5A3036) has been filed by Ashland Oil, Inc., 5200 Paul G. Blazer Memorial Pkwy., Dublin, OH 43107, proposing that § 121.1221 *Ethoxylated mono- and diglycerides (polyoxyethylene (20) mono- and diglycerides of fatty acids)* (21 CFR 121.1221) be amended to provide for safe use of ethoxylated mono- and diglycerides as an emulsifier and anti-spattering agent in salad oils and cooking oils.

The environmental impact analysis report and other relevant material have been reviewed, and it has been deter-

mined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: March 3, 1976.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.76-6903 Filed 3-10-76;8:45 am]

Health Resources Administration COOPERATIVE HEALTH STATISTICS ADVISORY COMMITTEE

Meeting

Correction

In FR Doc. 76-6194 appearing on page 9413 in the issue of Thursday, March 4, 1976, on page 9413, in the second column, the last line of the first complete paragraph should read as follows: "Telephone (301) 443-1470".

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales Registration

[Docket No. 17-76-501]

BLUE MESA, INC.

Notice of Hearing

In the matter of Blue Mesa, Units 1-2, Blue Mesa, Inc. OILSR No. 0-2400-05-051, Doc. No. 75-322-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Blue Mesa, Inc., Roy R. Romer, President and Director, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 *et seq.*) received a Notice of Proceedings and Opportunity for Hearing issued January 21, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Blue Mesa, Inc., located in Denver, Colorado, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received February 18, 1976, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR

1720.160(d), IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street SW., Washington, D.C., on April 1, 1976 at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 18, 1976.

6. The Respondent is HEREBY NOTIFIED that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: February 19, 1976.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.76-6931 Filed 3-10-76;8:45 am]

[Docket No. N-76-502]

CAROLINA COVE CORP. AND HAROLD C. SIMMONS

Notice of Hearing

In the matter of: Carolina Cove Contran Corporation and Harold C. Simmons, President OILSR No. 0-3137-49-357, Doc 76-19-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Carolina Cove Contran Corporation and Harold C. Simmons, President, its officers and agents, hereinafter referred to as "Respondent", being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 *et seq.*) received a Notice of Proceedings and Opportunity for Hearing issued January 27, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Carolina Cove Contran Corporation in Walker County, Texas, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received February 13, 1976, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations con-

tained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, S.W., Washington, D.C., on April 2, 1976 at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 20, 1976.

6. The Respondent is HEREBY NOTIFIED that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

Dated: February 24, 1976.

[FR Doc.76-6932 Filed 3-10-76; 8:45 am]

[Docket No. N-76-508]

FOUR SEASONS CAMPING RESORT

Notice of Hearing

In the matter of: Four Seasons Camping Resort Doc. 75-256-IS.

Pursuant to 15 U.S.C. 1706(e) and 24 CFR 1720.165(b) Notice is hereby given that:

1. Four Seasons Camping Resort and Mr. Matt Onopiuk, President, its officers and agents, hereinafter referred to as "Respondent", being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.) received a Notice of Proceedings and Opportunity for Hearing issued November 18, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Four Seasons Camping Resort in West Finley, Pennsylvania, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received December 15, 1975, in response to the Suspension Order.

3. In said Answer the Respondent requested a hearing on the allegations

contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, S.W., Washington, D.C., on March 24, 1976 at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 11, 1976.

6. The Respondent is HEREBY NOTIFIED that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated: February 25, 1976.

JAMES W. MAST,
Administrative Law Judge, Department of Housing and Urban Development.

[FR Doc.76-6933 Filed 3-10-76; 8:45 am]

[Docket No. N-76-500]

MEADOWBROOK CAMPSITES

Notice of Hearing

In the matter of Meadowbrook Campsites, OILSR No. 0-4184-41-55 Doc. No. 76-11-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Resort Sites, Inc., Robert M. Carpenter, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. Law 90-448) (15 U.S.C. 1701 et seq.) received a Notice of Proceedings and Opportunity for Hearing issued January 21, 1976, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Meadowbrook Campsites, located in Westlake, Ohio, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received February 5, 1976, in response to

the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), IT IS HEREBY ORDERED that a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, S.W., Washington, D.C., on March 26, 1976, at 10:00 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 12, 1976.

6. The Respondent is HEREBY NOTIFIED that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

Dated: February 18, 1976.

[FR Doc.76-6934 Filed 3-10-76; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 76-020]

ENVIRONMENTAL IMPACT STATEMENTS

Proposed Procedures for Consideration, Bridge Permit Actions

On October 22, 1975, the Coast Guard published in the FEDERAL REGISTER (40 FR 49383) COMMANDANT INSTRUCTION 5922.10B on Procedures for Considering Environmental Impacts. This notice proposes an Enclosure (6) to those procedures which is guidance for determining whether a bridge permit action is a major or minor Federal action under the guidelines of the Council on Environmental Quality (40 CFR Part 1500).

Policy and procedure for bridge permit actions have been developed by the Coast Guard in coordination with the Federal Highway Administration and the Office of the Secretary of the Department of Transportation. Because most Coast Guard bridge permit actions arise in conjunction with Federal-aid highway projects, this Enclosure (6) is intended to bring Coast Guard environmental impact procedures into conformity with

Federal Highway Administration procedures.

Before taking final action to issue these proposed procedures, the Coast Guard will consider the timely comments of all interested parties. Comments should identify the docket number (CGD 76-020) and be submitted in writing to the Executive Secretary, Marine Safety Council (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590. Comments received before April 26, 1976, will be considered before final action is taken. All docketed comments will be available for public inspection and copying before and after the closing date for comments in Room 8117, Nassif Building, 400 Seventh Street, SW, Washington, D.C.

Dated: March 8, 1976.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Marine Environment and Systems.

[FR Doc.76-6994 Filed 3-10-76;8:45 am]

CHANGE 1 TO COMMANDANT INSTRUCTION 5922.10B PROCEDURES FOR CONSIDERING ENVIRONMENTAL IMPACTS

Encl (8) to Comdtinst 5922.10B

BRIDGE PERMIT ACTIONS

Bridge permit actions under consideration by the Coast Guard may be classified as major or non-major federal actions for the purpose of the National Environmental Policy Act (NEPA) of 1969. However, any permit actions which involve significant environmental impacts shall be considered major federal actions.

1. Examples of typical bridge projects that would ordinarily be considered major actions include:

a. A new bridge in connection with a circumferential or arterial highway or a new freeway or expressway, main line railroad, major gas or petroleum pipeline or other major transportation system mode.

b. A new or substantially altered bridge which provides new access to an area and is likely to precipitate significant changes in land use, natural resource exploitation or development use.

Frequently these major permit actions will also involve waterways which support a significant amount of commercial or recreational vessel activity. In these waterways, improper location or alignment of bridge piers or bridge structure may result in collisions. A major collision and spill could have a catastrophic impact on the marine as well as terrestrial environment.

1. A non-major determination may be appropriate if the bridge project for which a permit application is submitted can be accurately described as one of the following:

a. Reconstruction of an existing bridge on the same alignment;

b. Modernization of an existing bridge involving widening by a width less than a single lane;

c. Modification of a bridge to provide better vehicular access and flow across the structure;

d. Addition to a bridge of the capability of carrying utility pipes or ducts or pedestrian sidewalks;

e. Temporary replacement of a bridge which is commenced immediately after the occurrence of a natural disaster or cata-

strophic failure where such bridge project is related to public safety, health and welfare.

Such projects will frequently be located on waterways which are navigable waters of the United States, but are not navigable in fact, or, if navigable in fact, support only an insignificant amount of commercial or recreational vessel activity. The waterways so described do not carry the type and volume of marine traffic that could through collision or other catastrophic involvement with a bridge structure create a condition that would significantly affect the environment. Therefore, projects described in (a) through (e) above generally will not through either the marine mode of transportation under the bridge or the land mode across the bridge structure cause a significant environmental impact.

3. Other actions related to the Bridge Administration Program that are normally non-major federal actions include:

a. Approval of extension of time to commence or complete construction pursuant to an existing Coast Guard permit;

b. Approval of deviations from approved plans which do not significantly alter the approved location or plans;

c. Promulgation of operating regulations for drawbridges.

4. Bridge construction projects will arise that are not easy to classify as major or non-major actions. Certain bridge projects normally classified as non-major actions may be classified as major actions by the Coast Guard district commander when he determines that special consideration may warrant such action. In all cases determined to be non-major, the district commander may, upon receipt of documentation in response to the normal circulation of the Coast Guard public notice describing the project, decide that the proper category for the project should be changed to major and subsequently treat the project in that fashion based on new information identifying significant environmental impacts.

5. Permit actions determined to be major are subject to the provisions of section 102 (2) (C) of NEPA. An Environmental Impact Statement (EIS) or negative declaration is required.

6. Permit actions determined to be non-major are not subject to the provisions of section 102(2)(C). However, each case determined to be non-major shall be appropriately documented to demonstrate that project review supports the non-major decision.

7. Bridge projects classed as non-major actions, not subject to section 102(2)(C) provisions of NEPA, may be subject to specific Acts of environmental protection such as section 4(f) of the DOT Act and section 106 of the National Historic Preservation Act. They shall be processed accordingly under the provisions of these Acts.

8. The Coast Guard has a Memorandum of Understanding with the Federal Highway Administration (FHWA) under which the Coast Guard generally accepts the FHWA environmental documentation under the "lead agency" concept where the proposed bridge is located on a federal-aid highway project. This "lead agency" concept shall extend to the major/non-major categorization of projects except in instances where the district commander has reason to question the adequacy of an FHWA non-major determination in relation to a specific bridge project. Such a situation is most likely to arise where an FHWA non-major determination is related to a project crossing a stream or waterway that carries a significant amount of navigation. In these cases the Coast Guard dis-

trict commander's investigation shall determine whether the non-major determination can be accepted or the more formal EIS or negative declaration should be utilized.

[FR Doc.76-6994 Filed 3-10-76;8:45 am]

[CGD 76 030]

COAST GUARD ACADEMY ADVISORY COMMITTEE

Open Meeting

The Coast Guard Academy Advisory Committee will conduct an open meeting on Monday-Wednesday, April 26-28, 1976 at the U.S. Coast Guard Academy. Meetings will begin at 9 a.m. on Monday and Tuesday, April 26-27 and remain in session until 4 p.m. both days. On Wednesday, April 28, the final session will begin at 9 a.m. and adjourn at approximately Noon.

The purpose of the meetings is to discuss:

1. Review of Fall 1975 Advisory Committee recommendation.

2. Academic Program.

3. New England Association of Schools and Colleges accreditation and conditions.

4. Review of ECPD accreditation and conditions.

5. Faculty (balance; quality; professional growth).

6. Rehabilitation and growth of McAllister Hall.

7. Communications.

8. General Discussion with the Academic Council.

9. Programs, Personnel and Physical Plant.

The Coast Guard Academy Advisory Committee was established in 1937 by Commandant, U.S. Coast Guard to advise on the status of the curriculum and faculty of the Academy and to make recommendations as necessary.

The Coast Guard Academy Advisory Committee was renewed by the Commandant for a two year period, commencing on January 16, 1975 and terminating January 15, 1977.

Public members of the committee serve voluntarily and without compensation from the Federal Government.

Interested persons may attend, appear before and file statements with the Coast Guard Academy Advisory Committee.

All records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda or other documents made available to or prepared for or by the Coast Guard Academy Advisory Committee are available for public inspection and copying at the Dean's Office, U.S. Coast Guard Academy, New London, Connecticut between the hours of 9 a.m. and 4 p.m.

Interested persons may seek additional information by contacting:

Capt. R. M. White, Dean of Academies, Executive Secretary of Academy Advisory Committee, U.S. Coast Guard Academy, New London, Connecticut 06320, 203-443-8214/8367

This notice is published in accordance with section 10(a) (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770 (5 U.S.C. App. 1)).

Dated: March 5, 1976.

P. E. SCHROEDER,
Captain, U.S. Coast Guard,
Chief, Training and Education
Division, by direction of the
Commandant.

[FR Doc.76-6993 Filed 3-10-76;8:45 am]

ADVISORY COMMITTEE ON NATIONAL GROWTH POLICY PROCESSES TO NATIONAL COMMISSION ON SUPPLIES AND SHORTAGES

MEETING

Notice is hereby given, pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 10(a), that the Advisory Committee on National Growth Policy Processes to the National Commission on Supplies and Shortages will conduct a public meeting on March 26, 1976, in Room 2010 of the New Executive Office Building, located at 17th & H Streets, N.W., Washington, D.C. The meeting will begin at 9:30 a.m. The objectives and scope of activities of the Advisory Committee on National Growth Policy Processes is " * * * to develop recommendations as to the establishment of a policy making process and structure within the Executive and Legislative branches of the Federal Government as a means to integrate the study of supplies and shortages of resources and commodities into the total problem of balanced national growth and development, and a system for coordinating these efforts with appropriate multi-state, regional and state governmental jurisdictions."

The summarized agenda for the meeting is as follows:

1. Discussion of Specific Tasks Related to Implementation of Committee Work Plan.
2. Review and Analysis of Selected Executive Branch Policy Agencies (Domestic Council, etc.).

In the event the Committee does not complete its consideration of the items on the agenda on March 26, 1976, the meeting may be continued on the following day or until the agenda is completed.

The meeting is open to the public. The Chairman of the Committee will conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public that wishes to file a written statement with the Committee should mail a copy of the statement to the Advisory Committee on National Growth Policy Processes, 1750 K Street, N.W., 8th Floor, Washington, D.C. 20006, at least five days before the meeting. Members of the public that wish to make oral statements should inform Katherine Soaper, telephone (202) 254-6836, at least five days before the meeting, and reasonable provisions will be made for their appearance on the agenda.

Notice also is hereby given that the Advisory Committee on National Growth Policy Processes will conduct additional public meetings during the calendar year of 1976 on the following dates:

April 30, 1976	September 24, 1976
May 28, 1976	October 29, 1976
June 24-25, 1976	November 19, 1976
July 30, 1976	December 10, 1976
August 27, 1976	

An additional monthly notice regarding each of these meetings will appear in the FEDERAL REGISTER at least 15 days prior to each meeting date, stating the time, location and other meeting details. While all of the above mentioned dates are subject to change, any such change would be published in the FEDERAL REGISTER at least 15 days before the planned date of the meeting.

The Advisory Committee is maintaining a list of persons interested in the operations of the Committee and will mail notice of its meetings to those persons. Interested persons may have their names placed on this list by writing James E. Thornton, Executive Director, The Advisory Committee on National Growth Policy Processes, 1750 K Street, N.W., 8th Floor, Washington, D.C. 20006.

Dated: March 8, 1976.

ARNOLD A. SALTZMAN,
Chairman, The Advisory Committee on National Growth Policy Processes.

[FR Doc.76-6977 Filed 3-10-76;8:45 am]

AMERICAN INDIAN POLICY REVIEW COMMISSION

HEARINGS

Notice is hereby given pursuant to the provision of the Joint Resolution establishing the American Indian Policy Review Commission (Pub. L. 93-580), as amended, that hearings related to their proceedings will be held in conjunction with Commission Task Force No. 6's investigation of Indian Health. An informal hearing to cover the states of Wyoming and Montana will be held on Saturday and Sunday, March 13th and 14th, 1976 from 9:00 a.m. until 5:00 p.m. at the Northern Hotel, First Avenue N and Broadway, Billings, Montana.

The American Indian Policy Review Commission has been authorized by Congress to conduct a comprehensive review of the historical and legal developments underlying the unique relationship of Indians to the Federal Government in order to determine the nature and scope of necessary revision in the formulation of policies and programs for the benefit of Indians. The Commission is composed of eleven members, three of whom were appointed from the Senate, three from the House of Representatives and five members of the Indian community elected by the Congressional members.

The actual investigations are conducted by eleven task forces in designated subject areas. These hearings will focus on issues related to the studies of Task Force No. 6's investigation of Indian Health.

Prepared statements may be sent to Task Force No. 6, attention Al Cayous, the American Indian Policy Review Commission, HOB Annex No. 2, 2nd and D Sts. SW., Washington, D.C. 20515. Call Al Cayous, 202-225-1284 for further information.

Dated: March 5, 1976.

KIRKE KICKINGBIRD,
General Counsel.

[FR Doc.76-6948 Filed 3-10-76;8:45 am]

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

NATIONAL ADVISORY COMMITTEE ON AN ACCESSIBLE ENVIRONMENT

Publication of Charter

MARCH 3, 1976.

Notice is hereby given that pursuant to the authority in section 111(N) (2) of the Amendments to the Rehabilitation Act of 1973, Pub. L. 93-516, 88 Stat. 1621, the Architectural and Transportation Barriers Compliance Board Charter has established the National Advisory Committee on an Accessible Environment. The Charter has been prepared in accordance with section 9 of the Federal Advisory Committee Act of October 6, 1972 (16 Stat. 770).

The National Advisory Committee on an Accessible Environment shall provide guidance, advice, and recommendations to the Architectural and Transportation Barriers Compliance Board.

The Charter is hereinafter set forth.

Dated: February 26, 1976.

STANLEY B. THOMAS, Jr.,
Chairman.

[FR Doc.76-6976 Filed 3-10-76;8:45 am]

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

NATIONAL ADVISORY COMMITTEE ON AN ACCESSIBLE ENVIRONMENT CHARTER

PURPOSE: The purpose and objective of the National Advisory Committee on an Accessible Environment is to utilize the knowledge, talents, and experience of handicapped individuals, officials of the various organizations and groups representing the handicapped, or responding to the rights and needs thereof, and other individuals and officials with a capacity to assist in providing advice, guidance, and recommendations to the Architectural and Transportation Barriers Compliance Board in carrying out its functions under section 502 Pub. L. 93-112, as amended.

AUTHORITY: 29 U.S.C. 792 et seq. The Committee is established pursuant to the 1974 amendments to the Rehabilitation Act, Pub. L. 93-516, 29 U.S.C. 792 et seq. and governed by provisions of Pub. L. 92-463 which sets forth standards for the formation and use of advisory committees.

DUTIES AND SCOPE OF ACTIVITY

1. Rendering advice to the Architectural and Transportation Barriers Compliance Board with respect to its functions and discharge of responsibilities, particularly in-

cluding, but not limited to, the establishment of policies, plans, and proposals for actions necessary to make public buildings and facilities, housing, and transportation available and accessible to handicapped individuals; and to eliminate the barriers of attitude and behavior which may restrict or impair the accomplishment of an accessible environment.

2. Proposing for consideration by the Architectural and Transportation Barriers Compliance Board legislative and administrative measures to be taken by Federal, State, and local governments, and by other public or nonprofit agencies to eliminate architectural and transportation barriers.

3. Providing input from organizations, groups, and individuals having an interest in and a capacity to deal with the elimination of environmental and attitudinal barriers, and acting as a conduit of information and cooperation from those organizational and individual concerns whose assistance is deemed essential in meeting the mission and goal of the Architectural and Transportation Barriers Compliance Board.

4. Establishing liaison between the various organizations and groups representing the handicapped in support of the development of comprehensive and consistent policies and action as may be necessary or desirable for the elimination of all categories of barriers.

MEMBERSHIP: The Chairman, A&TBCB, shall ask the National organizations representing the handicapped, and other groups, for nominations for appointment by the Architectural and Transportation Barriers Compliance Board to the 16-member Advisory Committee. The majority membership of the Committee shall consist of handicapped individuals. Members shall be limited to serve for overlapping two year terms, with the initial limitation being extended to 8 members for one year and 3 members for two years. Personnel appointments will be effected annually; terms of more than one year are contingent upon the renewal of the Committee by appropriate action prior to its termination.

STRUCTURE: The Committee's organization, the designation of the Chairman of the Committee, and its various sections shall be determined by its members. Such organization and internal operation may be changed from time to time, as the need arises, in order to fulfill its responsibilities. Staff services shall be provided by the Architectural and Transportation Barriers Compliance Board, and the Executive Director, A&TBCB, shall serve as Executive Secretary of the Committee.

MEETING: Meetings will be held quarterly or as often as decided on by the Chairman with the advance approval of the Executive Director, A&TBCB, who shall also approve the agenda. This Federal official or his designee will be present at all meetings.

Meetings shall be conducted and records of the proceedings kept as required by Pub. L. 92-463, Executive Order 11769, and applicable Office of Management and Budget, and Architectural and Transportation Barriers Compliance Board regulations.

COMPENSATION: Committee members who are not full-time federal employees shall be paid at the rate of \$100.00 per day, plus per diem and travel expenses in accordance with Standard Government Travel Regulations.

ANNUAL COST ESTIMATE: The annual cost related to the operation of the Advisory Committee is estimated at \$42,000 (travel per diem, and miscellaneous expenses). Estimated man years are as follows:

a. Advisory Committee members.....	3
b. Other Architectural and Transportation Barriers Compliance Board personnel necessary to render support to the Advisory Committee....	1/2
	3 1/2

REPORT: The advice, recommendations and proposals of the Advisory Committee shall be reported to the A&TBCB through the Chairman, A&TBCB. The Committee shall make a report of its activities annually on or before the 31st day of each year. Copies of all such reports shall be made public.

DURATION/TERMINATION: This Advisory Committee shall function for a period consistent with the authorization contained in section 502(a) of Public Law 93-712. Continuation of the Committee is subject to biennial review and renewal as required by section 14 of Pub. L. 92-463.

[FR Doc.76-6976 Filed 3-10-76; 8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

CERTAIN COTTON TOWELS FROM PAKISTAN

Adjusting Import Level

MARCH 8, 1976.

On December 4, 1975, there was published in the FEDERAL REGISTER (40 F.R. 56716), a letter dated December 2, 1975 from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs, permitting entry of shipments from Pakistan in Category 31 (other than shop towels) which exceeded the level of restraint established under the Bilateral Cotton Textile Agreement of May 6, 1975, between the Governments of the United States and Pakistan, for the eighteen-month period which began on July 1, 1974 and extended through December 31, 1975. The two governments agreed that the additional amount would be charged against the level of restraint applicable to Category 31 (other than shop towels) during the agreement year which began on January 1, 1976. The purpose of this notice is to advise that 4,661,706 pieces are being charged to that level. This amount includes entries in excess of the level of restraint and carryforward applied to the level of the previous agreement year under paragraph 7(a) (ii) of the bilateral agreement.

ALAN POLANSKY,
Chairman, Committee for the
Implementation of Textile
Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance,
U.S. Department of Commerce.

[FR Doc.76-6945 Filed 3-10-76; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 502-3; PP4G1495/T34]

FISONS CORP.

Notice of Extension of a Temporary Tolerance; 2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate

On February 11, 1975, the Environmental Protection Agency (EPA) announced (40 FR 6389) that in response to a pesticide petition (PP 4G1495) submitted by Fisons Corp., Agricultural Chemicals Div., Two Preston Court, Bedford MA 01730, temporary tolerances were established for combined residues of the herbicide 2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and its metabolites 2-hydroxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and 2,3-dihydro-3,3-dimethyl-2-oxo-5-benzofuranyl methanesulfonate (both calculated as the parent compound) in or on the following raw agricultural commodities:

Sugar beet tops at 1 part per million (ppm);
Sugar beet roots at 0.1 ppm;
Meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep at 0.03 ppm.

Fisons Corp. has requested a two-month extension of these temporary tolerances to permit continued testing to obtain additional data and to permit the marketing of the above raw agricultural commodities treated in accordance with a temporary permit that is being extended concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

An evaluation of the data submitted in the petition and other relevant material has shown that an extension of these temporary tolerances will protect the public health, and it has been concluded, therefore, that the temporary tolerances should be extended on condition that the herbicide be used in accordance with the experimental use permit with the following provisions:

1. The total amount of the herbicide to be used must not exceed the quantity authorized by the temporary permit which was issued February 4, 1975.

2. Fisons Corp. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These temporary tolerances expire April 4, 1976. Residues not in excess of (a) 1 ppm in or on sugar beet tops, (b) 0.1 ppm in or on sugar beet roots, and (c) 0.03 ppm in meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep remaining after expiration of these temporary tolerances will not be considered actionable if the herbicide is legally applied during the term of and in accordance with the provisions of the

temporary permit and temporary tolerances. These temporary tolerances may be revoked if the temporary permit is revoked or if any scientific data or experience with this herbicide indicate such revocation is necessary to protect the public health.

Dated: March 4, 1976.

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

Statutory Authority: Section 408(j) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 346a(j)].

[FR Doc. 76-7023 Filed 3-10-76; 8:45 am]

FEDERAL POWER COMMISSION

[Docket No. G-10146, et al.]

GETTY OIL CO. ET AL.

Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates¹

MARCH 3, 1976.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

March 29, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-10146..... B 2-17-76	Getty Oil Co., P.O. Box 1404, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., North Half West Delta Block 59, offshore Louisiana.	Expiration of leases.	
G-16146..... D 2-9-76	MAPCO Production Co., et al., 1437 South Boulder Ave., Tulsa, Okla. 74119.	Colorado Interstate Gas Co., Greenwood Field, Morton County, Kans.	Well plugged.	
CI71-560..... C 2-18-76	Phillips Petroleum Co., 5 C4 Phillips Bldg., Bartlesville, Okla. 74004.	El Paso Natural Gas Co., Martin and Midland Counties, Tex.	\$ 53.5	14.73
CI73-280..... (CI67-884) CF 2-19-76	Amoco Production Co., (successor to E. G. Rodman), Security Life Bldg., Denver, Colo. 80202.	Northern Natural Gas Co., Mocane-Laverne Field, Beaver County, Okla.	\$ 18.647	14.65
CI76-382..... (CI72-118) F 10-14-75	Clinton Oil Co., (successor to Amoco Production Co., Suite 645A, 300 West Douglas, Wichita, Kans. 67202.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Placido Field, Victoria County, Tex.	\$ 56.8735	14.65
CI76-383..... B 2-19-76	George E. McGhee (Operator) et al., P.O. Box 5126, Oil Center Station, Lafayette, La. 70501.	Texas Gas Transmission Corp., South Bayou Mallet Field, Acadia Parish, La.	Uneconomical.	
CI76-384..... A 2-13-76	Pacific Lighting Gas Development Co., 720 West 8th St., Los Angeles, Calif. 90017.	Pacific Alaska LNG Co., Cook Inlet Area, Alaska.	49.0	14.65
CI76-386..... A 2-19-76	Perry R. Bass and Bass Enterprises Production Co., 3100 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Natural Gas Pipeline Co. of America, Big Eddy No. 44 Area, Eddy County, N. Mex.	\$ 80	14.65
CI76-387..... A 2-20-76	Mesa Petroleum Co., P.O. Box 2009, Amarillo, Tex. 79105.	Transwestern Pipeline Co., Red Hills Penn and Wolfcamp Fields, Lea County, N. Mex.	\$ 80.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
CI76-388 A 2-20-76	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	Transwestern Pipeline Co., Nash Field, Eddy County, N. Mex.	\$1.0	14.65
CI76-390 A 2-17-76	Tenneco Exploration II, Ltd., P.O. Box 2511, Houston, Tex. 77001.	Tenneco Oil Co., West Cameron 40 Field, offshore Louisiana.	\$1.63	15.025
CI76-391 A 2-17-76	Tenneco Oil Co., P.O. Box 2511, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., West Cameron 40 Field, offshore Louisiana.	\$1.63	15.025
CI76-392 B 2-17-76	General American Oil Co. of Texas, Meadows Bldg., Dallas, Tex. 75206.	Michigan Wisconsin Pipe Line Co., Lawson Field, Acadia Parish, La.	Low pressure	
CI76-393 A 2-23-76	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	Transwestern Pipeline Co., ARCO "EC" State No. 1 Well, Eddy County, N. Mex.	\$6.32	14.65
CI76-394 A 2-20-76	Oxy Petroleum, Inc., 5000 Stockdale Highway, Bakersfield, Calif. 93309.	Michigan Wisconsin Pipe Line Co., Block 115, Ship Shoal Area, offshore Louisiana.	\$7.5	15.025

¹ Includes 1.50¢ gathering allowance and is subject to upward and downward 4.22¢ tax reimbursement.

² Includes 1.63¢ upward British thermal unit adjustment and 0.015¢ tax reimbursement.

³ Includes 1.64¢ upward British thermal unit adjustment and 0.3078¢ gathering allowance.

⁴ Subject to upward and downward British thermal unit adjustment.

⁵ Applicant is willing to accept a certificate in accordance with sec. 2.56a of the Commission's general policy and interpretations.

⁶ Includes 0.5100¢ gathering allowance and is subject to upward and downward British thermal unit adjustment.

[FR Doc.76-6772 Filed 3-10-76;8:45 am]

ALGONQUIN GAS TRANSMISSION CO.

[Docket No. CP69-41]

Order Rejecting Tariff Sheets

MARCH 5, 1976.

On February 6, 1976, Algonquin Gas Transmission Company (Algonquin) filed substitute tariff sheets¹ purporting to comply with Ordering Paragraph B of the Commission's order issued January 9, 1976, in the above-captioned proceeding, which paragraph provides as follows:

Within 30 days of the date of issuance of this order, Algonquin shall file substitute tariff sheets reflecting a demand charge based on the full capacity of the SNG plant of 118,200 MMBtu per day.

That order rejected Algonquin's filing of December 9, 1975, because the demand charge of \$1.402 per MMBtu reflected off-system sales at less than 151 days use and was therefore inconsistent with the 151 days/100% load factor requirement of Condition 6(iv) of Opinion No. 637. On February 6, 1976, Algonquin filed an application for rehearing of the Commission's January 9 order in Docket No. CP69-41 claiming that the tariff sheets filed on December 9, 1975, fully complied with the pertinent orders of the Commission and the requirements of the Natural Gas Act, and that they became effective by operation of law on January 9, 1976. In view of the pendency of its application for rehearing, Algonquin requests such waiver as necessary to permit the substitute tariff sheets to be effective as of January 9, 1976.

Public notice of Algonquin's February 6 filing was issued on February 17, 1976, with protests or petitions to intervene due on or before March 1, 1976.

¹ FPC Gas Tariff, First Revised Volume No. 1—Substitute Twelfth Revised Sheet No. 10; Substitute Original Sheet No. 10-A; Substitute Second Revised Sheet No. 19; Substitute First Revised Sheet No. 20-C; Substitute First Revised Sheet No. 25.

On February 20, 1976, Bay State Gas Company, et al.² (Bay State) filed a protest pointing out that the substitute tariff sheets are identical to those previously rejected by the January 9 order. Bay State requests that the Commission reject the filing and direct Algonquin to comply in full with the Commission's orders.

The substitute tariff sheets filed herein are identical to those rejected by the Commission's January 9 order. Algonquin states that the disputed demand charge of \$1.402 per MMBtu fully complies with the certificate condition requiring that the rate be based on the full capacity of the SNG plant of 118,200 MMBtu per day. Algonquin having raised this very same argument in its application for rehearing of the January 9 order, it is not necessary to repeat herein our discussion of that argument on rehearing. By separate order issued in Docket No. CP69-41, which order is incorporated herein by reference, Algonquin's application for rehearing shall be denied and Algonquin shall be ordered to file within 30 days of the issuance of that order substitute tariff sheets reflecting a demand charge of \$1.353 per MMBtu computed on the basis of 151 days' production at the rate of 118,200 MMBtu per day.

The Commission finds: Good cause exists to reject the substitute tariff sheets tendered for filing by Algonquin on February 6, 1976, as hereinafter ordered.

The Commission orders: (A) The substitute tariff sheets tendered for filing by Algonquin on February 6, 1976, are hereby rejected.

(B) Consistent with the Commission's order denying Algonquin's application for rehearing as heretofore discussed, Algonquin shall file within 30 days of the

² See the attached Appendix for a listing of the protestants, all of which are SNG customers of Algonquin.

issuance of that order substitute tariff sheets reflecting a demand charge of \$1.353 per MMBtu based on the equivalent of 151 days' production at the rate of 118,200 MMBtu per day.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

APPENDIX A

LIST OF PROTESTANTS

Bay State Gas Company
Boston Gas Company
Bristol and Warren Gas Company
Cape Cod Gas Company
Commonwealth Gas Company
The Connecticut Gas Company
Connecticut Natural Gas Corporation
Fall River Gas Company
The Hartford Electric Light Company
Town of Middleborough, Municipal Gas and Electric Department
New Bedford Gas and Edison Light Company
North Attleboro Gas Company
City of Norwich, Department of Public Utilities
Orange and Rockland Utilities, Inc.
Pequot Gas Company
Providence Gas Company
South County Gas Company
The Southern Connecticut Gas Company
Tiverton Gas Company

[FR Doc.76-6893 Filed 3-10-76;8:45 am]

[Docket No. CP69-41]

ALGONQUIN GAS TRANSMISSION CO.

Order Denying Application for Hearing

MARCH 5, 1976.

On December 9, 1975, Algonquin Gas Transmission Company (Algonquin) tendered for filing certain revised tariff sheets proposing to reduce the demand charge of Rate Schedule SNG-1. The proposed reduction was designed to reflect increased sales of SNG pursuant to temporary certificate granted in Docket No. CP69-41 permitting Algonquin to sell certain previously uncontracted volumes of its SNG plant. By order issued January 9, 1976, we rejected the filing and required Algonquin to file substitute tariff sheets reflecting a demand charge based upon the full capacity of the SNG plant of 118,200 MMBtu per day. On February 6, 1976, Algonquin filed an application for rehearing of that order. For the reasons hereinafter stated, we shall deny such application for rehearing.

Algonquin's first specification of error is that the tariff sheets filed by it on December 9, 1975, became effective by operation of law on January 9, 1976,¹ inas-

¹ Although Algonquin requested an effective date of January 9, 1976, after 30 days notice, Algonquin also requested authorization to make related refunds for the period November 1, 1975 to January 9, 1976. Therefore, in effect Algonquin was requesting a retroactive effective date of November 1, 1975.

much as the Commission failed to act within the 30-day notice period.

Algonquin cites *Indiana & Michigan Electric Company v. Federal Power Commission* for the general proposition that the prior notice requirement establishes "not only a minimum notice period for the utility's customers and the Commission, but also a maximum waiting period for the filing utility."²

Although Algonquin properly defines the statutory limitation upon the Commission's suspension powers, such legal restraints do not apply to the facts at hand. Firstly, Algonquin's argument fails to recognize the true nature of its "filing". As explained in the January 9, order: "The rate proposed herein suffers the same defect as that which was the subject of our orders on summary disposition in Docket No. RP75-88." (mimeo, p. 3) By order issued November 10, 1975, in that docket, we ordered Algonquin to file a revised demand charge under Rate Schedule SNG-1 based on the full capacity of the SNG plant as opposed to being based on sales volumes because of the requirements of Certificate Condition 6(iv) imposed by Opinion 637, 48 FPC 1216 (1972). Inasmuch as Algonquin's December 9 filing in Docket No. CP69-41 was also based upon sales volumes in contradiction to our November 10 order in Docket No. RP75-88, and the Certificate Condition 6(iv) of Opinion 637, the 30 days notice period prescribed in Section 4 of the Natural Gas Act never commenced to run. A filing date (i.e., the date from which the 30-day period begins to run) is defined as follows:

Section 154.15 Filing date.

The term "filing date" means the day on which a tariff or part thereof or a contract is received in the office of the Secretary of the Commission for filing in compliance with the requirements of this part. (emphasis added)

Section 154.22 of the Regulations prohibits the filing of any new rate schedule with respect to any service for which a certificate of public convenience and necessity must be obtained, until such certificate has been issued. Algonquin's December 9, 1975, filing did not comply with Algonquin's outstanding certificate obligation³ and therefore the filing represented a rate schedule for which appropriate certificate authority had never been granted by this Commission. Accordingly, the thirty day notice period never began to run. As the United States Supreme Court has stated, the end of the 30 day notice period prescribed in Section 4 of the Natural Gas Act is the time for "the earliest effectuation of contractually authorized or otherwise permissible rate changes consistent with appropriate Commission review." (emphasis added) *United Gas Pipe Line Co. v. Memphis Light, Gas and Water Division, et al.*, 358 U.S. 103, 114 (1958).

Secondly, Algonquin argues that the Commission was without authority to

summarily reject the December 9 filing insofar as that filing was not patently unlawful. Algonquin further alleges that the January 9 order contains erroneous and legally inadequate findings and is not supported by substantial evidence.

At the basis of Algonquin's contentions is the belief that its December 9 filing complied with the certificate condition (Condition 6 (iv)) imposed in Opinion No. 637, 48 FPC 1216 (1972), such condition being the subject of our orders on summary disposition in Docket No. RP75-88. Condition 6 (iv) provides as follows:

Notwithstanding the provisions of any rate schedule or applicable service agreement, said applicant shall not, without prior Commission approval, file any rate schedule providing for any increase in rates based in any part, directly or indirectly, upon any fixed unit costs calculated upon the basis of a total volume of production of synthetic gas by the aforesaid reforming plant, during any period from October 16 through April 15 in any year, less than the equivalent of 151 days' production at the rate of 120,000 Mcf/d [118,200 MMBtu per day]. (48 FPC at 1252)

In Docket No. RP75-88 Algonquin filed increased rates to include a demand charge of \$1,489 per MMBtu per day based on the equivalent of 151 days' production at the rate of only 107,395 MMBtu per day, the latter figure being the contracted sales volumes of Algonquin's "on-system" SNG customers. By order issued November 10, 1975, in Docket No. RP75-88 and order denying rehearing thereof issued January 9, 1976, we found that the proposed demand charge did not comply with Condition 6 (iv) and that enforcement of such a certificate condition was proper for summary disposition. Accordingly, we ordered Algonquin to file a revised demand charge based on the full capacity of the SNG plant of 118,200 MMBtu per day and to refund all amounts collected in excess of that rate. The demand charge so computed would equate to \$1,353 per MMBtu per day.⁴

However, Algonquin argues that the temporary certificate granted in Docket No. CP69-41 by letter order dated November 13, 1975, permitted Algonquin to sell SNG up to the plant capacity of 118,200 MMBtu and that since the rate proposed in the December 9 filing reflected such sales, the Condition 6 (iv) was therefore complied with. In Docket No. CP69-41 Algonquin was granted a temporary certificate to sell the previously uncontracted volumes of its SNG plant to certain "off-system" customers. Our letter order dated November 13, 1975 granting such temporary certificate set forth the following conditions:

A. Algonquin's sales to off-system customers shall be limited to those volumes

of gas available in excess of the requirements of Algonquin's regular SNG customers.

B. Algonquin's demand charge to off-system customers shall be in accordance with Algonquin's Rate Schedule SNG-1 modified, however, such that it will be applicable only on those days when excess gas is tendered, and only to those volumes tendered to the off-system customers.

Algonquin's December 9 filing in CP69-41 made no mention of our November 10 order in Docket No. RP75-88 but instead continued to base its rate upon sales volumes so as to insure recovery of its total fixed costs. Algonquin's submittal letter accompanying its December 9 filing states as follows:

As a result of the "off-system" sales of gas under Rate Schedule SNG-1, the demand revenues collected for such additional sales at the currently effective unit demand charge would provide revenues in excess of the costs filed at Docket No. RP75-88. Accordingly, the purpose of this filing is to reduce the unit demand charge so that the demand charge collections, including those from "off-system" customers, will provide the cost of service filed at Docket No. RP75-88.

Therefore, the demand charge of \$1,402 per MMBtu per day⁵ included in the December 9 filing was based on the sum of the billing demand units of the on-system and off-system customers.

In its application for rehearing, Algonquin argues that reliance upon our orders in Docket No. RP75-88 is misplaced. Algonquin argues that inasmuch as the temporary certificate permitted it to sell SNG up to the plant capacity of 118,200 MMBtu and since the rate proposed in its December 9 filing reflected such sales, then Condition 6(iv) was complied with. However, such reasoning contradicts the express requirement within Condition 6 (iv) that the rate be based on the equivalent of 151 days' production at the rate of full plant capacity. The \$1,402 rate reflects off-system sales at something less than 151 days use and therefore does not comply with the 151 days/100% load factor requirement of Condition 6(iv).

Based on its erroneous interpretation of Condition 6(iv), Algonquin concludes as follows:

To conclude this portion of our argument, we respectfully reiterate that, apart from the non-substantive format changes, all that the December 9, 1975 tariff filing did was to make its tariff consistent with the requirements of Section 4 of the Act, Condition 6(iv), and the temporary certificate order of November 13, 1975 in Docket No. CP69-41. That being so, there is no basis whatever for concluding that the December 9, 1975 tariff filing is "patently unlawful" or a "substantive nullity" and subject to summary rejection. (Application at 22)

As discussed previously, the primary substantive change proposed within the

⁴ Computed as: Fixed Costs: \$24,142,046 (Costs filed at Docket No. RP75-88), Billing Demand Units: 118,200×151=17,848,200 MMBtu. SNG-1 Demand Charge: \$1,353 per MMBtu.

⁵ Computed as: Fixed Costs: \$24,142,046. Billing Demand Units: 17,215,112 MMBtu. SNG-1 Demand Charge: \$1,402 per MMBtu.

² 502 F.2d 336, 341 (D.C. Cir. 1974).

³ See the Commission's January 9, 1975, order supra.

December 9 filing, i.e., the demand charge, clearly contravened Condition 6 (iv) as well as our orders in Docket No. RP75-88 enforcing Condition 6(iv). As we stated in our January 9 order denying rehearing in Docket No. RP75-88: "Enforcement of certificate conditions is proper for summary disposition in that such conditions are enforceable as a matter of law." (mimeo, p. 3).

The Commission finds: Algonquin's application for rehearing raises no issues of fact or law not considered before, or being herein considered, to justify granting rehearing of our order of January 9, 1976.

The Commission orders: (A) Algonquin's application for rehearing is hereby denied.

(B) Within 30 days of the issuance of this order, Algonquin shall file substitute tariff sheets reflecting a demand charge based on the equivalent of 151 days' production at the rate of 118,200 MMBtu per day.

(C) The Secretary shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6881 Filed 3-10-76; 8:45 am]

[Docket No. RP76-61]

BACA GAS GATHERING SYSTEM, INC.

Order Accepting Proposed Rate Changes for Filing, Subject to Condition, Granting Intervention, Denying Request for Waiver, and Accepting Withdrawal of Tariff Sheet

FEBRUARY 27, 1976.

On February 2, 1976, Baca Gas Gathering System, Inc. (Baca) tendered for filing proposed revised tariff sheets to its FPC Gas Tariff.¹ Baca states that the proposed changes would result in increased purchased gas costs of \$190,000 and increased gas sales revenues of \$219,000, resulting in increased net revenues of \$29,000. Baca states further that the increases in operating expenses, almost totally caused by increased compressor fuel cost and decreased gathering fees due to decreased volumes of total gas gathered, exactly offset the projected net revenue increase. Baca has requested that its proposed tariff changes be permitted to become effective January 1, 1976.

Notice of Baca's filing was issued February 10, 1976 with all protests, comments or petitions to intervene due on or before February 23, 1976. A petition to intervene was filed on behalf of Panhandle Eastern Pipe Line Company on February 23, 1976.

On February 19, 1976, Baca filed a notice of withdrawal of Second Revised Sheet No. 3-A to Volume 3 of its FPC

Gas Tariff which was part of the filing tendered on February 2, 1976. Baca stated that such withdrawal was being made in order to permit the Commission to act upon the pending Stipulation and Agreement filed in Docket No. RP76-11 on February 18, 1976. We shall accept Baca's notice of withdrawal of this tariff sheet.

Our review of the remainder of Baca's February 2, 1976 filing indicates that the requested rate increase includes the impact of flowing through a portion of Baca's gas supply at the authorized minimum level of 18.018¢ per Mcf as prescribed by Opinion No. 749.² Baca's price represents the minimum rate of 18¢ per Mcf for old gas plus a tax adjustment. We note however, that both Baca's contract with its producer supplier WECO, and its tariff under which it sells to Panhandle, reflect the utilization of a 14.65 psia pressure base. Since Opinion No. 749 provided that the minimum rate for old gas is 18.0¢ per Mcf at 60° F and 14.73 psia, we shall accept Baca's filing subject to the condition that Baca file revised tariff sheets within 20 days of the date of issuance of this order which reflect an adjustment in the minimum rate of 18.018¢ per Mcf based upon utilization of a pressure base of 14.65 psia rather than a pressure base of 14.73 psia.

Since Baca has offered no basis for its request of an effective date of January 1, 1976, a date prior to its date of filing, we shall not grant waiver of our notice requirements. We shall therefore permit Baca's filing to become effective March 3, 1976, subject to the above condition.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Natural Gas Act that the Commission accept for filing Baca's February 2, 1976 filing in this docket to become effective March 3, 1976, subject to the condition that Baca file revised tariff sheets within 20 days of the date of issuance of this order which reflect an adjustment in the minimum rate of 18.018¢ per Mcf based upon utilization of a pressure base of 14.65 psia rather than a pressure base of 14.73 psia.

(2) Baca's notice of withdrawal of Second Revised Sheet No. 3-A to Volume No. 3 of its FPC Gas Tariff should be accepted.

(3) Good cause exists to grant Panhandle Eastern Pipe Line Company's petition to intervene.

(4) Good cause does not exist to grant Baca's request for waiver from the Commission's notice requirements.

The Commission orders: (A) Baca's proposed rate changes tendered on February 2, 1976 in this docket, as amended by its notice of withdrawal of Second Revised Sheet No. 3-A to Volume No. 3, is hereby accepted for filing and permitted to become effective on March 3, 1976, subject to the condition that Baca file revised tariff sheets within 20 days of the

date of issuance of this order which reflect an adjustment in the minimum rate of 18.018¢ per Mcf based upon utilization of a pressure base of 14.65 psia rather than a pressure base of 14.73 psia.

(B) Baca's notice of withdrawal of Second Revised Sheet No. 3-A to Volume No. 3 of its FPC Gas Tariff is hereby accepted.

(C) The petition to intervene filed on behalf of Panhandle Eastern Pipe Line Company is hereby granted; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in its petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(D) Baca's request for waiver of the Commission's notice requirements is hereby denied.

(E) The Secretary shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6878 Filed 3-10-76; 8:45 am]

[Docket No. E-9547]

CENTRAL MAINE POWER CO. AND RANGELEY POWER CO.

Notice of Amendment to Merger Application

MARCH 5, 1976.

Take notice that on February 23, 1976, the Central Maine Power Company filed an amendment to its application under Section 203 for approval of the acquisition of the assets, properties and franchises of Rangeley Power Company. The amendment seeks inclusion of Rangeley's Maine Electric Power Company (MEPCO) stock, amounting to 32 shares, as part of Central Maine's acquisition.

Any person desiring to be heard or to make any protest with reference to such application should, on or before March 22, 1976, file with the Federal Power Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 C.F.R. 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6883 Filed 3-10-76; 8:45 am]

¹ Third Revised Sheet No. 3-A to Volume No. 1; Second Revised Sheet No. 3-A to Volume No. 2; Second Revised Sheet No. 3-A to Volume No. 3.

² Opinion No. 749, Docket No. R-478, issued December 31, 1975.

[Docket No. CP75-20; CI75-116]

**FLORIDA GAS TRANSMISSION CO.
ET AL.****Notice of Proposed Settlement**

FEBRUARY 27, 1976.

In the matter of Florida Gas Transmission Company, Complainant, Petroleum Management, Inc., and Skelly Oil Company, Defendants and Petroleum Management, Inc., Operator.

Take notice that on February 10, 1976, Petroleum Management, Inc. and Skelly Oil Company filed a letter containing an offer of settlement of the above-entitled proceedings. They stated that this was in response to the Certification on January 27, 1976, by Presiding Administrative Law Judge Ernest Liebman of a question to the Commission regarding the scope of the proceedings.

These proceedings commenced on July 27, 1974, when Florida Gas Transmission Company (Florida Gas) filed a complaint against PMI and Skelly alleging their failure to deliver gas under their certificates and their making sales to other purchasers without obtaining abandonment authority. In an answer PMI alleged that there had been a decline in production in the wells involved and that Florida Gas had not installed the necessary compression facilities. It also filed an application for abandonment on behalf of itself and other leasehold owners. After consolidating the Florida Gas complaint and the PMI abandonment application, the Commission on November 19, 1975, instituted a show cause proceeding against PMI, Skelly, et al. and Florida Gas and provided for a hearing.

By order of January 12, 1976, the Commission denied a motion of PMI and Skelly that it withdraw its order of November 19, 1975; it stated that Florida Gas, PMI or Skelly should have the option to voluntarily install compression facilities to permit the delivery of the subject gas to Florida Gas; it provided that if any of the parties installed compression facilities, the hearing should address the issue of which party should bear the cost of such facilities; it granted a partial stay of the requirement in the November 19, 1975, order that sales to other parties cease; and it set forth the issues to be covered at the hearing as follows:

- (1) Whether such deliveries were unlawfully terminated and, if so, at what point;
- (2) Whether payback should be ordered by the Commission for the volumes of gas lost to the interstate market;
- (3) What alternatives to abandonment are available to the parties or the Commission, and
- (4) Who shall bear the burden of implementing such alternatives.

At a prehearing conference on January 22, 1976, counsel for PMI argued that under the Commission's order of January 12, 1976, if the parties were willing to install compression facilities, the only issue to be litigated was the question as

to who should bear the cost of the installation. The Judge ruled that, as he read the January 12, 1976, order, the issues were not limited to which party should bear the cost of compression facilities, but on January 27, 1976, he certified this question to the Commission.

By their filing of February 10, 1976, PMI and Skelly reaffirmed their belief that their determination to install compression facilities would limit the hearing to the single issue of who would bear the cost of such installations. In addition they make the following offer:

(1) PMI, et al., will voluntarily install compression facilities to permit them to deliver gas to Florida Gas at a pressure of 500 psi;

(2) As a result of such voluntary installation by PMI, et al., these proceedings shall be limited to a resolution of the single issue of who should bear the cost of such compression facilities; and

(3) To resolve this single remaining issue, PMI, et al., offer to bear, at their sole cost and expense, the cost of installing and operating the compression facilities involved provided that the Commission in any order adopting this offer approve their pending abandonment application by authorizing abandonment when the wells will no longer produce gas within the design limitations of the compression facilities to be installed.

Any person, including the parties to this proceeding, may file comments either in support of or in opposition to the proposed settlement. In view of the need for an expeditious resolution of this matter, the Commission finds that good cause exists for the setting of a shortened period for the filing of comments on the proposed settlement, and accordingly requires that all comments be filed on or before March 16, 1976. Copies of such comments will be available in the Office of Public Information of the Federal Power Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-6879 Filed 3-10-76; 8:45 am]

[Docket No. CP76-265]

CONSOLIDATED GAS SUPPLY CORP.**Notice of Application**

MARCH 5, 1976.

Take notice that on February 17, 1976, Consolidated Gas Supply Corporation (Applicant), 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP76-265 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for The Brooklyn Union Gas Company (Brooklyn Union), the construction and operation of measuring and regulating facilities through which to accept delivery of natural gas for Brooklyn Union and the delivery by displacement or of equivalent volumes of natural gas to Transcontinental Gas Pipe Line Corporation (Transco) for the account of Brooklyn Union, all as more fully set forth in the

application on file with the Commission and open to public inspection.

Applicant requests Commission authorization to transport natural gas for Brooklyn Union from points of delivery in Barbour County, West Virginia, to a point of interconnection with Transco at Leidy, Pennsylvania. It is alleged that the gas proposed to be transported would be produced in or near Barbour County by Fuel Resources, Inc., a subsidiary of Brooklyn Union. The proposed transportation service is said to be for the term of twenty years and would be provided by Applicant on a firm basis. The redelivery of natural gas to Transco for the account of Brooklyn Union would be made by Applicant either by reduction of Applicant's receipts of natural gas from Transco pursuant to Transco's FPC Gas Rate Schedule X-56 or by delivery of equivalent volumes of natural gas to those delivered to Applicant for the account of Brooklyn Union at the existing point of interconnection between Applicant and Transco at Leidy, Pennsylvania.

Applicant further proposes to construct and operate measuring and regulating facilities to accept volumes of natural gas from Fuel Resources, Inc., for Brooklyn Union at three points in Barbour County. Applicant estimates that the cost of the facilities would be approximately \$24,097. Applicant states that Brooklyn Union would reimburse Applicant for three-quarters of the actual cost and that Applicant would finance the costs that it would be obligated to bear from funds on hand and funds to be obtained from Applicant's parent corporation, Consolidated Natural Gas Company.

The rate that Brooklyn Union would be required to pay Applicant is said to consist of a monthly demand charge of 56.91 cents per Mcf of the effective contract transportation demand and a commodity charge of 4.34 cents per Mcf of gas transported. The application states that one-fourth of the gas delivered to Applicant would be purchased by Applicant from Fuel Resources, Inc. The initial rate for these purchases would be \$1.00 per Mcf at 14.73 psia, which is said to be the prevailing small producers interstate price, subject to downward Btu adjustment from a base of 1,000 Btu per cubic foot, plus 3.0 cents per Mcf for gathering.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 29, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6890 Filed 3-10-76; 8:45 am]

[Docket No. ER76-517]

CONSUMERS POWER CO.

Notice of Tender of Certificate of Concurrence

MARCH 5, 1976.

Take notice that on February 27, 1976, the Detroit Edison Company tendered for filing a Certificate of Concurrence to the tender of Consumers Power Company on February 18, 1976, in the above-captioned docket.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 22, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6885 Filed 3-10-76; 8:45 am]

[Docket No. CI76-385]

GETTY OIL CO.

Notice of Application

MARCH 5, 1976.

Take notice that on February 17, 1976, Getty Oil Company (Applicant), P.O. Box 1404, Houston, Texas 77001, filed in Docket No. CI76-385 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas to Skelly Oil

Company (Skelly) from gas wells in the Blinbry, et al., Fields, Lea County, New Mexico, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to abandon the sale of natural gas to Skelly from the R. L. Brunson No. 1-P Well and the R. L. Clifton No. 2-M Well in the Blinbry, et al., Fields made pursuant to percentage-type casinghead gas sale contracts. Applicant states that it proposes to abandon the sale because the New Mexico Oil Conservation Commission has reclassified the said wells from oil wells to gas wells; and, therefore, Skelly is no longer contractually entitled to the gas from the subject acreage. Applicant states further that the gas from the subject wells as reclassified is dedicated to El Paso Natural Gas Company pursuant to a gas purchase agreement dated August 15, 1949, as amended.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 29, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6889 Filed 3-10-76; 8:45 am]

[Docket No. ER76-131]

KANSAS CITY POWER & LIGHT CO.

Notice of Tender of Supplemental Data

MARCH 5, 1976.

Take notice that on March 1, 1976, Kansas City Power & Light Company

(KCP&L) tendered supplemental data intended to make complete its original filing of September 17, 1975. This action is in response to a deficiency letter issued by the Secretary of the Federal Power Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6884 Filed 3-10-76; 8:45 am]

[Docket Nos. ER76-310 and ER76-312]

KENTUCKY UTILITIES CO.

Order Accepting for Filing and Making Effective Revised Fuel Adjustment Clauses, and Granting Petition to Intervene

MARCH 5, 1976.

On December 1, 1975, Kentucky Utilities Company (Kentucky) tendered for filing revised fuel cost adjustment clauses applicable to wholesale service rendered to Old Dominion Power Company (Old Dominion) and the City of Paris, Kentucky (Paris). In Docket No. ER76-310, Kentucky submitted one fuel clause application to transmission voltage delivery¹ to Old Dominion, and another fuel clause applicable to distribution voltage delivery² to that customer. Kentucky serves Paris (Docket No. ER76-312) only at the transmission voltage level.³ Kentucky requested that the three revised fuel clauses be permitted to become effective as of January 1, 1976.

Preliminary review of Kentucky's fuel clause filings found them to be deficient with respect to certain filing requirements of the Commission's Regulations. Accordingly, by letter dated December 31, 1975, the Commission's Secretary informed Kentucky of the deficiencies and stated further that filing dates would not be assigned its submittals until the deficiencies were cured. On February 6, 1976, Kentucky submitted additional data which fulfills the filing requirements of the Commission's Regulations.

¹ The transmission voltage fuel clause is designated Supplement No. 1 to Supplement No. 5 to Rate Schedule FPC No. 78.

² The distribution voltage fuel clause is designated Supplement No. 2 to Supplement No. 5 to Rate Schedule FPC No. 78.

³ The fuel clause applicable to Paris is designated Supplement No. 1 to Supplement No. 2 to Rate Schedule FPC No. 83.

Public notices of Kentucky's filings in Docket Nos. ER76-310 and ER76-312 were issued on December 12, 1975, with comments, protests or petitions to intervene due on or before December 29, 1975. A petition to intervene in Docket No. ER76-312 was timely filed by Paris. In addition to seeking intervention, Paris prays for a one-day suspension and hearing "if it becomes necessary," arguing that the revised fuel clause " * * * may still be too high."

Our review of the three fuel clauses submitted by Kentucky in the captioned dockets indicates that the clauses comply with § 35.14 of our Regulations as amended by Order No. 517.⁴ Moreover, Paris' pleading in Docket No. ER76-312, lacking specificity and generally failing to provide any support for its request for suspension and hearing, does not convince us that further review of this matter is needed. Accordingly, we shall waive the notice requirement of our Regulations in order to accept the revised fuel clauses for filing and make them effective as of January 1, 1976.

The Commission finds: (1) The fuel adjustment clauses submitted by Kentucky in Docket Nos. ER76-310 and ER76-312 comply with § 35.14 of our Regulations as amended by Order No. 517.

(2) Good cause exists to waive the notice requirement of our Regulations to permit Kentucky's tendered fuel clauses to become effective as of January 1, 1976.

(3) Good cause exists to permit Paris to intervene in Docket No. ER76-312, provided such intervention is conditioned as hereinafter ordered.

The Commission orders: (A) The notice requirement of our Regulations is hereby waived, and Kentucky's fuel adjustment clauses tendered in Docket Nos. ER76-310 and ER76-312 are hereby accepted for filing and made effective as of January 1, 1976.

(B) Paris is hereby permitted to intervene in Docket No. ER76-312, subject to the rules and regulations of the Commission; *Provided, however,* That participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in the petition to intervene; and *Provided, further,* That the admission of such intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6882 Filed 3-10-76; 8:45 am]

⁴ We note that a fuel clause identical to those submitted in the captioned dockets was submitted by Kentucky in Docket No. E-9425. That clause was likewise found to comply with our Regulations and was accepted and made effective.

[Docket Nos. ER76-304 and ER76-317]

NEW ENGLAND POWER CO.

Connection

MARCH 2, 1976.

In the Order Denying Motions To Reject, Granting Interventions, And Denying Rehearing, Issued February 17, 1976 and published in the FEDERAL REGISTER February 24, 1976 FR 41(8120), line 26, 3rd paragraph of the above order should be corrected to read as follows: On February 10, 1976, Rhode Island filed a motion requesting

KENNETH F. PLUMB,

[FR Doc.76-6891 Filed 3-10-76; 8:45 am]

[Docket No. ER76-532]

PACIFIC GAS AND ELECTRIC CO.

Proposed Changes in Rates and Charges

MARCH 5, 1976.

Take notice that on March 1, 1976, Pacific Gas and Electric Company (PG&E) tendered for filing a notice of change in rates and charges of certain electric wheeling services under its Original Volume No. 4. Based upon test period (calendar year 1976) conditions, PG&E estimates the change in rates would increase annual revenues from jurisdictional services by approximately \$2,735,000. The proposed effective date for the increased rate is March 31, 1976.

Copies of the filing were served upon the United States Department of the Interior and the California Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 22, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to this proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6888 Filed 3-10-76; 8:45 am]

[Docket No. ER76-528]

PUBLIC SERVICE COMPANY OF INDIANA

Notice of Termination

MARCH 5, 1976.

Take notice that on February 20, 1976 Public Service Company of Indiana (PSI) tendered for filing notice of termination of the interconnection agreement between it and the City of Peru, Indiana,

designated as PSI's Rate Schedule FPC No. 212.

The termination date is November 1, 1978, the end of the fixed term of ten consecutive years according to PSI.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 26, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6887 Filed 3-10-76; 8:45 am]

[Docket Nos. ER76-149 and E-9537]

PUBLIC SERVICE COMPANY OF INDIANA, INC.

Order Denying Motion To Reduce Suspension Period and Request for Initiation of a Section 206(a) Investigation

MARCH 1, 1976.

On September 23, 1975, Public Service Company of Indiana, Inc. (PSCI) tendered for filing a wholesale rate increase amounting to \$9,713,394 docketed as ER76-149.

By order issued November 28, 1975, the Commission, *inter alia*, accepted the proposed rate increase for filing as of November 30, 1975, and suspended it until March 31, 1976, when it will be permitted to go into effect subject to refund. The Commission rejected the proposed rate increase to certain interconnection customers, the Cities of Crawfordsville, Logansport, Peru and Washington, Indiana, because their service agreements are fixed rate within the *Mobile-Sierra* doctrine.¹ The Commission did not institute a Section 206(a) investigation with respect to these customers.

On December 29, 1975, PSCI filed a Petition For Rehearing And Stay of the Commission's November 28, 1975, order. Therein, PSCI sought rehearing of the Commission's order issued November 28, 1975, to permit its increased rates to become effective October 24, 1975, but did not request a reduction of the suspension period to two months, nor did it request the Commission to institute a Section 206(a) investigation with respect to the

¹ *United Gas Pipe Line Co. v. Mobile Gas Service Corp.*, 350 U.S. 332 (1956); *Federal Power Commission v. Sierra Pacific Power Co.*, 350 U.S. 348 (1956).

² The Commission pointed out at mimeo p. 7 that this action was consistent with its order issued March 7, 1974, in Docket Nos. E-8586 and E-8587, involving PSCI's prior wholesale rate increase.

interconnection customers. We denied PSCI's Petition For Rehearing And Stay by order issued January 26, 1976.

On January 26, 1976, PSCI filed a pleading entitled "MOTIONS TO RECONSIDER AND MODIFY SUSPENSION PERIOD AND EXPEDITE RESPONSES AND DECISION." PSCI requested that the Commission reduce the suspension period specified in the November 28, 1975, order to two months or to the date of action by the Commission on this pleading. IMEA Cities filed a response in opposition to the reduction in the suspension period.

On February 6, 1976, PSCI filed a request that the Commission on its own motion institute a Section 206(a) proceeding to allow USCI to make the showing required under the *Mobile-Sierra* doctrine to raise the fixed rates for its service to the four interconnection customers named, *supra*, as the Commission did in PSCI's last wholesale rate case in Docket Nos. E-8586 and E-8587, by order issued March 7, 1974.

In its petition for rehearing of the November 28, 1975, order, PSCI did not request reduction of the suspension period to two months, nor did it request the Commission to institute a Section 206(a) investigation with respect to the interconnection customers. Such requests by PSCI at this time constitute a collateral attack on our November 28, 1975, order and do not lie under Section 313 of the Federal Power Act and § 1.34 of the Commission's Rules of Practice and Procedure.

Moreover, we exercised our independent judgment and concluded that a suspension until March 31, 1976, based upon the record in this proceeding was proper and sufficient to protect the public interest and the parties to this proceeding. With respect to the other proceedings cited by PSCI at mimeo p. 3 of its January 26, 1976, pleading, we determined that based upon the record of each proceeding a different suspension period was warranted. The period of suspension is a matter of agency discretion. *Municipal Light Boards v. F.P.C.*, 450 F.2d 1341, 1352 (1971).

Furthermore, we have already instituted a Section 206(a) proceeding to allow PSCI to make the showing required under the *Mobile-Sierra* doctrine to raise the fixed rates for its service to the four interconnection customers named, *supra*, by order issued March 7, 1974, in Docket Nos. E-8586 and E-8587. That proceeding is currently pending before

the Administrative Law Judge for decision. Any relief under Section 206 (a) would be prospective only. Therefore, no purpose would be served by instituting a separate Section 206 (a) proceeding.

Accordingly, we will deny both PSCI's request for a reduction in the suspension period and for the Commission to institute a Section 206 (a) proceeding with respect to the named interconnection customers.

The Commission finds: Good cause exists to deny PSCI's motions filed January 26, 1976, and request filed February 6, 1976.

The Commission orders: (A) PSCI's motions filed January 26, 1976, and request filed February 6, 1976, are hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-6880 Filed 3-10-76; 8:45 am]

[Docket No. CP75-358]

TENNESSEE GAS PIPELINE COMPANY, A DIVISION OF TENNECO INC.

Order Granting Rehearing and Granting Petitions To Intervene

FEBRUARY 13, 1976.

On January 6, 1976, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (TGP), filed a petition for rehearing or reconsideration of the Commission's order to show cause and denying exemption from jurisdiction of the Commission, which order was issued in the instant docket on December 10, 1975.

Our order of December 10, 1975, in this proceeding denied an exemption from Commission jurisdiction, pursuant to Section 1(c) of the Natural Gas Act, to TGP for its 98.71 mile 16-inch San Salvador loop line, Line 400-1,¹ which loop line is connected at 17 points to and paralleled along its entire length by TGP's 26-inch pipeline, Line 400-1. We also denied to TGP an exemption from Commission jurisdiction pursuant to Section 1(c) for the transportation via Line 400-1 of the natural gas which TGP receives from the Celanese Corporation (Celanese) and redelivers to Celanese within the State of Texas.

The December 10, 1975, order also found that it may be that TGP has been and continues to be in violation of the Natural Gas Act and the Commission's Regulations thereunder for the transportation service,² which TGP initiated on January 1, 1958, and involved a commingled stream of Celanese's intrastate gas and TGP's interstate flow until No-

vember 27, 1974, when the exclusive use of interstate facilities for intrastate gas was initiated. Therefore, we ordered that TGP should show cause why it should not be held in violation of the Natural Gas Act and in particular Sections 7 (b), (c), and 4 thereof and the Commission's regulations thereunder for not obtaining authorization from the Commission before abandoning jurisdictional facilities and for rendering a transportation service through jurisdictional facilities without certificate authorization and the submission and acceptance of a related tariff filing.

TGP's petition, *inter alia*, argues that we should grant rehearing of December 10 order in order to remand the Section 1(c) issue to the scheduled hearing in this proceeding. Notwithstanding our December 10 order and after considering TGP's request, we will grant rehearing in order to allow TGP to file any further evidence that it feels necessary with regard to its Section 1(c) application. This evidence will be considered during the scheduled public hearing in this proceeding. In addition TGP shall file evidence to conform to the requirements of Section 157.18 of our Regulations with respect to the abandonment of the facility, Line 400-1, and any service through that facility currently under Commission certification. The Commission further notes that the show cause portion of our December 10 order will remain in effect with regard to the possible violations of Sections 7(b), 7(c), and 4.

With the foregoing in mind we will hereinafter order TGP to file further evidence which comprehensively demonstrates how the facility, Line 400-1 has been treated by TGP in each of its rate filings since Line 400-1 was constructed. This information shall be filed according to docket number for each rate proceeding and should include a copy of any prepared testimony and/or exhibits submitted as evidence therein which concerned Line 400-1 in each rate proceeding.

After due notice publication in the FEDERAL REGISTER June 27, 1975 (40 FR 27300), late petitions to intervene were filed by the Public Service Commission of the State of New York (PSCSNY), Public Service Gas and Electric Company (Public Service), Columbia Gas Transmission Corporation (CGT), and Consolidated Gas Supply Corporation (CGS). A late notice of intervention was filed by State of Louisiana. No other petition for leave to intervene, or notice of intervention has been filed.

On January 19, 1976, PSCSNY filed its response to TGP's petition for rehearing in which PSCSNY concurred with arguments in TGP's petition. Having already discussed the assertions and arguments of TGP and noting that PSCSNY concurs with TGP, we need not comment further on PSCSNY's response.

The Commission finds: (1) Participation by the late interveners and by the State of Louisiana will not delay the instant proceeding; therefore, good cause exists for permitting the filing of the late

¹ PSCI requested that the Commission reduce the 15 day period provided in our Regulations for filing responses to the pleading to three days. Intervenor, Indiana Municipal Electric Association, *et al.* (IMEA Cities) and the Rural Electric Membership Corporations and Hoosier Cooperative Energy Division, Indiana Statewide Rural Electric Cooperative, Inc. (REMCS and Hoosier) filed responses opposing the reduction of the answer period to three days. We do not believe that PSCI has presented sufficient grounds to waive Section 1.12(c) of our Regulations in face of the opposition.

² Line 400-1 was authorized by Commission order dated July 3, 1946, in Docket No. G-660 (5 FPC 153), and was constructed in 1946.

³ Service obligations are pursuant to a December 17, 1957, transportation agreement between TGP and Celanese, as amended.

petitions to intervene and late notice of intervention.

(2) Participation by all petitioners to intervene may be in the public interest.

(3) It may be in the public interest to grant TGP's petition for rehearing in order to allow TGP to file further evidence with regard to its application pursuant to a Section 1(c) of the Natural Gas Act.

The Commission orders: (A) The petition for rehearing by TGP of the Commission order of December 10, 1975, in Docket No. CP75-358 is granted in order to allow TGP to file further evidence with regard to its application pursuant to Section 1(c) of the Natural Gas Act.

(B) TGP shall file evidence to conform to the requirements, of Section 157.18 of the Commission's Regulations with respect to the facility, Line 400-1 and any service through that facility currently subject to Commission certification.

(C) TGP shall file evidence which demonstrates the rate treatment accorded by TGP for Line 400-1 since its construction. This information shall be filed according to docket number for each rate proceeding and shall include any prepared testimony and/or exhibits which concern the rate treatment accorded Line 400-1 in each rate proceeding.

(D) The evidence to be filed in the hereinabove mentioned ordering paragraphs (A), (B), and (C), as well as, any evidence required or permitted by the Commission order of December 10, 1975, in this proceeding shall be filed with the Secretary of the Commission and served upon the Presiding Administrative Law Judge, the Commission Staff, and all other parties on or before March 3, 1976. The public hearing scheduled for February 3, 1976, and subsequently rescheduled for March 8, 1976, is further rescheduled to convene at 10 a.m. on March 22, 1976.

(E) The petitioners to intervene are permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That participation of such interveners shall be limited to matters affecting asserted rights and interests as specifically set forth in the petitions to intervene; *Provided, further,* That the admission of such interveners shall not be construed as recognition by the Commission that they might be aggrieved because of any order of the Commission entered in this proceeding; and *Provided, further,* That the petitioners to intervene shall accept the record as now established in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6877 Filed 3-10-76;8:45 am]

[Docket No. RP72-98 (PGA 76-3)]

TEXAS EASTERN TRANSMISSION CORP.

Proposed Changes in FPC Gas Tariff

FEBRUARY 27, 1976.

Take notice that Texas Eastern Transmission Corporation on February 17,

1976, tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Eighteenth Revised Sheet No. 14.
Eighteenth Revised Sheet No. 14A.
Eighteenth Revised Sheet No. 14B.
Eighteenth Revised Sheet No. 14C.
Eighteenth Revised Sheet No. 14D.

These sheets are being issued pursuant to the Purchased Gas Cost Adjustment provision contained in Section 23 of the General Terms and Conditions of Texas Eastern's FPC Gas Tariff. The increase in rates proposed by this filing reflects a cost of gas adjustment due to an increase in purchased gas cost from one of Texas Eastern's pipeline suppliers, Texas Gas Transmission Corporation. The proposed effective date of the above sheets is April 1, 1976.

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

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 15, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6875 Filed 3-10-76;8:45 am]

[Docket No. RP73-35 (PGA76-2)]

TRUNKLINE GAS CO.

Revised Tariff Sheet

MARCH 5, 1976.

Take notice that on February 25, 1976, Trunkline Gas Company (Trunkline) tendered for filing Fifteenth Revised Sheet No. 3-A to its FPC Gas Tariff, Original Volume No. 1.

Trunkline states the revised sheet shows only those increases in purchase gas costs as authorized by the Commission in Opinion No. 749 to be effective January 1, 1976. These increases have been calculated on the basis of contractual agreements. To the extent that these costs are not incurred by January 1, 1976, by reason of a delay in the producer not filing by March 31, 1976, Trunkline indicates such costs will be shown as a reduction in its Deferred Purchased Gas Cost Account.

Trunkline proposes an effective date of April 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in

accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 19, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6886 Filed 3-10-76;8:45 am]

[Docket No. CP76-256]

COLUMBIA GAS TRANSMISSION CORP. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

Application

MARCH 4, 1976.

Take notice that on February 11, 1976, Columbia Gas Transmission Corporation (Columbia), P.O. Box 1273, Charleston, West Virginia 25325, and Transcontinental Gas Pipe Line Company (Transco), P.O. Box 1396, Houston, Texas 77001, jointly Applicants, filed in Docket No. CP76-256 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continuation of the exchange of natural gas at several existing interconnections and the exchange of natural gas by the delivery of gas for the account of each other to any joint customer of the other when such deliveries would be necessary and provide better operating flexibility, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicants propose to continue exchanges of natural gas made under agreements between Transco and The Manufacturers Light and Heat Company, dated July 3, 1968, and between Transco and Atlantic Seaboard Corporation, dated May 18, 1970. Columbia is said to be the successor of the latter party in each of these agreements. These exchange agreements are stated to provide for the exchange of natural gas at interconnections between Applicants (1) near Rockville, Montgomery County, Maryland, (2) on the Ballard Farm, designated as Friendship by Transco, Baltimore County, Maryland, (3) near Beaver Dam, Baltimore County, Maryland, (4) near Dranesville, Fairfax County, Virginia, (5) near Downingtown, Chester County, Pennsylvania, (6) Martin's Creek, Northampton County, Pennsylvania, and (7) Tamarack, Clinton County, Pennsylvania.

Applicants further propose to exchange gas by making deliveries for the account of the other to any joint customer when

(1) An emergency occurring on the system of one of the Applicants could be

alleviated by delivery of volumes of natural gas by the other,

(2) An emergency on a joint customer's system would limit the joint customer's ability to receive natural gas from the other Applicant, or

(3) When a joint customer could, by the diversion of natural gas, balance its available gas supply in order to serve its high priority requirements.

No additional facilities are proposed by Applicants in the instant application, because the proposed exchanges would be to serve existing joint customers. The exchange by deliveries to joint customers would benefit the public interest because, Applicants allege, it would be possible to maintain the continuous deliveries of natural gas to joint customers in the event of emergencies by rearranging the deliveries of natural gas between Applicants, joint customers would be able to equalize the level of curtailment throughout their service areas in spite of differences in the level of curtailment of Applicants, and joint customers would be able to utilize the total gas supply available to them to serve high priority requirements.

The agreement between Applicants provides that gas delivered to or for the account of the other shall be returned within 60 days unless otherwise mutually agreed. Further, if Columbia is the receiving party, it could return the gas to Transco by scheduling and paying for, but not receiving firm natural gas to which it is otherwise entitled from Transco.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 29, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required,

further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6980 Filed 3-10-76;8:45 am]

[FPC Project No. 553]

CITY OF SEATTLE, WASHINGTON
Extension of Time

MARCH 4, 1976.

On February 17, 1976, North Cascades Conservation Council and the R.O.S.S. Committee (Intervenors) filed a motion to extend the time for filing briefs on exceptions to the initial decision issued on February 4, 1976, in Project No. 553.

On February 26, 1976, the City of Seattle, Washington filed a response in opposition to Intervenor's motion.

On February 26, 1976, Staff Counsel filed an answer stating no objection to the requested extension.

Notice is hereby given that the time for filing briefs on exceptions in the above proceeding is extended from March 5, 1976 to and including April 8, 1976. The time for filing brief opposing exceptions is extended to and including April 28, 1976.

Pursuant to § 1.31(b) (2), the motion for extension of page limit on briefs on exceptions is before the Chief Administrative Law Judge. The petition to reopen the record and the request for oral argument are pending further order of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6982 Filed 3-10-76;8:45 am]

[Docket No. ER76-151]

DELMARVA POWER & LIGHT CO.
Further Extension of Procedural Dates

MARCH 4, 1976.

On February 27, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 31, 1975, as most recently modified by notice issued January 26, 1976, in the above-designated proceeding.

Staff's motion states that he has contacted all the interested parties in the proceeding and there is no opposition to the requested extension.

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

Service of Staff Testimony, April 8, 1976.
Service of Intervenor Testimony, April 22, 1976.
Service of Company Rebuttal, May 6, 1976.
Hearing, May 20, 1976 (10:00 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6983 Filed 3-10-76;8:45 am]

EXXON CORP.

[Docket No. C176-118]

Withdrawal

MARCH 4, 1976.

On February 17, 1976, Exxon Corporation filed a motion to withdraw its Application for a Certificate of Public Convenience and Necessity filed on August 25, 1975 in the above-designated proceeding.

Notice is hereby given that pursuant to § 1.11(d) of the Commission's Rules and Regulations, the withdrawal of the above application shall become effective on March 18, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-6984 Filed 3-10-76;8:45 am]

[Docket No. E-9148]

NORTHERN STATES POWER CO.

Order Granting Motion To Defer Action on Motion and Granting Petition To Intervene

MARCH 4, 1976.

On February 5, 1976, 14 municipal customers¹ of Northern States Power Company (NSP) filed a petition to intervene and a motion to reject revised tariff sheets submitted for filing on January 8, 1976, and to require NSP to file revised tariff sheets and to make refunds as required by Commission order issued October 14, 1975.

On March 2, 1976, the Municipals filed a motion to defer Commission action on the February 5, 1976 motion. The motion stated that an agreement reached on March 1, 1976, to settle the rate proceedings in the above-entitled docket, if approved by the Commission, should make moot the failure of NSP to file tariff sheets and to make refunds as required by order of October 14, 1975.

The Commission finds: (1) Good cause exists to allow Municipals to intervene in this proceeding.

(2) Good cause exists to grant the Municipals' motion filed March 2, 1976, in this proceeding, upon conditions as hereafter ordered.

The Commission orders: (A) The Municipals are hereby permitted to intervene in this proceeding.

(B) The Municipals' motion filed March 2, 1976, is hereby granted, *Provided, however*, That such grant is without prejudice to the rights of the Municipals to renew at a later date their Motion to Reject Tendered Revised Tariff Sheets and to Require Revised Tariff Sheets and Refunds as Directed by Commission Order of October 14, 1975.

(C) The revised rates filed by NSP, as completed on February 5, 1976, in purported compliance with our prior orders

¹ City of Anoka, City of Arlington, Village of Brownston, Village of Buffalo, City of Chaska, City of Granite Falls, Village of Kasota, Village of Kasson, City of Lake City, Village of North St. Paul, City of Saint Peter, City of Shakopee, City of Waseca, and City of Winthrop.

herein, are accepted for filing and permitted to become effective as of June 1, 1975, subject to refund, subject to renewal of the Motion filed by Municipals or to further action as may be appropriate on the Commission's own motion.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.
[FR Doc.76-6981 Filed 3-10-76;8:45 am]

FEDERAL RESERVE SYSTEM DAKOTA BANCORPORATION

Proposed Acquisition of Ted Forthun Insurance Agency, and Darras Insurance Agency

Dakota Bancorporation, Rapid City, South Dakota, has applied, pursuant to § 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 retain the assets of Ted Forthun Insurance Agency, Columbus, North Dakota ("Forthun"), and Darras Insurance Agency, Columbus, North Dakota ("Darras"). The assets of these agencies were acquired without the prior approval of the Board of Governors. Notice of the application was published on February 5, 1976 in The Burke County Tribune, a newspaper circulated in Columbus, North Dakota.

Applicant states that it, doing business as Columbus Insurance Agency, Columbus, North Dakota, has assimilated the assets of Forthun and Darras and would continue to engage in the activity of the sale of general insurance in Columbus, North Dakota, a community having a population of less than 5,000. 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 Minneapolis.

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 April 5, 1976.

Board of Governors of the Federal Reserve System, March 5, 1976.

[SEAL] J. P. GARBARINI,
Assistant Secretary of the Board.
[FR Doc.76-6941 Filed 3-10-76;8:45 am]

FEDERAL OPEN MARKET COMMITTEE

Domestic Policy Directive of January 20, 1976

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 January 20, 1976.¹

The information reviewed at this meeting suggests that output of goods and services—which had increased very sharply in the third quarter of 1975—expanded more moderately in the fourth quarter. In December retail sales rose sharply, but the increase in the fourth quarter as a whole was less than that in the third quarter. After having slowed over the preceding 2 months, the rise in industrial production and in nonfarm payroll employment accelerated in December. However, the unemployment rate remained at 8.3 percent, as the civilian labor force grew about as much as total employment. The increase in average wholesale prices of industrial commodities was again relatively large, but average prices of farm products and foods declined sharply further. The index of average wage rates was unchanged in December, following 2 months of large increases.

The exchange value of the dollar against leading foreign currencies held steady in December but eased somewhat in early January. Another sizable foreign trade surplus was registered in November.

M₁ declined in December, and growth in M₁ and M₂ slowed considerably. At commercial banks, inflows of time and savings deposits other than large-denomination CD's slowed, despite a continuing build-up of business savings accounts, while inflows of deposits to non-bank thrift institutions were relatively well maintained. In terms of quarterly averages, growth in M₁ from the third to the fourth quarter was modest, while growth in M₂ and M₃ was more substantial. In recent weeks interest rates on both short- and long-term securities have declined appreciably. In mid-January Federal Reserve discount rates were reduced from 6 to 5½ per cent.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions that will encourage continued economic recovery, while resisting inflationary pressures and contributing to a

¹ The Record of Policy Actions of the Committee for the meeting of January 20, 1976, 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.

sustainable pattern of international transactions.

To implement this policy, while taking account of developments in domestic and international financial markets, the Committee seeks to maintain prevailing bank reserve and money market conditions over the period immediately ahead, provided that monetary aggregates appear to be growing at about the rates currently expected.

By order of the Federal Open Market Committee, March 8, 1976.

ARTHUR L. BROIDA,
Secretary.

[FR Doc.76-6874 Filed 3-10-76;8:45 am]

LABANCO, INC.

Order Approving Acquisition of Burwell Insurance Agency, Inc.

Labanco, Inc., Burwell, Nebraska, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act and § 225.4(b) (2) of the Board's Regulation Y, to acquire all of the voting shares of Burwell Insurance Agency, Inc., Burwell, Nebraska ("Agency"), a company that engages in the activities of a general insurance agency in a community with a population of less than 5,000 persons. The operation by a bank holding company of a general insurance agency in a community with a population not exceeding 5,000 persons is an activity that the Board has previously determined to be closely related to banking (12 CFR 225.4(a) (9) (iii) (a)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 FR 55393). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c) (8) of the Act (12 U.S.C. 1843(c)).

Applicant, a one-bank holding company, controls Bank of Burwell, Burwell, Nebraska ("Bank"), a commercial bank with deposits of \$10.8 million, representing approximately 0.2 per cent of the total deposits in commercial banks in the State.¹ Agency engages in the business of a general insurance agency in Burwell, Nebraska, a community with a population of less than 5,000 persons. Inasmuch as Agency is presently controlled by the same shareholders who control Applicant, this proposal essentially represents a restructuring of the existing relationship. Accordingly, it does not appear that consummation of this proposal would have any adverse effect on competition in any relevant area.

It is anticipated that consummation of this proposal will assure the residents of Burwell of a continued alternative source of insurance services. There is no

¹ Banking data are as of June 30, 1975.

evidence in the record to indicate that consummation of the proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects upon the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in section 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City, pursuant to authority hereby delegated.

By order of the Board of Governors,
effective March 3, 1976.

[SEAL] J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-6942 Filed 3-10-76; 8:45 am]

ROXTON BANCSHARES, INC.

Order Approving Formation of Bank Holding Company

Roxton Bancshares, Inc., Roxton, Texas ("Applicant"), has applied for the Board's approval under § 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 percent (less directors' qualifying shares) of the voting shares of The First National Bank of Roxton, Roxton, Texas ("Bank").

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Act. The time for filing comments and views has expired, and none has been timely received. The Board has considered the application in light of the factors set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

Applicant, a nonoperating corporation with no subsidiaries, was formed for the purpose of becoming a bank holding company through the acquisition of shares of Bank. Upon acquisition of those shares Applicant would control the 1126th largest banking organization in Texas with total deposits of approximately \$1.7

million, representing 0.004 per cent of total deposits held by commercial banks in the State of Texas. Bank is the smallest of five banks in Lamar County, which county approximates the relevant market. It holds slightly less than 2 per cent of the deposits held by commercial banks in that market. Since the purpose of the proposed transaction is to facilitate the transfer of the ownership of shares of Bank from individuals to a corporation owned by the same individuals, consummation of the proposal would have no adverse effect on existing or potential competition or the concentration of banking resources in any relevant area. Accordingly, the Board concludes that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant are dependent upon those of Bank, which are considered to be generally satisfactory in view of Applicant's commitment that it will not declare dividends on its common stock unless the debt it will incur to purchase shares of Bank is amortized as projected in the instant application and unless certain capital ratios set forth in the instant application are maintained. Applicant proposes to service the debt it will incur as a result of the proposed transaction through dividends of Bank over a 12-year period. Based on Bank's past earnings, it appears that Applicant will be able to meet its annual debt-servicing requirements and maintain Bank's strong capital position. Thus, considerations relating to banking factors are consistent with approval of the application. It does not appear that the convenience and needs of the community to be served are not being met currently. Although there will be no immediate change or increase in the services offered by Bank upon consummation of the proposal, consideration relating to the convenience and needs of the community to be served are consistent with approval of the application. It is the Board's judgment that consummation of 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 set forth 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 March 5, 1976.

[SEAL] J. P. GARBARINI,
Assistant Secretary of the Board.

[FR Doc.76-6943 Filed 3-10-76; 8:45 am]

¹ All banking data are as of June 30, 1975.

² Voting for this action: Chairman Burns and Governors Gardner, Holland, Wallich, Jackson, Partee. Absent and not voting: Governor Coldwell.

GENERAL SERVICES ADMINISTRATION

[FPMR TEMP. REG. G-26]

ALL FEDERAL AGENCIES AND DEPARTMENT OF DEFENSE

Report of Exempted Motor Vehicles

1. *Purpose.* This regulation requires Federal agencies to submit a report of the total number of exempted motor vehicles.

2. *Effective date.* This regulation is effective March 11, 1976.

3. *Expiration date.* This regulation expires September 30, 1976.

4. *Applicability.* The provisions of this regulation apply to all Federal agencies, including the Department of Defense (DOD), operating commercial design Government-owned and -rented motor vehicles. Military design motor vehicles are exempted.

5. *Background.* a. Federal Property Management Regulations (FPMR) 101-38.1 require Federal agencies to report certain motor vehicle data to the General Services Administration (GSA).

b. FPMR 101-38.6 grants exemption from the use of official U.S. Government tags and other identification for motor vehicles of specific organizations and/or for special use as prescribed in FPMR 101-38.602 through 101-38.605. Periodic reports to GSA for such motor vehicles are not required; however, GSA may request the head of each agency to submit a report showing the total number of exempted motor vehicles, as stated in FPMR 101-38.607.

6. *Action required.* Each agency holding or renting vehicles, commercially or from an interagency motor pool, shall submit a report indicating the total number of exempted motor vehicles as of December 31, 1975. This report shall indicate the make, model, and year of manufacture, location by State, and organization to which assigned; and is to be forwarded in triplicate to the General Services Administration (FZM), Washington, DC 20406, no later than June 1, 1976. Negative reports are required.

7. *Reports.* The report required by this regulation has been approved in accordance with FPMR 101-11.11 and has been assigned interagency reports control number 1537-GSA-AR.

8. *Assistance.* Additional information concerning this report may be obtained from the General Services Administration (FZM), telephone (703) 557-8565 or IDS 16-78565.

T. M. CHAMBERS,
Acting Administrator
of General Services.

FEBRUARY 26, 1976.

[FR Doc.76-6952 Filed 3-10-76; 8:45 am]

¹ Voting for this action: Vice Chairman Gardner, and Governors Holland, Wallich, Coldwell, Jackson, and Partee. Absent and not voting: Chairman Burns.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-21]

AD HOC SUBCOMMITTEE OF THE SPACE SCIENCE STEERING COMMITTEE FOR REVIEW OF PROPOSALS FOR A PAYLOAD FOR THE LUNAR POLAR ORBITER

Meeting

The NASA Ad Hoc Advisory Subcommittee of the Space Science Steering Committee for Review of Proposals for a Payload for the Lunar Polar Orbiter originally scheduled to meet on October 15, 16, and 17 of 1975, has been rescheduled to meet at the Goddard Space Flight Center in Greenbelt, Maryland, in Building 26, on April 7 and 8, 1976, in Rooms 200 and 205, from 9:00 a.m. to 5:00 p.m., and on April 9 in Room 200, from 9:00 until 4:00.

The Subcommittee will discuss, evaluate, and categorize proposals for participation in the Mission Definition and Flight Program for the Lunar Polar Orbiter Mission. In the Subcommittee sessions, the professional qualifications of the proposers and their potential scientific contributions to the Lunar Polar Orbiter Mission and its Definition, as well as the merits of their proposed research, will be candidly discussed and appraised. Discussion of these matters in a public session would invade the privacy of proposers and the other individuals involved. Since the Subcommittee sessions will be concerned throughout with matters listed in 5 U.S.C. 552(b) (6), it is hereby determined that the session should be closed to the public.

For further information, please contact Dr. Franklin D. Martin at (202) 755-3689.

WILLIAM W. SNAVELY,
Assistant Administrator for
DOD and Interagency Affairs.

MARCH 4, 1976.

[FR Doc.76-6904 Filed 3-10-76;8:45 am]

NATIONAL COMMUNICATIONS SYSTEM

TELECOMMUNICATIONS: CODING AND MODULATION REQUIREMENTS FOR NONDIVERSITY 2400 BIT/SECOND MODEMS

Proposed Federal Standard 1005

The Administrator of the General Services Administration (GSA), is responsible, under the provisions of the Federal Property and Administrative Services Act of 1949, as amended, for the Federal Standardization Program. On August 14, 1972, the National Communications System (NCS)¹ was designated by the Administrator, GSA, as the responsible agent for the development of Federal Standards for NCS interoperability and the computer-communication interface. This proposed Federal Stand-

ard is one of a series of Federal Standards on telecommunications presently under development.

Prior to submission of the final endorsement of the proposed Federal Standard to the Office of Telecommunications Policy (OTP), Executive Office of the President, and GSA, it is essential that proper consideration be given to the needs and views of industry, the public, and State and local governments. The purpose of this Notice is to solicit such views. A previous draft of proposed Federal Standard 1005 was published in a FEDERAL REGISTER Notice on December 18, 1975. Changes between that Notice and the present version reflect comments received.

Interested parties may submit their comments to the Office of Technology and Standards, National Communications System, Washington, D.C. 20305. All comments should be submitted by April 15, 1976.

MAURICE W. ROCHE,
Director, Correspondence and
Directives OASD (Comptroller).

MARCH 8, 1976.

PROPOSED FEDERAL STANDARD 1005

NOTE.—This Proposed Federal Standard has not yet been approved and is subject to modification. DO NOT USE PRIOR TO APPROVAL.

FEBRUARY 26, 1976.

1. General information.

1.1 Scope. This standard establishes the coding and modulation requirements for 2400 bit/second modems owned or leased by the Federal Government for use over analog transmission channels other than those derived from high-frequency radio facilities.

1.2 Purpose. The purpose of this standard is to facilitate interoperability between telecommunication facilities and systems of the Federal Government.

1.3 Application. This standard shall be used by all Federal agencies in the design and procurement of non-diversity 2400 bit/second modems for use with nominal 4 KHz channels derived from either switched networks or dedicated lines. Typically, such channels are derived from frequency division multiplex equipment associated with microwave, cable, and satellite transmission systems.

2. Requirements.

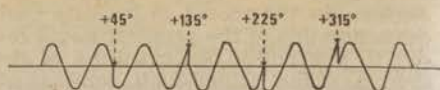
2.1 2400 Bit/second Operation.

2.1.1 The transmit carrier frequency shall be 1800 ± 1 Hz.

2.1.2 The data stream to be modulated is divided into pairs of consecutive bits (dibits). Each dibit is encoded as a phase change of the 1800 Hz carrier relative to the phase of the carrier during transmission of the immediately preceding dibit as indicated below.

DIBIT	PHASE CHANGE
00	+ 45°
01	+ 135°
11	+ 225°
10	+ 315°

The phase change is the actual phase shift in the transition region from the end of one signaling element to the beginning of the following signaling element as illustrated below.



At the demodulator, the dibits are decoded and the bits are reassembled in the correct order. The left-hand digit of the dibit is the one occurring first in the data stream as it enters the modulator portion of the modem.

2.1.3 Synchronization.

2.1.3.1 During the interval between Request to Send (RS) indication from an associated Data Terminal Equipment (DTE) and the modem responding with a Clear to Send (CS) indication, synchronization signals will be generated by the transmitting modem(s). Unless a scrambler is utilized, continuous 225° phase changes (dibit 11) shall be transmitted for the duration of the synchronization period.

2.1.3.2 Modems capable of 2-wire, half-duplex operation shall have the ability to delay Clear to Send (CS) indication for a period of at least 185 ms following the receipt of Request to Send (RS) indication. During 2-wire, half-duplex operation using the above delay, modems shall also withhold Receiver Ready (RR) indication after the end of each modem transmission for a period, not to exceed 175 ms, to protect against the effect of line echoes.

2.1.4 The data signaling rate shall be 2400 bit/second ± 0.01 percent.

2.2 1200 Bit/Second Operation (Optional)

2.2.1 1200 bit/second data rate operation will be achieved, when available, by encoding binary 0 and 1 bits as +90° and +270° phase changes, respectively.

2.2.2 The data signaling rate shall be 1200 bit/second ± 0.01 percent.

2.2.3 All other characteristics shall be as specified for 2400 bit/second operation.

2.3 Secondary Channel (Optional)

2.3.1 Secondary channel modulation rate shall not exceed 75 baud.

2.3.2 Characteristic frequencies of the binary 1 (mark) and binary 0 (space) shall be 390 ± 1 Hz and 450 ± 1 Hz, respectively.

2.3.3. When simultaneous transmission of the primary channel and secondary channel occur in the same direction, the secondary channel shall be 6 ± 0.6 dB lower in power level than the primary channel.

2.4 Scrambler (Optional).

2.4.1 When utilized, digital input signals will be encoded in the modem prior to modulation of the 1800 Hz carrier. Similarly, demodulated signals will be decoded by an inverse process at the distant modem.

2.4.2 The encoder and decoder shall be capable of being bypassed by switch selection.

2.5 General characteristics.

2.5.1 The input and output impedance of the modem to the analog line shall be 600 ± 60 ohms balanced.

2.5.2 The output level of the modulator shall be adjustable from -15 dBm to 0 dBm in no greater than 1 dB steps. Output level shall not be adjustable by operating personnel.

2.5.3 The demodulator shall have an input sensitivity adjustable to -42 ± 3 dBm and -32 ± 3 dBm. When the above-stated input sensitivities are used, the input level dynamic range shall be at least 30 dB above the input sensitivity.

2.5.4 A fixed compromise equalizer shall either be incorporated into the receiver or be switchable between the receiver and transmitter. The characteristics of this equalizer are dependent upon system application.

3. Changes. When a Federal agency considers that this standard does not provide for its essential needs, a statement citing inadequacies shall be sent in duplicate to the General Services Administration, Federal Supply

¹ DoD Directive 5100.41, "Arrangements for Discharge of Executive Agent Responsibilities for the NCS," — filed as part of original document.

Service, Washington, D.C. 20406, in accordance with provisions of Federal Property Management Regulations 41 CFR 101-29.3. The General Services Administration will determine the appropriate action to be taken and will notify the agency.

Preparing activity, National Communications System, Office of Technology and Standards, Washington, D.C. 20305.

[FR Doc.76-6979 Filed 3-10-76; 8:45 am]

NATIONAL SCIENCE FOUNDATION

SUBPANEL ON MINORITY INSTITUTIONS SCIENCE IMPROVEMENT PROGRAM (MISIP)

Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Subpanel on Minority Institutions Science Improvement Program (MISIP), Advisory Panel for Science Education Projects.

Dates and times: March 31, 1976—8 p.m. to 9 p.m. April 1 and 2—9 a.m. to 5 p.m. each day April 3—9 a.m. to 12 noon.

Place: Holiday Inn, 5220 Wisconsin Avenue, Chevy Chase, Md.

Type of meeting: Closed.

Contact person: Dr. Shirley M. McBay, Program Manager, MISIP, Rm. W-450, National Science Foundation, Washington, D.C. 20550, tel: (202) 282-7760.

Purpose of Subpanel: To provide advice and recommendations concerning support in the MISIP Program.

Agenda: To review and evaluate specific education proposals as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4), (5), and (6) of 5 U.S.C. 552(b), Freedom of Information Act.

Authority to close meeting: The determination made by the Committee Management Officer pursuant to provisions of Section 10(d) of Public Law 92-463.

M. REBECCA WINKLER,
Acting Committee
Management Officer.

MARCH 8, 1976.

[FR Doc.76-6872 Filed 3-10-76; 8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 76-11]

ACCIDENT REPORTS; STATISTICAL REPORT; SAFETY RECOMMENDATIONS AND RESPONSE

Availability and Receipt

Highway Accident Report and Recommendation. Both the driver's failure to select the proper gear for a steep descent, and maladjusted brakes, caused the runaway crash of a schoolbus off a moun-

tain highway at Ashland, Oregon, last May 9, the National Transportation Safety Board found in report No. NTSB-HAR-76-1, released March 1. As a result of its investigation, the Board recommended that the State of California insure the implementation of all the provisions of Federal Highway Safety Program Standard No. 17, "Pupil Transportation Safety," especially the provisions relating to the systematic preventative maintenance and the semiannual inspection of schoolbuses. The Class II (priority followup) recommendation, No. H-76-1, was issued by letter to the Governor of California, also on March 1.

Marine Casualty Report and Recommendations. Collision of the 17,900-ton freighter *SS C. V. Sea Witch* and the 25,900-ton tankship *SS Esso Brussels* in New York Harbor, June 2, 1973, is the subject of report No. USCG/NTSB-MAR-75-6 released March 2, 1976. The Board split 3 to 2 in reporting that the probable cause of the collision was a mechanical failure in the steering system of the *Sea Witch* and the lack of adequate and timely action by the crew to control their ship after the failure occurred. Cause of the loss of steering was the deficient design of the system which did not provide "two separate and independent steering control systems" as required by 46 CFR 58.25. The majority of the Board further found that the cause of the fire, pollution, and deaths after the collision was that the typically designed bow of the *Sea Witch* penetrated the hull of the *Esso Brussels* instead of absorbing the crash energy.

The Safety Board minority held that the freighter's bow design "had absolutely no bearing on the cause of this accident." They concurred in Coast Guard findings of loss of steering aboard the *Sea Witch* due to failure of the control shaft universal coupling connection to the differential mechanism of the steering gear. The minority also held that the loss of steering "could have been averted if the Coast Guard had not approved a steering system" which did not meet Federal regulations for "two separate and independent steering control systems."

By separate letter of March 2 to the Commandant, the Board recommended that the Coast Guard (1) revise its interpretation of Federal regulations to prevent the use of a single control path as found aboard the *Sea Witch*; (2) require manning of emergency steering stations on all ocean-going vessels in such restricted waters as New York Harbor; (3) require reports to the Coast Guard of all steering failures on U.S. ocean-going vessels and on such foreign-flag ships in U.S. waters; (4) require that all future U.S. vessels have emergency power for steering gear; (5) require written emergency procedures and alarms for steering loss on all U.S. ocean-going vessels; (6) require any large vessel losing steering in New York Harbor to stop or slow immediately and to anchor as soon as it is safe to do so; (7) initiate research to develop a technical guide for the design of nonpenetrating ships' bows, using

risk analysis to determine scope of protection, but protecting typical modern tankers in six-knot collisions; and (8) require automatic recording devices on the bridges of ocean-going tankers and containerhips to preserve for investigators vital navigational information. The Board also urged the Coast Guard to expedite its implementation of previous Board recommendations for (1) emergency contingency plans for response to catastrophic accidents involving hazardous materials on waterways where such materials are moved in large volume, and (2) required battery-powered lights on all life preservers. These recommendations, Nos. M-76-1 through 10, are also reproduced in the casualty report.

Railroad Accident Report and Recommendations. Board investigation of a fatal explosion of a railroad tank car shipment of monomethylamine nitrate solution has resulted in report No. NTSB-RAR-76-1, released March 3, 1976. The accident occurred August 6, 1974, at the Burlington Northern's Apple Yard in Wenatchee, Washington, killing 2 persons, injuring 113, and destroying equipment and buildings. The Board was unable to determine the probable cause of the accident. A partial list of the possibilities that could not be ruled out completely includes a reaction of dried crystals, a reaction of spilled or leaking crystals in the insulation space, a reaction in one of the tank components, cavitation and recompression of the so-equipment to be attached to the Monitor lution, compression of an air bubble entrained in the solution, a reaction of solution or crystals sensitized by contamination, or the ignition of escaped product by friction. The Safety Board concluded that the classification of monomethylamine nitrate as a "flammable solid" permitted shipment of the chemical without proper safeguards against predictable hazardous conditions.

Concurrently with its report, the Board issued four corrective safety recommendations, Nos. I-76-1 through 4, calling for the Department of Transportation to (1) require applicants submitting proposals for transportation of detonable materials to make an examination of the transportation conditions for detonation risks and describe what they found; (2) publish guidelines describing methods available for conducting safety analyses that would facilitate the discovery of detonation risks and standards to be met in preparing the proposal; (3) amend 49 CFR Part 173 to establish appropriate explosives classification definitions and test procedures that address every known way in which detonable materials could explode accidentally in transportation; and (4) establish regulations for quality specifications and quality control procedures in the manufacture, packaging, and loading of detonable hazardous materials. Previously, on April 24, 1975, the Safety Board recommended that FRA identify all liquids now transported in tank cars which are capable of detonation; determine whether detonation or other dangerous chemical reactions can be initiated by conditions and circum-

stances encountered by those liquids in railroad transportation and issue regulations to control the risks identified. This recommendation, No. R-75-16, is still undergoing review by the FRA. (See 40 FR 19045, May 1, 1975.)

Aviation Statistical Report. The Safety Board's "Annual Review of Aircraft Accident Data, U.S. Air Carrier Operations, 1974" was released to the public March 1, 1976. The statistical review, report No. NTSB-ARC-76-1, analyzes data both by class of carrier and type of service. Tabular data includes individual carrier statistics. The 100-page volume also includes "briefs"—computerized synopses of causes, factors and basic accident facts—on the 47 accidents recorded by the airlines in 1974.

Aviation, Pipeline Safety Recommendation Letters. Probable cause of the crash of a Bellanca Model 17-30 at Newton, New Jersey, March 2, 1975, was related to inadequate inspection of the aircraft, the Safety Board indicated in a recommendation letter to the Federal Aviation Administration, issued March 3, 1976. Since the investigation also disclosed a potential wing maintenance problem, the Board recommends that FAA issue an Airworthiness Directive requiring mandatory compliance with Bellanca Aircraft Corporation's Service Letter No. 87, applicable to all Bellanca airplanes having wings similar to those on Bellanca Model 17-30. The Class II recommendation, No. A-76-4, asks priority followup.

Two separate recommendation letters, issued by the Safety Board February 29, 1976, concern the rupture of a 6-inch gas-gathering pipeline in a rural area south of Meridian, Mississippi, May 21, 1974. The Board found on investigation that the pipe, although less than 4 years old, had corroded internally and had been embrittled by hydrogen; also, the pipeline had not been scraped internally often enough, permitting liquids to accumulate in the bottom of the pipe. The pipe ruptured at 300 psig—well below its specified minimum yield strength—at a weak point thinned by internal corrosion and further weakened by hydrogen embrittlement. One Board letter recommends that the U.S. Department of Transportation promulgate regulations under the Hazardous Materials Transportation Act for natural gas-gathering pipelines in rural areas, similar to the regulations promulgated for natural gas transmission and distribution pipelines in 49 CFR Part 192. (Recommendation P-76-5; Class II.) In another letter, the Board recommends that the Texas Oil and Gas Corporation, owner of the pipeline (1) (a) establish a periodic scraper program and install appropriate hydrogen probes, test coupons, resistance probes, or other testing equipment at strategic locations to identify and locate internal corrosion problems, (b) examine the test equipment and analyze the scraper residues carefully at regular time intervals to monitor the internal condi-

tion of the lines, and (c) take necessary action to repair deficiencies found in the pipes and to improve operational procedures for the prevention of corrosion and hydrogen embrittlement; (2) determine the correct frequency, types, and amounts of inhibitor and the proper injection points so that further internal corrosion can be deterred; (3) instruct its employees on the importance of proper operation and maintenance of scrubbers and separators to prevent water from entering the pipelines; and (4) install pipe used in the construction or repair of its gathering lines with the longitudinal seam on the top half of the pipe. The first three recommendations, Nos. P-76-6 through 8, are for urgent followup; P-76-9 is for longer term followup.

Coast Guard Letter in Response to Board Recommendations. Letter of February 25, 1976, refers to recommendations M-74-37 through 42, issued November 21, 1974, in marine casualty report No. USCG/NTSB-MAR-74-8 on the explosion and sinking of the SS V. A. Fogg in the Gulf of Mexico, February 1, 1972. In order to adjudicate necessary action to implement these six recommendations, the Coast Guard states that it must acquire data and information not now available. Toward this end, a task group has been assigned to establish a data base relating to such tank vessel operations as tank cleaning, gas freeing, and venting. The Coast Guard promises further response regarding the task group action prior to September 1. Concerning recommendations M-74-41 and 42, which ask for establishment of basic tank cleaning guidelines, Coast Guard indicates that it is developing these guidelines in the form of procedural regulations, using the results of the Tanker Accident Study Committee. Included in the regulations will be a requirement for holding shipboard safety meetings to provide tank cleaning participants with the correct and safe method of operations.

The accident reports, statistical report, and safety recommendation letters are available to the general public; single copies may be obtained without charge. Copies of the letter responding to recommendations may be obtained at a cost of \$4.00 for service and 10¢ per page for reproduction. All requests must be in writing, identified by report or recommendation number and date of publication of this FEDERAL REGISTER notice. Address inquiries to: Publications Unit, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of the reports may be purchased by mail from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a)(2), 307, Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2169, 2172 (94 U.S.C. 1903, 1906))

MARGARET L. FISHER,
Federal Register
Liaison Officer.

MARCH 8, 1976.

[FR Doc.76-7004 Filed 3-10-76;8:45 am]

NOTICES OF SYSTEMS OF RECORDS— PRIVACY ACT OF 1974

Amended Routine Uses

On January 12, 1976, a Proposed Amended Notice of Systems of Records, implementing the Privacy Act of 1974 (Pub. L. 93-579), was published in the FEDERAL REGISTER at 41 FR 1820. The proposal was to add to all National Transportation Safety Board (NTSB) notices of systems of records a provision with respect to routine uses which would permit disclosure to a congressional office of an individual's record in response to an inquiry from such office at the individual's request. The NTSB systems of records were originally proposed at 40 FR 33813 and 33814 on August 11, 1975; at 40 FR 41197 on September 5, 1975; and at 40 FR 44301 on September 25, 1975. Comments were invited on all proposals, but no comments were received.

Accordingly, the routine uses of NTSB systems of records, as amended at 41 FR 1820, are hereby adopted.

Fritz L. Puls,
General Counsel.

MARCH 8, 1976.

[FR Doc.76-7007 Filed 3-10-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-237, 50-249, 50-254 and
50-265]

COMMONWEALTH EDISON CO. AND IOWA- ILLINOIS GAS AND ELECTRIC CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 15, 13, 23 and 22 to Facility Operating License Nos. DPR-19, DPR-25, DPR-29 and DPR-30 (respectively), issued to the Commonwealth Edison Company (and in the matter of License Nos. DPR-29 and DPR-30, the Iowa-Illinois Gas and Electric Company), which revised Technical Specifications for operation of Dresden Nuclear Power Station Units 2 and 2 (located in Grundy County, Illinois) and Units 1 and 2 of the Quad Cities Nuclear Power Station (located in Rock Island County, Illinois). These amendments are effective as of their date of issuance.

The amendments limit reactor operation for each of the facilities to 24 hours with one recirculation loop out of service.

The application for the amendments 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 Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

For further details with respect to this action, see (1) the application for amendments dated October 29, 1975, (2) Amendment Nos. 15 and 13 to License Nos. DPR-19 and DPR-25, and Amendment Nos. 23 and 22 to License Nos. DPR-29 and DPR-30 and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street N.W., Washington, D.C. and for those items relating to Dresden Units 2 and 3 at the Morris Public Library, 604 Liberty Street, Morris, Illinois 60450, and for those items relating to Quad Cities Units 1 and 2 at the Moline Public Library, 504-17th Street, Moline, Illinois 60625.

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 Operating Reactors.

Dated at Bethesda, Maryland, this 26th day of February, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors
Branch No. 2, Division of
Operating Reactors.

[FR Doc.76-6648 Filed 3-10-76;8:45 am]

[Docket Nos. 50-3, 50-247, 50-286]

INDIAN POINT NUCLEAR GENERATING UNITS 1, 2, AND 3

Petition for Order To Show Cause

Notice is hereby given that by Petition dated February 6, 1976, the Public Interest Research Group filed a request for an Order to Show Cause why License Nos. DPR-5, DPR-26 and DPR-64 for Indian Point Nuclear Generating Units 1, 2, and 3 should not be suspended and why civil penalties should not be imposed. The requested order would be issued to Consolidated Edison Company and the Power Authority of the State of New York. In accordance with the procedures specified in 10 CFR 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of the request is available for inspection in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York.

Dated at Bethesda, Maryland the 3rd day of March 1976.

For the Nuclear Regulatory Commission.

BEN C. RUSCHE,
Director, Office of
Nuclear Reactor Regulation.

[FR Doc.76-6649 Filed 3-10-76;8:45 am]

[Docket No. 50-219]

JERSEY CENTRAL POWER & LIGHT CO.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 15 to Provisional Operating License No. DPR-16 issued to Jersey Central Power & Light Company which revised Technical Specifications for operation of the Oyster Creek Nuclear Generating Station, located in Ocean County, New Jersey. The amendment is effective as of its date of issuance.

In accordance with the licensee's applications for amendment dated December 23, 1975 (as supplemented) and January 27, 1976, the amendment would (1) revise the provisions in the Technical Specifications relating to operating limits (maximum average planar linear heat generation rate) and operability requirements of the automatic depressurization system based on a reevaluation of the Oyster Creek Nuclear Generating Station ECCS performance, and (2) add limiting conditions for operation and surveillance requirements for the time delay relays which control the loading of the diesel generators under postulated loss-of-coolant accident conditions.

The applications 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 in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Provisional Operating License in connection with this action was published in the FEDERAL REGISTER on January 16, 1976 (41 FR 2448). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated December 23, 1975, (and supplement dated February 5, 1976), and January 27, 1976, (2) Amendment No. 15 to License No. DPR-16, (3) the Commission's related Safety Evaluation, and (4) the Commission's Safety Evaluation dated January 21, 1976 which evaluated the ECCS modification and was issued in support of Amendment No. 12 to the license. All of these items are

available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Ocean County Library, 15 Hooper Avenue, Toms River, New Jersey.

A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 24th day of February, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3, Division of
Operating Reactors.

[FR Doc.76-6650 Filed 3-10-76;8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 22 to Provisional Operating License No. DPR-21 to the Northeast Nuclear Energy Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company (the licensees), which revised Technical Specifications for operation of the Millstone Nuclear Power Station Unit 1 (the facility), located in Waterford, Connecticut. The amendment is effective as of the date of issuance.

This amendment revises the Technical Specifications to (1) add requirements that would limit the period of time operation can be continued with immovable control rods that could have control rod drive mechanism collet housing failures and (2) require increased control rod surveillance when the possibility of a control rod drive mechanism collet housing failure exists.

The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of the Proposed Issuance of Amendment to Provisional Operating License in connection with this action was published in the FEDERAL REGISTER on January 8, 1976 (41 FR 1549). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the Commission's letters to Northeast Nuclear Energy Company

dated September 23, 1975 and December 29, 1975, (2) Amendment No. 22 to License No. DPR-21, and (3) the Commission's related Safety Evaluation issued on December 29, 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 Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A single copy of items (1) through (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland this 26th day of February, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3 Division of
Operating Reactors.

[FR Doc.76-6651 Filed 3-10-76; 8:45 am]

[Docket No. 50-245]

NORTHEAST NUCLEAR ENERGY CO. ET AL.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, The Connecticut Light and Power Company, The Hartford Electric Light Company and Western Massachusetts Electric Company which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1, located in the Town of Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment modifies the Technical Specifications to provide Limiting Conditions for Operation and Surveillance Requirements to govern the use of the Modified Off-Gas Treatment System (MOGTS).

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 Chapter 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 January 21, 1976, (41 FR 3113). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be pre-

pared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 24, 1975, (2) Amendment No. 19 to License No. DPR-21, and (3) the Commission's related Safety Evaluation. 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 Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

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, Maryland, this 24th day of February, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors
Branch No. 3 Division of Re-
actor Licensing.

[FR Doc.76-6652 Filed 3-10-76; 8:45 am]

[Docket Nos. 50-277, 50-278]

PHILADELPHIA ELECTRIC CO. ET AL.

Establishment of Board

Establishment of Atomic Safety and Licensing Board for the Philadelphia Electric Company, et al., proceeding (Peach Bottom Atomic Power Station, Units 2 and 3).

In accordance with a Commission Order dated February 25, 1976, in the above matter, the following Atomic Safety and Licensing Board is being established:

Edward Luton, Esq., Chairman, Dr. Kenneth A. McCollom, Member, Dr. Ernest O. Salo, Member.

Their addresses are as follow:

Edward Luton, Esq., Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dr. Kenneth A. McCollom, College of Engineering, Oklahoma State University, Stillwater, Oklahoma 74074.

Dr. Ernest O. Salo, Professor, Fisheries Research Institute, WH-10, College of Fisheries, University of Washington, Seattle, Washington 98195.

Dated at Bethesda, Maryland this 2nd day of March, 1976.

JAMES R. YORE,
Acting Chairman, Atomic Safety
and Licensing Board Panel.

[FR Doc.76-6653 Filed 3-10-76; 8:45 am]

[Docket Nos. 50-338, 50-339]

VIRGINIA ELECTRIC AND POWER CO. (NORTH ANNA STATION, UNITS 1 AND 2)

Order

MARCH 3, 1976.

Oral argument on the appeals taken from the Licensing Board's decision on

transmission line routing will be heard at 10:00 a.m. on Monday, March 29, 1976 in the Commission's Public Hearing Room on the 5th floor of the East West Towers, 4350 East-West Highway, Bethesda, Maryland. A total of two (2) hours is allotted for argument. The order of presentation will be as follows:

Intervenor Culpeper League—30 minutes;
Intervenor Fauquier League—30 minutes;
Applicant—30 minutes; NRC Staff—30 minutes.

The Culpeper and Fauquier Leagues may reserve for rebuttal a portion of the time allowed them.

The respective parties are requested to inform the Secretary of this Board by mail no later than March 23rd of the name of counsel who will present argument.

It is so ORDERED.

For the Atomic Safety and Licensing Appeal Board.

MARGARET E. DU FLO,
Secretary to the Appeal Board.

[FR Doc.76-6654 Filed 3-10-76; 8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.26, Revision 3, "Quality Group Classifications and Standards for Water-, Steam-, and Radioactive-Waste-Containing Components of Nuclear Power Plants," describes a quality classification system related to specified national standards that may be used to determine quality standards acceptable to the NRC staff for satisfying NRC's General Design Criteria for those safety-related components containing water, steam, or radioactive material that are not specifically included in § 50.55a of 10 CFR Part 50. The guide applies to light-water-cooled nuclear power plants. This guide was revised to make it consistent with the Standard Review Plan.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.26, Revision 3, will, however, be particularly useful in evaluating the need for an early revision if received by May 6, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington,

D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 1st day of March 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director, Office of
Standards Development.

[FR Doc. 76-6655 Filed 3-10-76; 8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS; SUBCOMMITTEE ON THE DOUGLAS POINT NUCLEAR STATION, UNITS 1 AND 2

Postponement of Meeting

The meeting of the ACRS Subcommittee on the Douglas Point Nuclear Station, Units 1 and 2, scheduled to be held on March 12, 1976 has been postponed indefinitely. Announcement of this meeting was made in *FEDERAL REGISTER*, Vol. 41, page 8439, February 26, 1976.

Dated: March 8, 1976.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 76-7070 Filed 3-10-76; 8:45 am]

[Docket No. STN 50-561]

BABCOCK & WILCOX CO.

Notice of Receipt of a Standard Safety Analysis Report

Babcock & Wilcox Company has filed with the Nuclear Regulatory Commission (the Commission) its Standard Safety Analysis Report (B-SAR-205), which was docketed on March 1, 1976. The B-SAR-205 application was filed in response to Option 1 (Reference System) of the Commission's standardization policy for nuclear power plants issued on March 5, 1973, and pursuant to Appendix O to 10 CFR Part 50.

B-SAR-205 was tendered on October 24, 1975. During the acceptance review for completeness, Babcock & Wilcox Company submitted additional information by letter dated February 13, 1976. Subsequently, B-SAR-205 was found to be acceptable for docketing. Docket No. STN 50-561 has been assigned to B-SAR-205 and should be referenced in any correspondence relating thereto.

Under the "Reference System" option, an entire facility design or major frac-

tions of it can be identified as a standard design to be used in multiple applications. B-SAR-205 describes and analyzes the Babcock-205 nuclear steam system preliminary standard design for a pressurized water reactor nuclear power plant. The B-SAR-205 reference design is designed to operate at core thermal power levels up to 3800 megawatts.

Major design features described in B-SAR-205 are similar to those of Babcock & Wilcox 205-fuel assembly nuclear steam systems now under construction or in construction permit review.

When its review of B-SAR-205 is complete, the Commission's Office of Nuclear Reactor Regulation (staff) will publish a Safety Evaluation Report documenting the results of the review. Moreover, B-SAR-205 will be referred to the Advisory Committee on Reactor Safeguards for its review and a report thereon. Copies of the Safety Evaluation Report and the report by the Advisory Committee on Reactor Safeguards will be made available to the public. A notice relating to the availability of these documents will be published in the *FEDERAL REGISTER*.

All interested persons who desire to submit written comments for consideration by the staff and ACRS during their review of B-SAR-205 should send them to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by May 10, 1976.

A copy of B-SAR-205 is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555. When available, the Safety Evaluation Report and the report by the Advisory Committee on Reactor Safeguards will also be made available for public inspection at the above location.

Dated at Bethesda, Maryland this 3rd day of March, 1976.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
Chief, Light Water Reactors
Branch No. 1, Division of
Project Management.

[FR Doc. 76-7071 Filed 3-10-76; 8:45 am]

[Docket No. 50-549]

POWER AUTHORITY OF THE STATE OF NEW YORK

Notice of Availability of Draft Environmental Statement for Greene County Nuclear Power Plant

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed construction of the Greene County Nuclear Power Plant by the Power Authority of the State of New York in Greene County, New York, is available for inspection by the public in the Commis-

sion's Public Document Room at 1717 H Street, N.W., Washington, D.C., and in the Catskill Public Library, 1 Franklin Street, Catskill, New York. The Draft Statement (NUREG-0045) is also being made available at the Division of State Planning, 162 Washington Avenue, Albany, New York. Requests for copies of the Draft Environmental Statement should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., Attention: Director, Division of Site Safety and Environmental Analysis.

The applicant's Environmental Report, as supplemented, submitted by the Power Authority of the State of New York is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the *FEDERAL REGISTER* on September 25, 1975 (40 F.R. 44201).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by May 3, 1976. Comments by Federal, State, and local officials, or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Catskill Public Library, 1 Franklin Street, Catskill, New York. Upon consideration of comments submitted with respect to the draft environmental statement, the Commission's staff will prepare a final environmental statement, the availability of which will be published in the *FEDERAL REGISTER*.

Comments on the Draft Environmental Statement from interested persons of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Rockville, Maryland, this 4th day of March 1976.

For the Nuclear Regulatory Commission.

WM. H. REGAN, JR.,
Chief, Environmental Projects
Branch 3, Division of Site
Safety and Environmental
Analysis.

[FR Doc. 76-7073 Filed 3-10-76; 8:45 am]

[Docket Nos. STN 50-546 and STN 50-547]

PUBLIC SERVICE COMPANY OF INDIANA, INC.

Notice of Availability of NRC Draft Environmental Statement for the Marble Hill Nuclear Generating Station Units 1 and 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's

regulations in 10 CFR Part 51, notice is hereby given that a Draft Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed Marble Hill Nuclear Generating Station, Units 1 and 2, located in Jefferson County, Indiana, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C., and in the Madison-Jefferson County Public Library, 420 West Main Street, Madison, Indiana 47250. The draft statement is also being made available at the Office of the Clearinghouse Review Officer, Indiana Budget Agency, 212 State House, Indianapolis, Indiana 46204, and at the Region 12 Development Commission, P.O. Box 127, Versailles, Indiana 47042. Copies of the Commission's Draft Environmental Statement may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

The Applicant's Environmental Report submitted by Public Service of Indiana is also available for public inspection at the above-designated locations. Notice of availability of the Applicant's Environmental Report was published in the FEDERAL REGISTER on October 2, 1975 (40 FR 45482).

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Applicant's Environmental Report, as supplemented, and the Draft Environmental Statement for the Commission's consideration. Federal and State agencies are being provided with copies of the Applicant's Environmental Report and the Draft Environmental Statement (local agencies may obtain these documents upon request). Comments are due by April 19, 1976. Comments by Federal, State, and local officials or other persons received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C., and the Madison-Jefferson County Public Library, 420 West Main Street, Madison, Indiana 47250. Upon consideration of these comments, the Commission's staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis, Office of Nuclear Reactor Regulation.

Dated at Rockville, Maryland this 4th day of March 1976.

For the Nuclear Regulatory Commission,

B. J. YOUNGBLOOD,
Chief, Environmental Projects
Branch 2, Division of Site
Safety and Environmental
Analysis.

[FR Doc.76-7072 Filed 3-10-76;8:45 am]

[Docket Nos. 50-259 and 50-260]

TENNESSEE VALLEY AUTHORITY
Notice of Issuance of Amendments to
Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 20 to Facility Operating License No. DPR-33 and Amendment No. 17 to Facility Operating License No. DPR-52 issued to Tennessee Valley Authority (the licensee) for operation of the Browns Ferry Nuclear Plant, Units 1 and 2, located in Limestone County, Alabama. The amendments are effective as of the date of issuance.

These amendments authorize modification to Browns Ferry Nuclear Plant, Units 1 and 2 by approving the drilling of the fuel assembly lower tie plates of Types 2 and 3 fuel assemblies to provide bypass flow. This bypass flow was originally provided for by holes in the lower core support plate. By Amendments 17 and 14 to Licenses DPR-33 and DPR-52 for Units 1 and 2, respectively, authorization was issued to plug the holes in the lower core support plate to eliminate significant in-core instrument tube vibrations. These amendments do not authorize operation of Units 1 and 2 with the plugged core support plate and drilled fuel assemblies. Operation with these modifications will not be authorized until a later safety evaluation is completed that addresses the effects on operation.

The application for these amendments 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 Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration, or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated November 5, 1975, as supplemented November 28, 1975 and February 5, 1976, (2) Amendment No. 20 to License No. DPR-33 and Amendment No. 17 to License No. DPR-52, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Athens Public Library, South and Forrest, Athens, Alabama 35611.

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 Operating Reactors.

Dated at Bethesda, Maryland, this 3rd day of March 1976.

For the Nuclear Regulatory Commission,

ROBERT A. PURPLE,
Chief, Operating Reactors
Branch No. 1, Division of
Operating Reactors.

[FR Doc.76-7074 Filed 3-10-76;8:45 am]

ADVISORY COMMITTEE ON REACTOR
SAFEGUARDS ENVIRONMENTAL SUB-
COMMITTEE

Change

The meeting of the ACRS Environmental Subcommittee scheduled to be held on March 16 and 17, 1976 in room 1046, 1717 H St., NW., Washington, D.C. 20555 has been rescheduled to be held on April 21, 1976 at the same location. Notice of this meeting was published in FEDERAL REGISTER, Vol. 41, page 8837, March 1, 1976.

Persons wishing to submit written statements regarding the agenda may do so. Comments postmarked no later than April 14, 1976 to Mr. R. Muller, ACRS, NRC, Washington, D.C. 20555 will normally be received in time to be considered at this meeting.

The agenda for the rescheduled meeting shall be as follows:

Wednesday, April 21, 1976, 8:30 a.m., the Subcommittee will meet in closed Executive Session, with any of its consultants who may be present, to exchange opinions and discuss preliminary views and recommendations relating to the discussion of the health aspects of the use of plutonium.

9:00 a.m. to 12:00 Noon, the Subcommittee will meet with representatives of the NRC Staff and consultants to review the program to prepare the environmental portion of the plutonium recycle report. This portion of the meeting will also be closed to the public.

1:00 p.m. to the conclusion of business, the Subcommittee will meet in open session to hear presentations by representatives of the NRC Staff and consultants and will hold discussions with these groups pertinent to the health aspects of plutonium use. During the conduct of this open session, it may be necessary for the Subcommittee to hold a closed session to discuss confidential proprietary information.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on April 20, 1976 to the Office of the Executive Director of the Committee (telephone 202/634-1374, Attn: Mr. Muller) between 8:15 a.m. and 5:00 p.m., EST.

A copy of the transcript of the open portion of the meeting will be available after April 28, 1976 and copies of the minutes of the meeting will be available for inspection after July 21, 1976, at the NRC Public Document Room, 1717 H St., NW., Washington, D.C. 20555.

All other matters pertaining to the meeting remain unchanged.

Dated: March 10, 1976.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc. 76-7204 Filed 3-10-76; 9:18 am]

LONG ISLAND LIGHTING COMPANY

Amended Notice of Hearing on Application for Construction Permits

A Notice of Hearing on Application for Construction Permits was published in the FEDERAL REGISTER on September 20, 1974 concerning the application of Long Island Lighting Company to construct the Jamesport Nuclear Power Station, Units 1 and 2 at a site six miles northeast of the Community of Riverhead in the Towns of Riverhead and Southold, Suffolk County, Long Island, New York (39 Fed. Reg. 33817). By virtue of a Memorandum of Understanding dated February 2, 1976, the New York State Electric and Gas Corporation has been added as an owner of the proposed facilities.

As a result of the addition of New York State Electric and Gas Corporation as an owner, the Nuclear Regulatory Commission (Commission) is hereby issuing an Amended Notice of Hearing on Application for Construction Permits of the proposed facilities. This Amended Notice does not alter or expand the issues for consideration set forth in the initial Notice of Hearing. By this Amended Notice the Commission is, however, affording any person whose interest may be affected by the entrance into this proceeding of New York State Electric and Gas Corporation as a Joint Applicant the opportunity to participate in this proceeding.

Any person whose interest may be affected by the entrance of the New York State Electric and Gas Corporation as a joint applicant and who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR § 2.714. A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Atomic Energy Act of 1954, as amended, to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both

the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have all the rights of the applicant to participate fully in the conduct of the hearing, such as the examination and cross-examination of witnesses, with respect to their contentions related to the matters at issue in the proceeding.

A petition for leave to intervene must be filed with the Secretary of the Commission and others as specified below by April 12, 1976. A petition for leave to intervene which is not timely will not be granted unless the Board determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Board has considered those factors specified in 10 CFR § 2.714(a)(1)-(4) and § 2.714(d).

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR § 2.715. A person making a limited appearance may make an oral or written statement on the record. He does not become a party, but may state his position and raise questions which he would like answered to the extent that the questions are within the scope of the issues set forth in the original Notice of Hearing. Limited appearances will be permitted at the time of the hearing at the discretion of the Board, within such limits and on such conditions as may be fixed by the Board.

Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission and others by April 12, 1976.

Papers required to be filed in this proceeding shall be filed by mail or telegram addressed to the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. Pending further order of the Board, parties are required to file, pursuant to the provisions of 10 CFR § 2.708, an original and twenty (20) conformed copies of each such paper with the Commission. A copy of the petition or request for limited appearance should also be sent to Elizabeth S. Bowers, Esq., Chairman, Atomic Safety and Licensing Board, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555; Mr. Ralph S. Decker, Route 1, Box 190D, Cambridge, Maryland 21613; Dr. Franklin C. Daiber, College of Marine Studies, University of Delaware, Newark, Delaware 19711; Bernard M. Bordenick, Esq., Counsel for NRC Staff, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Edward J. Walsh, Jr., Esq., Attorney for Long

Island Lighting Company, 250 Old Country Road, Mineola, New York 11501; W. Taylor Reveley, III, Esq., Attorney for Long Island Lighting Company, Hunton, Williams, Gay & Gibson, 700 East Main Street, Richmond, Virginia 23219; Irving Like, Esq., Attorney for County of Suffolk, Reilly, Like & Schneider, 200 West Main Street, Babylon, New York 11702; Jonathan H. Sinnreich and Martin London, Esq., Attorney for Town of Riverhead, Paul, Weiss, Rifkind, Wharton & Garrison, 345 Park Avenue, New York, New York 10022; Concerned Citizens of Suffolk County, % Dr. Caryl R. Grantt-ham, Box 550, Jamesport, New York 11947; League of Women Voters of Suffolk County, % Mrs. Laetitia deK. Bradley, 144 Quaker Path, Setauket, New York 11733; International Brotherhood of Electrical Workers, % Joseph C. Gramer, Esq., 425 Broadhollow Road, Melville, New York 11746; and the New York State Atomic Energy Council, % Office of Legal Counsel, 99 Washington Avenue, Albany, New York 12210.

For further details, see the letter from Counsel for Long Island Lighting Company to Counsel for the NRC Staff dated February 17, 1976, and the Memorandum of Understanding between Long Island Lighting Company and New York State Electric and Gas Corporation dated February 2, 1976, which is attached to the letter, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., between the hours of 8:30 a.m. and 5:00 p.m. on weekdays. Copies of these documents are also available at the Riverhead Free Library, 330 Court Street, Riverhead, New York 11901 for inspection by members of the public between the hours of 9 a.m. and 9 p.m. on Mondays; 9 a.m. and 5 p.m. on Tuesdays, Thursdays and Saturdays and noon and 9 p.m. on Wednesdays and Fridays.

Dated at Bethesda, Maryland this 9th day of March, 1976.

For the Atomic Safety and Licensing Board.

ELIZABETH S. BOWERS,
Chairperson.

[FR Doc. 76-7205 Filed 3-10-76; 9:18 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS WORKING GROUP ON FUEL AND WASTE STORAGE, DECONTAMINATION, PERSONNEL, EXPOSURE, AND PLANT DECOMMISSIONING

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the ACSRS Working Group on Fuel and Waste Storage, Decontamination, Personnel Exposure, and Plant Decommissioning will hold a meeting on March 18, 1976 in Room 1046, 1717 H St., NW., Washington, D.C. 20555. A commitment was made by the ACSRS to the Joint Congressional Committee on Atomic Energy (JCAE), at the JCAE public hearings on March 4, 1976 that the ACSRS would proceed promptly to evaluate a number of items

related to reactor and radiation safety. As a result, the Committee has established five working groups which will hold a series of meetings in the near future to carry out a preliminary review of these matters. The meeting on March 18, 1976 will be the first in this series.

The agenda for the subject meeting shall be as follows:

Thursday, March 18, 1976, 8:30 a.m., the Working Group will meet in closed Executive Session, with any of its consultants who may be present, to explore their preliminary opinions, based upon their independent review of safety reports, regarding matters which should be considered during the open session in order to formulate a Working Group report and recommendations to the full Committee.

9:00 a.m. until conclusion of business, the Working Group will meet in open session to hear presentations and hold discussions with representatives of the NRC Staff and other Government agencies, and from the nuclear industry.

At the conclusion of the open session, the Working Group may caucus in a brief, closed session to determine whether the matters identified in the initial closed session have been adequately covered and whether the project is ready for review by the full Committee. During this session, Working Group members and consultants will discuss their final opinions and recommendations on these matters.

In addition to these closed deliberative sessions, it may be necessary for the Working Group to hold one or more closed sessions for the purpose of exploring with the NRC Staff and representatives from other Government agencies and the nuclear industry matters involving proprietary information, particularly with regard to specific features of plant designs and plans related to plant security.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that it is necessary to conduct the above closed sessions to protect the free interchange of internal views in the final stages of the Working Group's deliberative process (5 U.S.C. 552(b)(5)) and to protect confidential, proprietary, or plant security information (5 U.S.C. 552(b)(4)). Separation of factual material from individual's advice, opinions and recommendations while closed Executive Sessions are in progress is considered impractical.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Working Group is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an uncompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by providing a readily reproducible copy to the Working Group at

the beginning of the meeting. Comments should be limited to safety related areas within the Working Group's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy thereof in time for consideration at this meeting. Comments postmarked no later than March 15, 1976, to Mr. E. G. Igne, ACRS, NRC, Washington, DC 20555 will normally be received in time to be considered at this meeting.

(b) Those persons wishing to make an oral statement at the meeting should make a written request to do so, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Working Group will receive oral statements on topics relevant to its purview at the appropriate time chosen by the Chairman of the Working Group.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on March 17, 1976 to the Office of the Executive Director of the Committee (telephone 202/634-1393, Attn: Mr. E. G. Igne) between 8:15 a.m. and 5:00 p.m., EST.

(d) Questions may be propounded only by members of the Working Group and its consultants.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(f) A copy of the transcript of the open portion of the meeting will be available for inspection on or after March 22, 1976 at the NRC Public Document Room, 1717 H St., N.W., Washington, D.C. 20555.

Copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room, 1717 H St., N.W., Washington, DC 20555 after June 18, 1976. Copies may be obtained upon payment of appropriate charges.

Dated: March 9, 1976.

JOHN C. HOYLE,
Advisory Committee
Management Officer.

[FR Doc.76-7206 Filed 3-10-76;9:18 am]

OFFICE OF MANAGEMENT AND BUDGET

DISPUTES IN CONNECTION WITH CONTRACT ADMINISTRATION

Executive Branch Positions on Commission on Government Procurement Recommendations

After considering comment by the executive agencies and the public submitted in writing and at a public hearing held

on December 10, 1975, the Administrator for Federal Procurement Policy has decided to adopt the following executive branch positions on Recommendations G-1 to G-12 of the Commission on Government Procurement (COGP). Plans for implementation and a discussion of the main points of agency and public comment are set forth in connection with each executive branch position.

COGP Recommendation G1. Make clear to the contractor the identity and authority of the contracting officer, and other designated officials, to act in connection with each contract.

Executive Branch Position. Accept.

Implementation. Each agency will have continuing responsibility for implementing this recommendation by reviewing its organizational manuals, charts, regulations, delegations, certifications of appointment, publications, notices in the FEDERAL REGISTER and Code of Federal Regulations, etc., and making such changes as may be appropriate to publicize (a) the identity of contracting officers and other procurement personnel and (b) the extent and limitations of their authority and any requirements for approval of procurement actions taken by them. The Administrator for Federal Procurement Policy will consider additional implementation in connection with implementation of executive branch positions on COGP Recommendations A-12—A-14 (see 40 FR 57721, December 11, 1975). The Department of Defense and the General Services Administration will give further consideration to the desirability of changing the procurement regulations and the disputes clause to give the contractor the option to appeal unless the contracting officer acts on the dispute within a prescribed period.

Discussion. The period for action by the contracting officer could vary with classes of contracts, could be made to run from the date of submission of claim or of formal demand for a decision, and could be made extendable by agreement. It is recognized that a contracting officer now is implicitly required to act within a reasonable time, but a fixed period may be more certain and effective for this purpose.

COGP Recommendation G-2. Provide for an informal conference to review contracting officer decisions adverse to the contractor.

Executive Branch Position. Accept with modifications—

(a) To describe the purpose as one to explore informally further possibilities of negotiating a settlement, not to review the contracting officer's decision;

(b) To make the conference mandatory only at the option of the contractor;

(c) To permit the conference at any time by mutual agreement but require it only if requested by the contractor before the formal decision of the contracting officer;

(d) To provide that the conference will not necessarily suspend or delay contract administration action, such as

termination, found necessary in the interest of the Government; and

(c) To provide for such conference at a level above the active participants in the controversy, not necessarily above the level of the contracting officer which varies in different agencies, the exact arrangements to be left to each agency in the light of its own organization, practices, and levels of authority, the amount of the claim, and the availability of higher level personnel at places convenient to them and the contractor.

Implementation. Initial implementation will be by appropriate provisions in the Federal Procurement Regulations (FPR) and the Armed Services Procurement Regulation (ASPR). Supplemental or detailed implementation, including procedures for designating higher level conference personnel, will be the responsibility of each agency.

Discussion. The conference is made mandatory only if requested before a formal decision because conditions then are more conducive to settlement. However, this is not intended to preclude or discourage continuing efforts, after a contracting officer's decision, to settle claims by negotiation, including use by mutual consent of higher level conference procedures. Compulsion does not appear necessary; thirty-eight percent of claims are now settled in the course of appeal to a board.

COGP Recommendation G-3. Retain multiple agency boards, establish minimum standards for personnel and case load, and grant the boards subpoena and discovery powers.

Executive Branch Position. 1. Accept as to subpoena and discovery powers;

2. As to organization of the boards, consolidate the boards into two full-time boards, one generally for the armed services and a second generally for the civilian agencies; and vest authority for the adjudication of appeals directly in the boards.

Implementation. An interagency group will be established to develop management, placement, funding, support and other arrangements for consolidating the boards, and to formulate proposals for the qualification, selection and status of board members.

Discussion. Structuring of the boards has proved highly controversial, with opinion ranging from no change to total change. The COGP opted for intermediate change which, on the basis of case load standards, would reduce the number of boards to three, four or seven. There is significant public support to eliminate boards with less than five members. This would reduce the number of civilian agency boards to five or six. The OFPP believes that consolidation into two boards would be most cost-effective and appropriate for the following reasons:

1. The OFPP agrees with the Commission that consolidation would achieve "more uniformity, consistency, economy, and efficiency." Cost savings and more effective use of personnel are indicated by:

The ASBCA experience in consolidating the Army, Navy and Air Force panels;

Current board costs, case loads, members and supporting personnel, which show a wide disparity per member in cost, productivity and clerical staff. While there has been substantial progress in uniformity, boards still differ in important areas, such as accelerated procedures, pretrial conferences, discovery, and use of ad hoc members.

2. The only reason cited by the Commission against total consolidation was that it is "argued" that familiarity of board members with the mission and operating procedures of the agencies assists the boards in performing their functions. The Commission recognized that "contract disputes do not vary so widely from agency to agency that each agency needs to have its own board." Nevertheless, it stopped short of total consolidation, noting that "under our recommendation, boards will still remain in the major civilian agencies to use to advantage whatever expertise may exist."

The OFPP believes that close familiarity with an agency and its activities, as distinguished from expertise in general procurement law, is a negligible factor in the performance of board members and any loss in that regard is not of such significance as to stand in the way of achieving the full benefits of consolidation. The limited extent to which board operations are likely to be hindered by a lack of familiarity with an agency's special characteristics is indicated by:

The broad range of contracts, products, services, subdivisions, procedures, missions, programs, disciplines, technologies and procurement methods, including GOCO plants, handled routinely by such boards as the ASBCA, GSBGA and DOTBCA;

The voluntary interagency use of existing boards by highly specialized procurement agencies such as EPA, NSF, HEW, and USIA;

Other Government institutions which have dealt effectively with contract disputes from all agencies, such as the Court of Claims, the Renegotiation Board, the Contract Settlement Board, and the Department of Justice; and

The variety of parties and cases within the jurisdiction of the United States district courts—for example, admiralty, antitrust, bankruptcy, utility regulation.

It is also highly questionable whether ex parte institutional familiarity is wholly consonant with minimum standards of "on the record" objectivity, fairness and due process. In any case, to the minor degree that an institutional or other specialized background is a legitimate factor in board performance, it can be adequately accommodated under a consolidated board by structuring board panels and assigning members and cases more or less in the same way that individual judges with recognized expertise in particular areas are assigned cases in court. For example, there could be one or more panels for construction cases.

3. The prime reason for consolidating the boards is the added stature, prestige,

strength of numbers and independence that comes with detaching the boards from individual agencies and vesting them directly with authority to decide appeals. If the boards, in the words of the Commission, are to be treated as "independent quasi-judicial tribunals" and strengthened "to ensure the independence and objectivity of the board members," consolidation is the most effective and appropriate means of doing so.

4. Consolidation will contribute not only to the reality but to the appearance of independence. Justice must not only be done, but must be seen to be done. There will remain only the most tenuous basis for the complaint that one of the parties to a dispute should not be the judge of its own case.

5. Consolidation is more than a matter of form. It will eliminate the legal authority of an agency head to interfere with, suspend, or supersede the decision-making authority of a board. Although such action has rarely if ever been taken, the fact remains that it can be, and has occasionally been proposed. The possibility should be eradicated as a brooding omnipresence in the board room.

6. Consolidation will not prejudice settlement possibilities or an agency's management responsibilities and effectiveness. Contractors and agencies through their own counsel will be directly involved in board proceedings and will have no less opportunity to settle cases or take other appropriate action.

7. Consolidation should not further formalize and judicialize board proceedings. The post-Wunderlich increase in due process and formality was a result, not of consolidation or other restructuring of the boards, but of the pressures imposed by the Wunderlich Act standards, court decisions, and, in the words of the Commission, "demands by the contractors and their counsel." Boards now provide as much or as little due process as a contractor wants or his counsel thinks necessary. Except in the rare case when a Government attorney may demand a hearing, the extent of due process is under the control of the contractor and his attorney. As noted by the Commission, no hearings were held in 36 percent of the appeals reviewed by the Commission.

8. Consolidation is not necessarily incompatible with giving contractors the option of direct access to court. It is not even a consideration relevant to that question except insofar as it minimizes any justification for such option based on a contractor's lack of confidence in the integrity and independence of board members. For good cause shown in other respects, direct access may still be appropriate to some extent as discussed in connection with COGP Recommendation G-6. Conversely, direct access does not minimize the need for consolidation. To the extent that independence and integrity are essential for confidence in a board and in its decisions, they are just as important for contractors who cannot afford to go to court or who prefer the

speed, economy, informality, and other advantages which a board offers.

9. A consolidated civilian board would be smaller than the ASBCA and therefore there is no reason to expect that the civilian board would be more unwieldy or unmanageable.

10. In support of a two-board rather than a one-board consolidation, it is persuasive that the ASBCA is highly regarded and already has the strength and stature of numbers and a substantial degree of detachment from the procuring military departments.

11. Consolidation is thought better than relinquishing the adjudicating authority of the boards to the courts. It will preserve the speed, economy, and informality of board as compared with court proceedings; will avoid increasing the burden of overloaded courts, and Department of Justice and United States attorneys; will facilitate settlement of cases during appeal; and, for cases that would be otherwise tried in the United States district courts, will retain the concentrated procurement expertise now found in the boards. At the same time, the current role of the Court of Claims will in no way be diminished, but in fact will be expanded by provision for direct access in some cases.

12. The Department of Justice and two of the civilian agencies with large boards support a consolidated civilian agency board. Smaller board agencies opposed to consolidation are just as much opposed to loss of their own boards through merger with or assignment of their cases to another board as recommended by the Commission. If a change is to be made, two of such smaller board agencies prefer consolidation rather than minimizer or other intermediate measures.

Consolidation can be effected by administrative action, and legislation is not considered essential. In any case, further study and coordination are necessary to formulate the best arrangements for placement, management and funding of a consolidated civilian board and for the qualification, selection, tenure, status and pay of board members. The interagency group to be established will consider such matters.

COGP Recommendation G-4. Establish a regional small claims boards system to resolve disputes involving \$25,000 or less.

Executive Branch Position. Reject, but assure that all boards of contract appeals provide accelerated procedures for disputes in amounts up to \$25,000, and are generally responsive to requests for local hearings when warranted by the convenience of the parties and witnesses.

Discussion. It is believed that the purpose of the Commission recommendation—to encourage expedited and more informal processing of appeals, and local hearings at places more convenient to contractors—has been adequately accomplished, for the most part, through adoption by the boards of accelerated procedures and a general practice of accommodating requests for local hearings. A separate small claims board of contract appeals appears to offer little, if any,

advantage even from the point of view of a small contractor, and not enough to outweigh the added cost, jurisdictional complications, and organizational and management problems.

Little support has developed for a change in the accelerated procedures to require, at the contractor's sole election, submission on the record without examination or cross-examination of witnesses. Submission on the record is now available at the contractor's election with the concurrence of the agency, which is generally granted, and the practice is expected to continue. Also, some board members have expressed the view that it is a disservice to small contractors to encourage them to submit on the record, since in most cases they have the burden of proof and a hearing may be helpful in meeting this burden.

COGP Recommendation G-5. Empower contracting agencies to settle and pay, and administrative forums to decide, all claims or disputes arising under or growing out of or in connection with the administration or performance of contracts entered into by the United States.

Executive Branch Position. Accept.

Implementation. This recommendation can be carried out administratively without legislation. The Department of Defense and the General Services Administration will pursue appropriate changes in the ASPR and FPR. To eliminate the apparent conflict between the views of some courts and the Comptroller General as to the claims-settlement authority of the procuring agencies, consideration should be given to the development of a contract adjustment clause to cover all claims not otherwise covered by specific contract clauses, such as the "Changes" clause. Such a clause should generally encompass all claims based on legal entitlement which would be recoverable by suit in court, including claims for breach of contract, impossibility, defective specifications, mistake and misrepresentation and other "contractual fairness" claims now handled administratively by relief under Pub. L. 85-804. Conforming changes should also be made in the disputes clause and other ASPR and FPR provisions.

Discussion. There was general support for this recommendation. In some cases, it was conditioned on giving contractors the option of direct access to courts under COGP Recommendation G-6, and restricting their obligation to continue work pending resolution of the dispute. As a practical matter, this is not regarded as a significant factor on the all-disputes question. Because of the extended use of contract adjustment clauses, such as for "Changes," Government-Furnished Property, Stop Work Orders, Government Delay of Work, Suspension of Work and Differing Site Conditions, and the development of the constructive changes and similar doctrines, practically all disputes have been brought under the contract and clear-cut breach of contract cases rarely arise. Often, the contractor prefers to continue performance and in any event the uncertainties of going directly to court are so great that contrac-

tors cannot afford to run the risk of not first appealing to a board.

While the Commission related consideration of this recommendation to its Recommendation G-6 for direct access to court, it found that, as a practical matter, few contractors can rely on the present distinction between disputes under the contract and disputes not under the contract. It also agreed that the obligation to continue work does no great harm to the contractor as long as he is assured of ultimate payment of any increased costs that he is entitled to. The obligation to continue work, with any unmanageable problem of interim financing it may cause, may also be tempered in some cases by contract provisions for excusable causes of delay in performance.

Nevertheless, it is not intended to foreclose further consideration of this question in connection with the development of an all-disputes clause; for example, by including a provision that it does not add or detract from the contractor's obligation to work under other provisions of the contract.

COGP Recommendation G-6. Allow contractors direct access to the Court of Claims and district courts.

Executive Branch Position. Accept with modifications to allow contractors direct access to the Court of Claims (a) for big claims, (b) by agreement between the parties, or (c) by direction of the board on motion of either party.

Implementation. This recommendation can be carried out administratively without legislation. Implementation is assigned to the Department of Defense and the General Services Administration for development of changes in the disputes clause and in the ASPR and the FPR which, among other things, will fix or provide for fixing the minimum amount to define a big claim.

Discussion. Acceptance of the Commission recommendation with modifications is considered an appropriate compromise at this time between those who want complete freedom of access to the courts and those who would deny it in all cases. As noted before, consolidation of the boards goes far to eliminate any justification for direct access based on lack of confidence in the integrity and independence of the boards. Nor is much weight attached to the formal argument that a contractor is entitled to his "day in court," since, in the judgment of OFPP, the boards will, in effect, provide this when consolidated and strengthened in other respects as contemplated.

Similarly, little weight is given to the argument, on principle, against permitting forum shopping since it is difficult to see how a contractor can anticipate what judge of the court or member of a board will hear his case and thereby tell where he is likely to fare better on a question of fact. On a question of law, he can in any event take his case ultimately to court where the court's view of the law will prevail. Nor is it thought that a contractor should be deprived of an option to go to court simply because the Government feels that it is faster and

cheaper and otherwise best for him to appeal to a board. On the contrary, for that very reason, contractors will not often want to go to court, and allowing them the choice may give them some reassurance in the big case.

Notwithstanding the foregoing, the OFPP modification goes along with a substantial measure of direct access for several reasons. First, it substantially conforms to the expectation of the COGP that the "option of direct access would be exercised only for cases involving large money amounts, new legal questions, in interpretation of new statutes or regulations, or fraud or corruption." Second, it generally accommodates the view of the Department of Defense favoring direct access to the Court of Claims. This view is thought generated primarily by the delay experienced by that Department in disposing of massive claims—though there has been little showing that this is due to any delinquency on the part of the ASBCA or its members as distinguished from other Government and non-Government participants in the claim administration and settlement process. Third, the OFPP modification responds to the view of some practicing attorneys that in the big case there is more of a need for the presiding judge to "take charge" in order to sharpen the issues, stipulate evidence, limit witnesses, and otherwise expedite the case, and that court judges are more inclined to do so. In a matter that depends so much on the personality, vigor and disposition of the particular judge, it is questionable that courts can do much more than a board in this respect, but it may be that courts are somewhat aided by tradition, practice, their contempt authority, the deference of counsel, and the dignity of their surroundings. Fourth, there is a greater likelihood that the big case will ultimately be appealed to court and it may save time and money to go there in the first place. Finally, it is believed that limited experimentation with direct access may be worthwhile so that any future examination of this subject can be based more on experience than speculation.

The OFPP modification would also allow direct access on consent of the parties and this should generally be adequate for unusual cases, including any involving an important question of law. The choice, however, should not be entirely that of the contractor. In the first place, there are very few cases that turn on new legal questions or interpretation of new statutes or regulations, as distinguished from interpretation of contract clauses and specifications. Second, the difficulty of distinguishing questions of law and fact is well recognized. Third, courts generally are aided by a record of the facts in their consideration of questions of law. This guarantees the question is not moot and shows the significance of the question of law. The lower judge's opinion is also generally helpful. Finally, where both parties agree, or the board itself decides, it will be possible to submit the question of law directly to court in any case. Also, under the provision for direct access by agreement, an agency

head may go as far as he deems appropriate in permitting direct access within his agency.

COGP Recommendation G-7. Grant both the Government and contractors judicial review of adverse agency boards of contract appeals decisions.

Executive Branch Position. Accept.

Implementation. The Department of Defense and the General Services Administration will undertake appropriate changes in the disputes clause and procurement regulations to effect this recommendation. It is believed that this recommendation can be implemented administratively and legislation is not a prerequisite.

Discussion. As long as a board performs an independent adjudicatory function for the initial trial of a case in a manner fully equivalent to a court of original jurisdiction, and not as an operating or management instrumentality of an agency, both sides should have substantially equal rights of appeal similar to those available if the case were actually tried in a United States court. Boards have to deal with close questions as to which judges may reasonably differ. The Government should be able to appeal such a decision if adverse to it, particularly when the issue is one of interpretation of an applicable statute, executive order, regulation, or standard clause affecting many contracts.

However, in view of the financial impact of prolonged litigation on the contractor, appeals by the Government should be subject to approval by an agency head or assistant head, and the Attorney General or an Assistant Attorney General, to guard against excessive and unwarranted appeals. Pending appeal, consideration should also be given to making progress payments in accordance with the board decisions.

No weight is attached to the formal argument that a board is the authorized representative of an agency head, acting for him, and therefore it would be anomalous for an agency head to appeal his own decision. In any case, each consolidated board will have independent authority in its own right and no longer will be acting for an agency head. Both parties will be in the position of private litigants before a tribunal of original jurisdiction, with equal rights of appeal.

Nor should the Government be deprived of a right of appeal, fairly needed for its protection, because it has greater resources and can exhaust a contractor by prolonged litigation and force him to abandon or settle his claim. The relatively few cases where the Government has appealed indicate that the appeals were not undertaken frivolously or to exert pressure on the contractors. The requirement for appeal at the agency head and Attorney General level will minimize any possibility of abuse. Thus, there is every reason to believe that appeals will be controlled as closely as they have been in the past. While the possibility of bankruptcy pending appeal should receive sympathetic consideration, there is no indication that contractors will suffer more in this regard in

litigation under Government contracts than in litigation under subcontract or commercial contracts.

The S&E case is no argument against a Government right of appeal. That case dealt only with the legal issue under the existing clause and statutes and not with the policy question whether the clause and statutes should be changed. Also, that case is conclusive only as to the legal standing of the Comptroller General and the Attorney General to investigate a Government appeal. In the opinion of many, including the Department of Justice, that case does not foreclose a Government appeal on the initiative of the head of a procurement agency.

Finally, little weight is given to the "trade-off" argument that the contractor, under the disputes procedure, has given up a lot in exchange for the Government giving up its right of appeal. The availability of the boards in place of the courts for the adjudication of disputes, is as much for the benefit of the contractor as for the benefit of the Government. Speed and economy in the adjudication of the disputes are helpful to both, but probably more so to the contractor.

Nor is the obligation to continue work regarded as a quid pro quo. As has been recognized in connection with commercial work, that obligation is good, bad or indifferent regardless of the means agreed upon for resolving disputes.

In keeping with the continuance of the boards as independent quasi-judicial tribunals, no change should be made in the Wunderlich Act standards of review. Little support for such change is found in the Commission's report. The Commission's reference to the Wunderlich Act was primarily in the context of remand and was ambiguous at best. Where the Commission plainly wanted to provide for de novo review, as in the case of the small claims board of contract appeals, it had no difficulty in expressing its intent expressly in those words. In any case, in view of the status of the boards as independent quasi-judicial tribunals, de novo review is not considered warranted.

COGP Recommendation G-8. Establish uniform and relatively short time periods within which parties may seek judicial review of adverse decisions of administrative forums.

Executive Branch Position. Accept by allowing 90 days for appeal from a contracting officer's decision to the board; 180 days for appeal from a board decision to a court; and one year for appeal from a contracting officer's decision directly to court in a big case, provided that the contractor, within 90 days, files notice of his intent to appeal directly to court.

Implementation. Implementation will be by appropriate changes in the disputes clause and the procurement regulations. In connection therewith, consideration may be given to the question whether the periods of limitation should be made absolutely jurisdictional or subject, after default, to excuse or waiver for good

cause shown. No question in this regard is raised as to waiver or extension prior to running of the period of limitation.

Discussion. The 90-day period would increase the present 30-day period for appeal from the contracting officer and thus minimize any need for a waiver of default in this respect. The 180-day period is more than 60/90-day period now allowed for taking an appeal to a United States Circuit Court of Appeals from the United States District Court. In this connection, the Commission said, "since the boards as now constituted, and further strengthened by our recommendations, are essentially trial courts, there is no reason to treat the time period for appeal of their decisions any differently than an appeal from a United States District Court or United States Court of Claims." However, a 180-day period seems more reasonable, particularly in view of the requirement for agency head and Attorney General approval for appeal by the Government from a board decision.

Also, in the big case where a contractor is given an option of direct access to court, a reduction from the present six-year statute of limitations to a one-year statute, when combined with the 90-day notice requirement, would appear appropriate to balance the interests of the Government and the contractor in closing out a contract and minimizing the risk of loss of records and knowledgeable personnel. In a big case, where the issues and evidence have not been previously developed by trial, a one-year period would not appear unduly excessive to allow time to draft a complicated petition and institute a suit in court.

COGP Recommendation G-9. Modify the present court remand practice to allow the reviewing court to take additional evidence and make a final disposition of the case.

Executive Branch Position. Reject.

Discussion. Since the preferred board system makes the board comparable to a trial court and the Federal courts to appellate courts, present remand practices should be continued on the basis that they are similar to the practices of the United States circuit courts of appeal on appeals from United States district courts. However, if necessary, it should be made clear that the court on review of a board decision is authorized to make supplemental findings of fact not found in the board decision but essential to a resolution of the case where the existing board record is adequate to support such findings and further evidence is not required.

It is recognized that the Court of Claims has a trial capability and in this respect differs from an appellate court. Nevertheless, as the Commission pointed out, the need for the determination of "quantum" or damages is the most common cause of remand. On the basis of their comparative record, there is no reason to believe that such further hearing as may be necessary will be more economical or expeditious if referred to the trial division of the Court of Claims than if remanded to the board. On the contrary, the majority of remanded cases are settled and the prospects of settle-

ment seem greater if the procurement agency and its contract administrators and attorneys are once again given responsibility for administering the claim and the opportunity of dealing directly with the contractor. In addition, any recovery by a contractor as the result of a board proceeding on remand will be chargeable as a contract cost to agency appropriations.

COGP Recommendation G-10. Increase the monetary jurisdictional limit of the district courts to \$100,000.

Executive Branch Position. Accept with a modification to increase district court jurisdiction to \$25,000.

Implementation. Legislation will be needed to change district court jurisdiction.

Discussion. The district courts are already overloaded. It is also believed advisable for the most part to retain the advantages of the expertise and specialization of the Court of Claims in adjudicating Government contract claims and establishing the principles of Government contract law. However, an increase in district court jurisdiction to \$25,000 is considered warranted to reflect to a limited extent the inflationary changes in dollar values since the \$10,000 limit was established.

COGP Recommendation G-11. Pay interest on claims awarded by administrative and judicial forums.

Executive Branch Position. Accept.

Implementation. This recommendation has been implemented in the procurement regulations.

Discussion. However, proposals to change the regulations to start the running of interest earlier, are referred to the Department of Defense and the General Services Administration for consideration.

COGP Recommendation G-12. Pay all court judgments on contract claims from agency appropriations if feasible.

Executive Branch Position. Reject.

Discussion. Charging court judgments to nonagency appropriations may somewhat tend to be counter-productive to administrative settlement and may also obscure the full cost of some Government procurements. Such possibilities are regarded as remote. On the other hand, a change might cause considerable funding problems for the agencies and might make it harder and longer for the contractors to receive payment of the money found due them by court judgment. On balance, the burden of advocating legislation to effect a change is not deemed warranted.

Implementing Procedures. As has been noted, some changes require legislation and others can be made administratively. Accordingly, legislation as necessary, or otherwise deemed appropriate for initiation by the executive branch, will be drafted. Concurrently, it is intended that administrative action be taken with all deliberate speed to effect such changes as can be accomplished without waiting for legislation. Industry and public comment will be solicited as appropriate in connection with the detailed implementation of those changes which can be made administratively.

HUGH E. WITT,
Administrator for
Federal Procurement Policy.

MARCH 8, 1976.

[FR Doc. 76-6986 Filed 3-10-76; 8:45 am]

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 March 5, 1976 (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

U.S. CIVIL SERVICE COMMISSION

Supplemental Application for Overseas Positions, CSC 909, single-time, applicants/employees for overseas positions, Caywood, D. P., 395-3443.

FEDERAL RESERVE SYSTEM

Survey of Outstanding Volume of IRA and Keogh Accounts as of March 31, 1976, FR 1129, single-time, member commercial banks, Hulett, D. T., 395-4730.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Questionnaire for Processors and or Importers of Honey, single-time, processors and importers of honey, Laverne V. Collins, 395-5867.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Questionnaire for Producers of Honey, single-time, producers of honey, Laverne V. Collins, 395-5867.

ENVIRONMENTAL PROTECTION AGENCY

Hazardous Waste Survey, single-time, facilities generating or receiving hazardous waste, Lowry, R. L., 395-3772.

DEPARTMENT OF COMMERCE

Health Resources Administration: An Assessment of Retention & Recruitment Activities in HRA's Special Health Career Opportunity Grants and Special Project Awards, HRAOHO 02L9, single-time, grantee and students, Human Resources Division, Richard Elsing, 395-3532.

Bureau of International Commerce: Survey of Effect on U.S. R. & D. of Proposed Section 1.861-8 of the IRS Regs., DIE 821P, single-time, research and development intensive U.S. multinational corporations, Hulett, D. T., 395-4730.

DEPARTMENT OF HEALTH, EDUCATION, AND
WELFARE

National Institute of Education: Directory of Eric Microfiche Collections Questionnaire, NIE L 53, annually, organizations holding Eric microfiche collections, Kathy Wallman, 395-6140.

Center for Disease Control: Clinical and Public Health Laboratory Survey, CDC 3.924, single-time, public and private health laboratories, Richard Eisinger, 395-6140.

National Institutes of Health: A Study of Low Fertility Cohorts in the United States, OS-NIH-CH-26, single-time, ever-married white women born 1901-10, Richard Eisinger, 395-6140.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration: Questionnaires (2), To Be Used in a Study Entitled: "Profile and Anthropometric Data Relating to the Interstate Truck and Bus Driver Populations in the U.S.," single-time, truck/bus drivers, Strasser, A., 395-5867.

National Highway Traffic Safety Administration: Driver Profile, single-time, driver convicted of traffic violations, Richard Eisinger, 395-6140.

Departmental and other: Research Prospectus: "Improved Regulation of Interstate Transportation of Migrant Workers," on occasion, migrant farm workers, Strasser, A., 395-5867.

REVISIONS

U.S. CIVIL SERVICE COMMISSION

Supplemental Qualifications Statement Computer Specialist, CSC 972, on occasion, applicant/employees for overseas positions, Caywood, D. P., 395-3443.

DEPARTMENT OF HEALTH, EDUCATION, AND
WELFARE

Office of Human Development: Area Planning and Social Services Program Evaluation—Service Provider Information Form, single-time, area agencies on aging directors, Caywood, D. P., 395-3443.

EXTENSIONS

VETERANS ADMINISTRATION

Designation of Beneficiary and Optional Settlement—Government Life Insurance, VA29-336, on occasion, insured veterans, Marsha Traynham, 395-4529.

Monthly Report of Training and Wages—Under Chapter 31, Title 38, U.S.C. 21E-1905C, monthly, veterans, Marsha Traynham, 395-4529.

Supplement to Medical Application for Government Life Insurance, 29-352A, on occasion, insured veterans, Marsha Traynham, 395-4529.

Certification of Change or Correction of Name (for Government Life Insurance), 29-586, on occasion, insured veterans, Marsha Traynham, 395-4529.

Application for Exchange of Total Disability Income Provision, 29-467A, on occasion, insured veterans, Marsha Traynham, 395-4529.

Application for Reinstatement (Non-Medical Comparative Health Statement), Government Life Insurance, 29-353, on occasion, insured veterans, Marsha Traynham, 395-4529.

Notice of Past Due Payment (National Service Life Insurance), 29-389E, on occasion, insured veterans, Marsha Traynham, 395-4529.

Application for Exchange to Special Endowment at Age 96 Plan, 29-358A, on occasion, insured veterans, Marsha Traynham, 395-4529.

Transfer of (Scholastic) Credit (Schools), FL21E-315, on occasion, school, Marsha Traynham, 395-4529.

Request for Employment in Connection With a Claim for Disability Insurance Benefits, FL-29-30A, on occasion, insured veterans, Marsha Traynham, 395-4529.

Insurance Deduction Authorization, 29-888, on occasion, insured veterans, Marsha Traynham, 395-4529.

NATIONAL CAPITOL PLANNING COMMISSION

Federal Employee Travel Survey, single-time, Federal employees, Marsha Traynham, 395-4529.

U.S. CIVIL SERVICE COMMISSION

Supplemental Qualifications Statement—Nurse, CSC 991, on occasion, applicants for Nurse, Caywood, D. P., 395-3443.

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

Housing Production and Mortgage; Permission To Occupy—Section 213 Cooperation Housing Units, FHA-3219, on occasion, contractor, Community and Veterans Affairs, Division, 395-3532.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.76-7083 Filed 3-10-76;8:45 am]

OFFICE OF THE FEDERAL REGISTER

FREEDOM OF INFORMATION
REQUIREMENTSAvailability of Agency Index Material;
Notice Relating to Use of Format

The Freedom of Information Act requires agencies to maintain and make available for public inspection and copying current indexes providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and required to be made available or published (5 U.S.C. 552(a)(2)). Recent amendments (Pub. L. 93-502, November 21, 1974, 88 Stat. 1561) require the publication (with some exceptions) and distribution of these indexes at least quarterly.

In an effort to assist agencies in publicizing the availability and content of their indexes the following format has been developed in consultation with the Office of the Attorney General. It is intended to provide a convenient way of announcing the indexes themselves and setting forth in one place the information necessary for the ordering or inspection of such indexes.

Each agency wishing to use this format should submit information at least quarterly to the Office of the Federal Register by March 31, June 30, September 30, and December 31. The information will then be compiled and published in the FEDERAL REGISTER. The annual compilation for 1975 appeared in the FEDERAL REGISTER of January 30, 1976, at page 4678. The Office of the Federal Register is taking this opportunity to remind agencies of the availability of this service.

Instructions for agency use are included on the format itself and blank copies are available from the Office of the Federal Register. Questions regarding the format should be directed to the Office of the Federal Register, National Archives and Records Service, Washington, DC 20408.

FRED J. EMERY,

Director of the Federal Register.

MARCH 5, 1976.

Availability of agency index material

Instructions for agencies. 5 U.S.C. 552 (commonly called the Freedom of Information Act) requires agencies to maintain and make available for public inspection and copying current indexes providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, and required to be made available or published (5 U.S.C. 552(a)(2)). Recent amendments (Public Law 93-502, Nov. 21, 1974, 88 Stat. 1561) require the publication (with some exceptions) and distribution of these indexes at least quarterly. The following format is designed for use by agencies in notifying the public of the availability of these indexes for sale and/or public inspection. This information should be submitted to the Office of the Federal Register typewritten, in triplicate, with the signature, title, and telephone number of the approving official at the bottom. The information should be submitted quarterly on or before Mar. 31, June 30, Sept. 30, and Dec. 31, and mailed to the Office of the Federal Register, National Archives and Records Service, Washington, D.C. 20408. Information submitted by agencies will be compiled and published quarterly in the FEDERAL REGISTER. Blank copies are available from the Office of the Federal Register or by calling 202-523-5266.

Agency and subagency name	Index title, period covered, brief description of contents	Order from: price, make checks payable to—	For inspection, copying or additional information contact—

Quarter: _____
 January to March _____
 April to June _____
 July to September _____
 October to December _____
 Date: _____

Signature of authorizing official: _____
 Title: _____
 Telephone No.: _____

[FR Doc.76-6867 Filed 3-10-76;8:45 am]

POSTAL RATE COMMISSION

[Docket No. R76-1]

POSTAL RATE AND FEE CHANGES, 1975

Proposed Change in the Fee for Address-Correction Service

MARCH 5, 1976.

Notice is hereby given that on March 3, 1976, the United States Postal Service (hereinafter Postal Service or Service), in accordance with chapter 36 of title 39, United States Code, filed a Request for a recommended decision on a change in the fee for address-correction service.

The Postal Service states that its Request is filed pursuant to rule 54(p) of the Commission's rules of practice and procedure (39 CFR 3001.54(p)). Rule 54 (p) is a special waiver (applicable only to minor rate cases) of the rules applicable to requests for changes in rates and fees. The Postal Service further states that for procedural purposes it requests that the instant Request be considered with other rate and fee requests which are now before the Postal Rate Commission in Docket No. R76-1.

In its Request the Postal Service indicates that its filing is made in accordance with the direction of the Board of Governors of the Postal Service following the Board's consideration of the specific proposed fee increase for the address-correction service. The Service further asserts that the Board's action is in accordance with "Associated Third Class Mail Users v. United States Postal Service," Civil No. 75-1809 (D.D.C., December 16, 1975) but without prejudice to the Service's appeal from the decision of that case.

The current charge for the address-correction fee is ten cents and the Postal Service proposes to increase the fee to twenty-five cents. In this regard the Service states that the revenues which would result from this service in the absence of a fee increase would be \$12.887 million for fiscal year 1976. With the imposition of the fee increase the

Service estimates that revenues will total \$27.384 million for fiscal year 1976. According to the Service the increase in the fee for address correction is necessary to meet the standards of 39 U.S.C. 3622(b) and is designed to produce revenue that will equal as nearly as practicable the attributable costs of the service. Accordingly, the Postal Service requests this Commission to submit a recommended decision to the Governors of the Postal Service on a change in fee for address-correction service.

Pending the resolution of procedural issues which may be raised with respect to the instant Request, the Commission is treating it as the Postal Service's "third amendment" to its September 19, 1975 Request for a recommended decision on changes in rates of postage and fees for postal services, filed in Docket No. R76-1.

The Request of the Postal Service for a recommended decision on a change in fee for address-correction is on file with the Commission and available for public inspection.

JAMES R. LINDSAY,
 Secretary.

[FR Doc.76-6960 Filed 3-10-76;8:45 am]

PRIVACY PROTECTION STUDY COMMISSION

RECORDKEEPING PRACTICES OF DEPOSITORY AND LENDING INSTITUTIONS
 Hearings

The Privacy Protection Study Commission will hold public hearings between 10:00 a.m. and 5:30 p.m. on April 21 and 22, 1976 in Room 2358, Rayburn House Office Building, Washington, D.C. The principal topic of these hearings will be the recordkeeping practices of depository and lending institutions, i.e., commercial banks, mutual savings banks, savings and loan associations, credit unions, and consumer finance companies. Under authority of the Privacy Act of 1974 (Pub. L. 93-579), the Commission will consider whether the principles and

requirements of the Privacy Act of 1974 should be extended to depository and lending institutions and also such other legislative recommendations as may be necessary to prevent the records of financial institutions from being used to intrude upon an individual's personal privacy.

To assist in the development of this inquiry, the Commission wishes to learn about the experiences and views of interested parties, including members of the public, prior to the hearings. Submissions should be made in writing to the Executive Director, Privacy Protection Study Commission, Suite 424, 2120 L Street, NW., Washington, D.C. 20506, and should be received in the Commission offices no later than April 2, 1976.

Americans have long believed that the details of their personal finances are nobody's business but their own and that the information they disclosed to depository and lending institutions will not travel further. Today, however, there is a growing feeling that this belief may no longer be valid. Because it is difficult today to avoid taking advantage of the services that depository and lending institutions offer, and because of the arrival of electronic funds transfer technology, serious questions are being raised about the adequacy of existing legal protections for the records that financial institutions maintain on their individual customers.

The Commission is interested in views and statements from the public concerning the record-keeping practices of depository and lending institutions and in particular seeks information, views, and comments as to the following: (i) The uses that depository and lending institutions make of individually identifiable information about depositors and debtors, including the type and form of information collected, the collection purpose(s), and the sources from which information is obtained and verified; (ii) the effect of new services and technologies—including point-of-sale services (POS) and automated clearing houses (ACH)—on the

record-keeping practices and policies of depository and lending institutions; (iii) the organizations to which depository and lending institutions disclose individually identifiable information in the course of providing financial services; (iv) the legal and operational relationships between depository and lending institutions and consumer-reporting agencies, independent authorization services, and "bad debt" collection agencies; and (b) the policies and procedures of depository and lending institutions with regard to access by government agencies (i.e., limitations on search, release of documents, advance notice to the customer), legal requirements in this regard, incentives for denial of access or cooperation with government agencies, and related experiences; (vi) the desirability and feasibility of applying the principles and requirements of the Privacy Act of 1974 to depository and lending institutions; and (vii) the scope and adequacy of existing safeguards for individual privacy as balanced against the legitimate needs of government and society for information.

The Commission also requests information, views and comments from or concerning governmental agencies which either regulate the activities of depository and lending institutions or make use of the information on individuals that such institutions maintain. The Commission intends to examine the practices of government agencies that use personal information maintained by depository and lending institutions, including the purposes for which such information is obtained and used, the methods of access, the appropriateness and feasibility of prior notice to the individual, and the effects of forbidding or tightly regulating government access. In this connection, the Commission will be particularly interested in the experience of the Department of Treasury in administering the Bank Secrecy Act of 1970 and related regulations.

Finally, the Commission is interested in the Federal Government's role in the development and operation of point-of-sale and automated clearinghouse facilities, and the effect that role may have on (i) the structure of the banking industry; (ii) government access to financial records about an individual; (iii) the need for improved systems of personal identification; and (iv) Federal-State relations.

DAVID F. LINOWES,
Chairman.

CAROLE W. PARSONS,
Executive Director, Privacy
Protection Study Commission.

[FR Doc.76-6985 Filed 3-10-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[811-2246]

ACCUMULATION FUND, INCORPORATED Order Declaring That Company Has Ceased To Be an Investment Company

MARCH 5, 1976.

On February 6, 1976, a notice was issued (Investment Company Act Release

No. 9147) of an application filed on January 19, 1976, and an amendment thereto on January 27, 1976, by The Accumulation Fund, Inc. ("Applicant"), 245 Park Avenue, New York, New York 10017, registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified management investment company, for an order of the Commission pursuant to Section 8(f) of the Act declaring that Applicant has ceased to be an investment company as defined in the Act. The Notice gave interested persons an opportunity to request a hearing and stated that an order disposing of the application would be issued as of course unless a hearing should be ordered. No request for a hearing has been filed and the Commission has not ordered a hearing.

The matter has been considered and it is found that Applicant has ceased to be an investment company. Accordingly, it is ordered, pursuant to Section 8(f) of the Act, that the registration of The Accumulation Fund, Inc., under the Act shall forthwith cease to be in effect.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-6917 Filed 3-10-76;8:45 am]

[70-5809]

ALLEGHENY POWER SYSTEM, INC.

Proposed Issue and Sale of Short-Term Notes to Banks and to Commercial Paper Dealers; Request for Exception From Competitive Bidding

MARCH 4, 1976.

Notice is hereby given that Allegheny Power System, Inc. ("APS"), 320 Park Avenue, New York, New York 10022, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 6(b) of the Act and Rule 50(a) (5) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, summarized below, for a complete statement of the proposed transaction.

APS proposes to borrow funds, during the period March 31, 1976 to September 30, 1977, by issuing, selling and renewing short-term notes to banks and commercial paper to one or more commercial paper dealers in an aggregate amount not to exceed \$60,000,000 outstanding at any one time. It is stated that the notes and commercial paper will be issued and renewed from time to time as funds may be required prior to September 30, 1977, provided that no such notes or commercial paper will mature after March 31, 1978. Accordingly, APS requests that, from the date of the granting of the application filed in this matter to September 30, 1977, the exemption from the provisions of Section 6(a) of the Act, afforded to it by the first sentence of Section 6(b) thereof, be increased to the extent necessary to permit the proposed program of short-term borrowing.

Although no commitment or agreement for any of the proposed borrowing has been made, it is anticipated that seven designated commercial banks will make available to APS varying lines of credit aggregating \$175,000,000, provided that the total borrowings by APS will at no time exceed the total amount authorized by this Commission. APS states that the unsecured promissory notes, to be issued to the banks as evidence of such borrowings, will mature not more than 270 days after issuance or renewal, will be prepayable at any time without premium or penalty, and will bear interest at a rate not exceeding the prime rate of each lending bank in effect at the date of the borrowing. APS anticipates that the banks will require compensating balances at levels generally approximating 10% of the line of credit plus 10% of the amount of notes outstanding; thus, if APS maintained balances solely to fulfill compensating balance requirements for borrowings, the effective interest cost to APS, assuming a prime rate of 7%, would be approximately 8.75%.

APS further proposes to issue and sell commercial paper, in the form of promissory notes in denominations of not less than \$50,000, nor more than \$5,000,000, to one or more commercial paper dealers at a discount not in excess of the discount rate per annum prevailing at the time of issuance for commercial paper of comparable quality and of like maturity sold to commercial paper dealers. APS states that the commercial paper notes will be of varying maturities, with no maturity more than 270 days after the date of issue, and that they will not be prepayable. APS states further that it may issue the commercial paper notes if the interest cost thereof is equal to or less than the effective interest cost at which it could borrow funds from the seven commercial banks with which it has lines of credit or if APS cannot at that time borrow the same amount for the same period of time from such banks. It is expected that the commercial paper dealers will reoffer the commercial paper notes to not more than 200 of their customers, identified and designated in a non-public list prepared in advance by the dealers, at a discount rate of $\frac{1}{8}$ of 1% per annum less than the discount rate to APS. It is expected further that the dealers' customers will hold the commercial paper notes to maturity; but, if any such customers wish to resell prior to maturity, their dealers will repurchase the notes pursuant to a verbal repurchase agreement and will reoffer them to other customers on their non-public lists.

It is stated that the proceeds from the issue, sale and renewal of the proposed short-term borrowings will be invested in APS' operating subsidiaries, through capital contributions or purchases of common stock, to assist them in financing their construction programs. It is presently estimated that for 1976 and 1977, the cost of these construction programs will total approximately \$514,000,000 (including allowance for funds used during construction) and that APS' investment in its operating subsidiaries will total approximately \$108,500,000.

APS requests that the proposed issue and sale of the commercial paper notes be excepted from the competitive bidding requirement pursuant to a finding by this Commission under Rule 50(a)(5).

It is stated that the fees and expenses to be incurred by APS in connection with the proposed transaction are estimated to be approximately \$10,400, including credit rating fees of \$8,000. It is further stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 30, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6918 Filed 3-10-76; 8:45 am]

[File Nos. 2-28521; (22-4941)]

ALLIED PRODUCTS CORP.

Application and Opportunity for Hearing
MARCH 4, 1976.

Notice is hereby given that the Allied Products Corporation (the "Company") has filed an application under clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding that the trusteeship of Continental Illinois National Bank and Trust Company of Chicago ("Continental") under four indentures, one heretofore qualified under the Act, two which were not qualified under the Act because of the exemption contained in Section 304(a)(4) of the Act, but which were the subject of a Commission Order under Section 310(b)(1)(ii) of the Act, and one new indenture which will not be qualified under the Act because of the exemption contained in Section 304(a)(4) of the Act,

is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Continental from acting as Trustee under any such indenture.

Section 310(b) of the Act provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of such Section provides, in effect, with certain exceptions that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same issuer are outstanding. However, under clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under such qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under either of such indentures.

The Company alleges that: (1) Continental is presently acting as trustee under an indenture dated January 15, 1968, between Continental as trustee and the Company (the "1968 Indenture"), pursuant to which \$14,803,100 principal amount of 7% Senior Subordinated Debentures due 1984 of the Company (the "Debentures") were outstanding as of December 31, 1975. The 1968 Indenture was qualified under the Act and contains the provisions permitted by the proviso of Section 310(b)(1) of the Act. The payment of principal and interest with respect to the Debentures is subordinated to prior payment in full, when due, of all senior debt as defined in the 1968 Indenture. The Debentures were registered under the Securities Act of 1933 (the "1933 Act") on Form S-1 (File No. 2-28521).

(2) As of December 31, 1975, the Town of Olive Branch, Mississippi ("Olive Branch") had outstanding approximately \$800,000 principal amount of Series 1975 Industrial Development Revenue Bonds (the "Olive Branch Bonds"). The Olive Branch Bonds were issued under an Indenture dated as of November 1, 1975 (the "Olive Branch Indenture") between Olive Branch and Continental, as Trustee. The Olive Branch Bonds were not registered under the 1933 Act pursuant to the exemption contained in Section 3(a)(2) thereof. The Olive Branch Indenture was not qualified under the 1939 Act pursuant to the exemption contained in Section 304(a)(4) thereof (referring to Section 3(a)(2) of the 1939 Act). The Company is the lessee of the project

financed with the proceeds from the issuance of the Olive Branch Bonds.

As of December 31, 1975, the City of Prattville, Alabama ("Prattville") had outstanding approximately \$1,100,000 principal amount of APC Series Industrial Development Revenue Bonds (the "Prattville Bonds"). The Prattville Bonds were issued under an Indenture dated as of November 1, 1975 (the "Prattville Indenture") between Prattville and Continental, as Trustee. The Prattville Bonds were not registered under the 1933 Act pursuant to the exemption contained in Section 3(a)(2) thereof. The Prattville Indenture was not qualified under the 1939 Act pursuant to the exemption contained in Section 304(a)(4) thereof (referring to Section 3(a)(2) of the Act). The Company is the lessee of the project financed with the proceeds from the issuance of the Prattville Bonds.

(3) The trusteeship of Continental under the 1968 Indenture, the Olive Branch Indenture and the Prattville Indenture was the subject of an Application of the Company dated October 30, 1975 pursuant to Section 310(b)(1)(ii) of the 1939 Act (the "Olive Branch Application") File No. 3-4817. The Olive Branch Application set forth certain information concerning the Debentures, the 1968 Indenture, the Olive Branch Bonds, the Olive Branch Indenture, the Prattville Bonds and the Prattville Indenture. On December 18, 1975, the Securities and Exchange Commission entered an Order (Release No. 39-423) to the effect that the trusteeship of Continental under the 1968 Indenture, the Olive Branch Indenture and the Prattville Indenture were not likely to involve a material conflict of interest. There have been no material changes in the statements made in the Olive Branch Application, and the statements in the Olive Branch Application are hereby incorporated herein by reference.

(4) The Company proposes to enter into a lease agreement (the "1975 Lease Agreement") with the City of Fort Dodge Iowa ("Fort Dodge") whereby Allied will lease from Fort Dodge, for use in an existing manufacturing facility, certain land and equipment (the "Equipment") consisting of production equipment and facilities as described in Exhibits A and B to the 1975 Lease Agreement. Fort Dodge proposes to issue approximately \$2,500,000 principal amount of Series 1975 A Industrial Development Revenue Bonds (the "1975 Fort Dodge Bonds") bearing interest at a rate to be determined immediately prior to sale. The 1975 Fort Dodge Bonds will not be registered under the 1933 Act pursuant to the exemption contained in Section 3(a)(2) thereof. The 1975 Fort Dodge Bonds will be issued under an Indenture (the "1975 Fort Dodge Indenture") between Fort Dodge and a commercial bank as Trustee. The 1975 Fort Dodge Indenture will not be qualified under the 1939 Act pursuant to the exemption contained in Section 304(a)(4) thereof (referring to Section 3(a)(2) of the 1933 Act).

The Company and Fort Dodge desire to have Continental act as Trustee under the 1975 Fort Dodge Indenture. All of

the 1975 Fort Dodge Bonds will be purchased by Continental as principal for its own account and will be held for investment purposes.

(5) An Application dated July 16, 1974 (the "1974 Fort Dodge Application") was filed by the Company with the Securities and Exchange Commission pursuant to Section 310(b)(1)(ii) of the 1939 Act (File No. 3-4526). The 1974 Fort Dodge Application set forth certain information respecting Industrial Development Revenue Bonds (the "1974 Fort Dodge Bonds") proposed to be issued by Fort Dodge pursuant to an Indenture (the "1974 Fort Dodge Indenture") proposed to be entered into between Fort Dodge and Continental, as Trustee. The 1974 Fort Dodge Application also described a lease agreement (the "1974 Lease Agreement") pursuant to which the Company would lease the project to be financed from the issuance of the 1974 Fort Dodge Bonds. The 1974 Fort Dodge Bonds were issued under the 1974 Fort Dodge Indenture with a bank other than Continental as Trustee for reasons unrelated to the eligibility of Continental to act as Trustee under the conflict of interest provisions of the 1939 Act. The "Equipment" described in the 1974 Lease Agreement is substantially the same Equipment described in the 1975 Lease Agreement. The proceeds from the sale of the 1975 Fort Dodge Bonds will be used to refund the 1974 Fort Dodge Bonds and to purchase certain additional equipment. The 1974 Fort Dodge Application also sets forth certain facts relating to the Debentures and the 1968 Indenture. On December 4, 1974 the Securities and Exchange Commission entered an Order (Release No. 39-373) to the effect that the trusteeship of Continental under the 1968 Indenture and the 1974 Fort Dodge Indenture was not likely to involve a material conflict.

(6) The provisions of the 1975 Fort Dodge Indenture are substantially identical to the provisions of the 1974 Fort Dodge Indenture with the exception of references to the refunding of the 1974 Fort Dodge Bonds. The provisions of the 1975 Lease Agreement are substantially identical to the provisions of the 1974 Lease Agreement. The statements made in the 1974 Fort Dodge Application are hereby incorporated herein by reference and said statements are hereby reaffirmed by the Company as of the date hereof as if all statements therein relating to the 1974 Fort Dodge Indenture, the 1974 Fort Dodge Bonds and the 1974 Lease Agreement were specifically set forth herein with respect to, respectively, the 1975 Fort Dodge Indenture, the 1975 Fort Dodge Bonds and the 1975 Lease Agreement. All of the statements set forth in the 1974 Fort Dodge Application relating to the Debentures and to the trusteeship of Continental under the 1968 Indenture and the 1974 Fort Dodge Indenture (and, by incorporation by reference, the 1975 Fort Dodge Indenture) are reaffirmed as of the date hereof.

The only material circumstance which has changed since the 1974 Fort Dodge Application was granted is the intervening issuance of the Olive Branch and Prattville Bonds pursuant to the Olive

Branch and Prattville Indentures with respect to which Continental is trustee.

(7) The differences between the 1968 Indenture and the Olive Branch and Prattville Indentures and between the 1968 Indenture and the 1975 Fort Dodge Bonds (by reason of incorporation by reference of the 1974 Fort Dodge Application) are set forth in Paragraphs XIII and XI, respectively, of the Olive Branch Application and the 1974 Fort Dodge Application.

(8) In the opinion of the Company, none of the differences indicated in the Olive Branch Application and the 1974 Fort Dodge Application, nor any of the provisions of the 1968, Olive Branch, Prattville and 1975 Fort Dodge Indentures, are likely to involve a material conflict of interest so as to make it necessary in the public interest or for the protection of any holder of Debentures or Olive Branch, Prattville or 1975 Fort Dodge Bonds to disqualify Continental from acting as Trustee under the 1968 Indenture, the Olive Branch Indenture, the Prattville Indenture and the 1975 Fort Dodge Indenture.

(9) Allied hereby waives notice of hearing and waives hearing in connection with this Application and also waives any and all rights to specify procedures under the Rules of Practice of the Securities and Exchange Commission with respect to this Application.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the Office of the Commission's Public Reference Section at 1100 L Street, N.W., Washington, D.C.

Notice is further given that any interested person may, not later than March 30, 1976 request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest and interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-6919 Filed 3-10-76;8:45 am]

CANDLEWYCKE INNS, LTD.

[File No. 24SF-3822]

Order Permanently Suspending Exemption, Statement of Reasons Therefor

MARCH 2, 1976.

I. Candlewycke Inns, Ltd. ("Candlewycke"), 1131 Tropicana Avenue, Las

Vegas, Nevada 89109, was incorporated under the laws of the State of Nevada on January 12, 1971. Its articles of incorporation authorized the issuance of 7,500,000 shares of common stock, par value \$.01, and stated that its principal offices were located at 1688 Twain Avenue, Las Vegas, Nevada. Although never reflected by amendment to its articles of incorporation, this address was later changed to 1131 Tropicana Avenue, Las Vegas, Nevada.

On November 3, 1971, Candlewycke filed a Regulation A Notification and Offering Circular with the San Francisco Branch Office. The company intended to offer 250,000 shares of \$.01 par value common stock, at \$1.00 per share, for an aggregate offering price of \$250,000. On February 18, 1972, subsequent to a request for acceleration, the San Francisco Office authorized the commencement of the offering. To this date, Candlewycke has not reported any shares as having been sold.

The assistance of an underwriter was initially not contemplated, but on July 6, 1972, the company amended its Offering Circular to name the Las Vegas firm of Priestley & Pace Securities, Inc., as underwriter for the offering. On March 1, 1974, the Nevada Secretary of State revoked Candlewycke's articles of incorporation for failure to file a list of its officers and directors.

II. On December 30, 1975, the Commission temporarily suspended the Regulation A exemption of Candlewycke stating that it had reason to believe that:

A. The Notification and Offering Circular of Candlewycke contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to disclose that on March 1, 1974, the Nevada Secretary of State revoked the articles of incorporation of candlewycke;

2. The failure to disclose that the assets of Candlewycke were subjected to a Sheriff's sale in December, 1972;

3. The failure to disclose that Candlewycke is no longer doing business;

4. The failure to disclose that Priestley & Pace Securities, Inc., is no longer associated as underwriter for the offering and that the underwriter withdrew its registration as a Broker/Dealer effective July 11, 1975; and

5. The failure to disclose the existence of tax liens in the amount of \$14,544.30 levied by the United States Internal Revenue Service on Candlewycke.

B. Candlewycke failed to comply with the terms and conditions of Regulation A in that it failed to file a Form 2-A sales report as required by Rule 260 under Regulation A.

C. Candlewycke failed to cooperate with the Commission in that Candlewycke and its principal officers resisted numerous attempts by the Commission's staff to assist Candlewycke in complying with the Regulation A requirements in that, inter alia, Candlewycke and its principal officers:

1. Failed to respond to comment letters dated July 19, 1972 and November 24, 1972;

2. Failed to respond to numerous requests by the staff for the voluntary withdrawal or termination of Candlewycke's Regulation A filing.

D. The offering, if permitted to continue, would be in violation of Section 17 of the Securities Act of 1933, as amended.

III. No hearing having been requested by Candlewycke within thirty days after entry of the order temporarily suspending its exemption under Regulation A, the Commission finds that it is in the public interest and for the protection of investors that the exemption be permanently suspended.

It is ordered, pursuant to Rule 261 of the General Rules and Regulations under the Securities Act of 1933, as amended, that the exemption of Candlewycke under Regulation A be permanently suspended.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6920 Filed 3-10-76; 8:45 am]

[SR-CBOE-75-6]

CHICAGO BOARD OPTIONS EXCHANGE

Order Approving Proposed Rule Change

MARCH 5, 1976.

On November 12, 1975, the Chicago Board Options Exchange, LaSalle at Jackson, Chicago, Illinois 60604, filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would amend Exchange Rule 7.5 to broaden the obligation of Supplemental Market Makers. The proposed rule change would also amend Exchange Rule 12.3(b)(1)(C) and add paragraph (d) to Rule 12.3; the object of these proposals is to strengthen the Exchange's initial and maintenance margin requirements.

Notice of the proposed rule change together with the text of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 11913 (Dec. 10, 1975)), and by publication in the Federal Register (40 Fed. Reg. 59266 (Dec. 22, 1975)). During the course of the public comment period, the Exchange filed at the Commission's suggestion an amendment to paragraph (b)(1)(C)(ii) of proposed Rule 12.3, to clarify the provision's intent that in the case of a short listed call option offset by a long position in a security exchangeable or convertible into the security underlying the call option, where no money is payable upon exchange or conversion of the long security, such security is valued for margin purposes at the lesser of the exercise price of the call option or the market value of such security. The Exchange also consented to extend until March 5, 1976, the Commission's time to act upon the pro-

posed rule change pursuant to Section 19(b) of the Act, as amended.

The Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change filed with the Commission on November 12, 1975, as amended, be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6921 Filed 3-10-76; 8:45 am]

[Release No. 34-12165; File No. SR-CBOE-76-5]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Self-Regulatory Organizations

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on March 2, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

A. *Statement of the Terms of Substance of the Proposed Rule Change.* Rule 6.49, concerning Transactions Off the Exchange is proposed to be amended, by deleting the following language:

(a) To obtain a better net price. No member shall execute off the Exchange, whether for an account in which he has interest or the account of a customer, any purchase or sale of an option for a premium in excess of \$1 covering the same underlying security and having the same exercise price and expiration date as a series of options currently open for trading on the Exchange unless: (1) the member has attempted to execute the transaction on the floor of the exchange and has reasonably ascertained that it may be executed at a better net price off the floor; and (2) the customer, if any, has been informed of, and has approved, the execution of his order off the floor of the Exchange.

(b) Record must be kept. For each transaction in which a member executes off the Exchange any purchase or sale of an option covering the same underlying security and having the same or substantially the same exercise price and expiration date as a series of options currently open for trading on the Exchange, a record of such transaction shall be maintained by such member and shall be available for inspection by the Exchange for a period of one year. Such record shall indicate the reason why the transaction was executed off the Exchange.

The following rule change is proposed to replace the above deleted language:

(a) Except as otherwise provided by this Rule, no member acting as principal or agent may effect transactions in any class of option contracts listed on the Exchange for a premium in excess of \$1 other than on the Exchange or on another exchange on which such option contracts are listed and traded unless the member has attempted to execute the transaction on the floor of the Exchange and has reasonably ascertained that it may be executed at a better price off the floor.

(b) Notwithstanding the provisions of paragraph (a) of this Rule, a member acting as agent may execute a customer's order for the purchase or sale of an option contract listed on the Exchange with a third market maker or non-member block positioner, provided that either immediately before, simultaneously with or immediately after such execution off the Exchange, the member has satisfied all bids or offers for such options displayed by the Board Broker in accordance with Rule 7.7 at prices equal to or better than the transaction price off the Exchange.

(c) For each transaction in which a member acting as principal or agent executes any purchase or sale of an option contract listed on the Exchange other than on the Exchange or on another exchange on which such option contracts are listed and traded, a record of such transaction shall be maintained by such member and shall be available for inspection by the Exchange for a period of one year. Such record shall include the circumstances under which the transaction which executed in conformity with this Rule.

(d) For purposes of this Rule the terms "third market maker" and "non-member block positioner" shall be defined as provided in Rule 19c-1 under the Securities Exchange Act of 1934.

Interpretations and Policies. .01. On December 19, 1975, the Securities and Exchange Commission adopted Rule 19c-1 under the Securities Exchange Act of 1934. Pursuant to Section 19(c)(4)(C) of the Securities Exchange Act of 1934, Rule 19c-1 is considered for all purposes of said Act to be part of the rules of the Exchange. The text of Rule 19c-1 is as follows:

Rule 19c-1 Governing Off-Board Trading by Members of National Securities Exchanges.

The Rules of each national securities exchange shall provide, on and after March 31, 1976, as follows:

(a) Except as hereinafter provided by this rule, no rule, stated policy or practice of this exchange shall prohibit or condition, or be construed to prohibit, condition or otherwise limit, directly or indirectly, the ability of any member acting as agent to effect transactions on any other exchange or over-the-counter with a third market maker or non-member block positioner in any equity security which is listed on the exchange or to which unlisted trading privileges on the exchange have been extended ("exchange securities").

(b) Beginning March 31, 1976, and ending January 2, 1977, the provisions of paragraph (a) of this rule shall not apply to a rule of this exchange approved by the Securities and Exchange Commission pursuant to Section 19(b)(2) of the Securities Exchange Act of 1934 (the "Act") which assures that, either immediately before, simultaneously with or immediately after execution of a transaction in any exchange security over-the-counter with a third market maker or non-member block positioner, public bids or offers entered on the specialist's book, or on any other limit order mechanism on such exchange, as limited price orders at prices equal to or better than the transaction price ("limit orders") are satisfied at the limit prices bid or offered; provided, however, that such limit orders may be required to be satisfied at the transaction price under circumstances consistent with the purposes of this rule, the public interest and the protection of investors.

(c) For purposes of this rule:

(1) The term "third market maker" shall mean a "market maker" as defined in Rule 15c3-1(c)(8) under the Act, who makes markets over-the-counter in exchange securities and who maintains the minimum net capital required of a Market-Maker by Rule 15c3-1 under the Act.

(c) The term "non-member block positioner" shall mean a "block positioner" as defined in Rule 17a-17 under the Act which is not a member of this exchange.

B. CBOE's Statement of Basis and Purpose. 1. Purpose of Proposed Rule Change. The purpose of the proposed amendments to Exchange Rule 6.49 is to bring that Rule in conformity with the requirements of Rule 19c-1 of the Securities Exchange Act of 1934, as amended ("the Act").

2. Basis Under the Act for Proposed Rule Change. The Exchange is acting in accordance with the provisions of Rule 19c-1 which require that all exchange rules limiting or conditioning the ability of members to effect transactions otherwise than on such exchange be amended to reflect the requirements of Rule 19c-1 of the Act which become effective on March 31, 1976.

3. Comments Received From Members, Participants or Others on Proposed Rule Change. Comments were not solicited, nor have comments been received from members of the Exchange or otherwise.

4. Burden on Competition. As stated in Rule 19c-1 of the Act, no burden is imposed upon competition which is not necessary or appropriate in the furtherance of the Act in connection with the amendments proposed herein to Exchange Rule 6.49.

On or before April 19, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 15 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to the delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MARCH 4, 1976.

[FR Doc. 76-6927 Filed 3-10-76; 8:45 am]

[File No. SR-CBOE-76-5]

CHICAGO BOARD OPTIONS EXCHANGE

Filing of Proposed Rule Change

MARCH 4, 1976.

The Chicago Board Options Exchange, Inc. ("CBOE") submitted on March 2, 1976, a proposed rule change under Rule 19b-4 to conform Rule 6.49 of the Exchange's Rules, concerning the ability of members to effect transactions in CBOE traded securities off the Exchange, to the substantive provisions of SEC Rule 19c-1.

Publication of the submission is expected to be made in the FEDERAL REGISTER during the week of March 8, 1976. In order to assist the Commission to determine whether to approve the proposed rule change or institute proceedings to determine whether the proposed rule change should be disapproved, interested persons are invited to submit written data, views and arguments concerning the submission within 15 days from the date of publication in the FEDERAL REGISTER. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-CBOE-76-5.

Copies of the submission and of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of the filing will also be available at the principal office of the above-mentioned self-regulatory organization.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6927 Filed 3-10-76; 8:45 am]

[Release No. 34-12162]

CONSOLIDATED TRANSACTION REPORTING SYSTEM

Publication of Request for Review of Prohibition on Retransmission of Last Sale Reports

The Securities and Exchange Commission (the "Commission") is hereby publishing for public comment a letter received from Reuters Limited ("Reuters") requesting that the Commission modify or eliminate those provisions of the joint industry plan governing the operation of the consolidated transaction reporting system (the "Plan") declared effective by the Commission pursuant to Rule 17a-15 under the Securities Exchange Act of 1934 (the "Act") which prohibit Reuters from retransmitting continuous last sale reports disseminated by the Consolidated Tape Association (the "CTA") for display as a cascading ticker on the Reuter Monitor display device (the "Monitor").¹ Reuters has requested that the Commission exercise its authority under the Act² to:

(i) eliminate those provisions of the Plan which impose limitations on retransmission; or

(ii) modify the limitations on retransmission imposed by the Plan; or

(iii) specifically exempt Reuters from the limitations on retransmission imposed by the Plan.³

The Plan provides that, for both Network A (New York Stock Exchange listed securities) and for Network B (American Stock Exchange listed securities and selected regional listings), "[v]endors will not be permitted to retransmit on a continuous basis the consolidated last sale prices received by them, except as may be incidental to the operation of approved interrogation devices or display devices."⁴ These provisions were the subject of extensive comment by the Commission in reviewing the Plan prior to declaring it effective.⁵ The Commission was particularly concerned at that time that it did not exercise direct regulatory authority over securities information processors, other than the CTA, and arguments might have been raised concerning its authority to assure transmission of last sale reports by such processors in a manner that would promote fair and orderly markets and protect investors. Therefore, the Commission declined to object to the prohibitions on retransmission on several grounds. Those grounds included a belief that subsidization of the distribution of market information to remote areas through the grant of a monopoly on moving ticker displays to the CTA was desirable. In this regard, the Commission was aware that the CTA would price the ticker on a uniform geographic basis, and that independent vendors, servicing only easily

See footnotes at end of document.

accessible urban centers, might undercut the CTA's prices. In addition, the Commission was concerned that ticker services furnished by independent vendors might not be as reliable as those provided by the exchanges (and, by inference, by the CTA), which had (or would have) extensive back-up systems.⁷

In its letter, Reuters indicates its willingness to enter into an agreement by which a subsidy to remote subscribers would be assured.⁸ In addition, Reuters argues that its back-up systems are sufficiently reliable to assure continued transmission of last sale data in the event of a breakdown in its primary equipment.⁹ Therefore, Reuters concludes that the reasons relied upon by the Commission in declining to object to the Plan's limitations on retransmission "no longer provide a sound basis for maintaining such restrictions in effect at this time as they apply to Reuters and the Monitor technology."¹⁰

In order to facilitate its consideration of the prohibitions on retransmission contained in the Plan, the Commission has determined to solicit the comments of interested persons as to the issues raised in the Reuters letter. Commentators are requested to address the question of whether the grounds on which the Commission originally declined to object to the prohibitions contained in the proposed rules continue to be valid. In addition, commentators should analyze the prohibitions on retransmission in light of the Commission's responsibilities to:

(i) assure that all securities information processors may obtain, for purposes of distribution and publication, on fair and reasonable terms such information with respect to transactions in such securities as is collected, processed, or prepared for distribution or publication by any exclusive processor acting in such capacity;¹¹

(ii) assure that all securities information processors may obtain on terms that are not unreasonably discriminatory such information with respect to transactions in such securities as is published or distributed by any securities information processor;¹² and

(iii) set aside any prohibition or limitation in respect of access to services offered, directly or indirectly, by a registered securities information processor which impose any burden on competition not necessary or appropriate in terms of the purposes of the Act.¹³

The text of the Reuters letter is set forth below:

FEBRUARY 4, 1976.

SECURITIES AND EXCHANGE COMMISSION
Division of Market Regulation,
500 North Capitol Street,
Washington, D.C. 20549.

Attention: Bart Friedman, Esq.

GENTLEMEN: Reuters Limited ("Reuters") hereby requests the staff of the Securities and Exchange Commission (the "Commission") to recommend to the Commission the modification of the provisions of the Consolidated Tape Plan (the "Plan")¹⁴ to permit

See footnotes at end of document.

Reuters to retransmit by means of the Reuter Monitor (the "Monitor") continuous last sale price information of eligible securities for ticker display purposes.¹⁵

As you know, the Plan provides for the dissemination of last sale prices of securities over the leased private wire facilities of the NYSE ("Network A") and the AMEX ("Network B"). These last sale prices are transmitted over Network A and Network B to a selected group of vendors¹⁶ who respond to specific inquiries from their subscribers for such last sale prices and who report to their subscribers changes in last sale prices of a number of specified securities.

The Plan prohibits the "retransmission" by vendors of continuous last sale prices of securities for ticker display purposes. As discussed below, the retransmission prohibitions will prevent Reuters from effectively competing for the business of brokers desiring full securities information services, and are unnecessary and overbroad as applied to Reuters. It is Reuters' position that the retransmission prohibitions are contrary to the purposes of the Securities Acts Amendments of 1975¹⁷ (the "Amendments") and of the Plan itself, and that the Plan should be modified in one of the following fashions:

1. The retransmission prohibitions should be eliminated, including, without limitation: (a) the words "for the purpose of servicing approved interrogation devices (as that term is defined in Section VIII) located in the offices of approved subscribers, and not for the purpose of furnishing a ticker display" in the last paragraph of Section V(e) of the Plan, at 18;

(b) the sentence "Vendors will not be permitted to retransmit on a continuous basis the consolidated last sale prices received by them except as may be incidental to the operation of approved interrogation devices or display devices" in the first paragraph of Section VIII(a) of the Plan, at 26-27; and

(c) the sentence "Vendors will not be permitted to retransmit on a continuous basis the consolidated last sale prices received by them, except as may be incidental to the operation of approved interrogation devices or display devices" in the first paragraph of Section VIII(b) of the Plan, at 28.

or

2. The retransmission prohibitions should be modified so that a vendor would be permitted to retransmit continuous last sale price information of eligible securities for ticker display purposes, provided that such vendor otherwise satisfies the other requirements of the Plan as currently constituted, and provided further that such vendor satisfies the policy justifications underlying the retransmission prohibitions, as enunciated by the Commission in its definitive comments on the Plan. Thus, the vendor must be prepared to enter into arrangements with the Consolidated Tape Association (the "CTA"), which administers the Plan, to ensure the continued availability of ticker services to remote subscribers. In addition, the vendor's communications system must be sufficiently reliable to provide sufficient back-up capabilities to ensure the continued flow of last sale price information to subscribers without serious interruption, in the event of a breakdown in the primary system.¹⁸

3. Reuters' utilization of the Monitor should be specifically exempted from the retransmission prohibitions of the Plan.

FACTS

The Monitor is a financial information retrieval system which permits access to an extremely comprehensive array of specialized information, including last sale securities quotations, up-to-the-minute news, market

reports and cascading ticker displays designed to keep Monitor subscribers informed on a real time basis, in a more integrated manner than was previously available from any single source.

Thus far, the only subscribers to the Monitor are commodities traders, banks, business corporations, and financial institutions. Reuters intends to embark in the very near future on the marketing of its Monitor terminal geared to the stock brokerage market, and it is in this connection that Reuters is seeking permission to "retransmit" Networks A and B tapes.¹⁹ At the present time, the Monitor system contains a number of services of interest to a variety of brokers (including, for example, services related to the commodities, money and options markets). The inclusion of stock exchange tickers—a key item for stock brokers—will make the Monitor much more attractive in this new market because it will, for the first time, enable stock brokers to retrieve all essential financial and related information (included in a number of different services) at high speed from a single convenient source—one desktop Monitor unit.²⁰

To provide these manifold services in an integrated fashion, Reuters has developed its own transmission capability whereby, among other things, it can program ticket signals received from various stock exchanges in its own computers and retransmit such signals to subscribers for ticker display purposes over Reuters' own communication lines. By contrast, existing vendors which provide less integrated services to stock brokers rely on Western Union circuitry provided by the CTA in order to supply such ticker display services. If Reuters were able to retransmit the tickers, and so take advantage of the efficiencies of the Monitor system, stock brokers could receive ticker services at considerably lower prices than they are now apparently paying therefor.

In view of the restrictions on "retransmission" Reuters is presently attempting to alter the Monitor to accept signals transmitted over such Western Union circuitry.²¹ Such modification will be extremely expensive and will defeat the whole purpose of the fully integrated Monitor system.

Requiring Reuters to utilize Western Union lines as existing vendors do makes it necessary for Reuters to develop at great cost, and for subscribers to take at a higher price, otherwise completely unnecessary additional equipment to be attached to the Monitor receiver.

As you know, pursuant to the terms of the Plan, the NYSE, AMEX, MSE, PSE and PBW report to the processor all last sale prices to be reported by each such exchange relating to transactions in securities taking place on the floor of such exchange. In addition, the NASD collects from its members all last sale prices to be included in the consolidated tape relating to transactions in securities not taking place on the floor of a national securities exchange and reports all such last sale prices to the processor. Consolidated Tape Plan § VII(a), at 23-24. The last sale prices relating to securities, as consolidated by the processor, are then transmitted to selected vendors. Consolidated Tape Plan § VIII (a), (b), at 26, 28.

While last sale prices are transmitted to such vendors, the Plan prohibits these vendors from retransmitting on a continuous basis such information except as may be incidental to the operation of approved interrogation or display devices. Consolidated Tape Plan § VIII(a), (b), at 26-28. Moreover, under the Plan vendors are also prohibited from receiving such information for the purpose of furnishing a ticker display. Consolidated

Tape Plan § V(e), at 18. Accordingly the vendor's subscribers receive continuous last sale information as a ticker display only through Western Union circuitry provided directly from the CTA.

The Plan thus operates to seriously restrict the ability of Reuters to enter its technologically advanced Monitor system into the market for equipment used by stock brokers, for the Monitor terminals, as presently constituted, accept a feed only through its own system. Therefore, retransmission by Reuters is necessary.

In the latter part of 1974, Reuters requested permission from the NYSE to retransmit the NYSE ticker. Reuters was informed in a letter dated January 23, 1975 from Mr. Carl Bolton, Director of Communications Services of the NYSE (a copy of which is annexed hereto as Exhibit B), that "there has been no change in the long standing policy prohibiting the retransmission of current last sale prices for display purposes. [T]his restriction is also contained in the Composite Tape Plan filed by the [NYSE] pursuant to SEC Rule 17a-15 and declared effective by the Commission."

By letter dated September 22, 1975 from Lawrence Entel, Esq., of Reuters to the CTA (a copy of which is annexed hereto as Exhibit C), Reuters requested that the Plan be modified so as to except the Monitor from the retransmission prohibitions thereof. In response to the CTA's request for amplification of certain factual issues raised in such letter, Reuters, by letter dated November 24, 1975 from Mr. Entel to the CTA (a copy of which is annexed hereto as Exhibit D), provided such factual information, explaining both the economic and technological necessity for the requested modifications. Reuters, by further letter dated December 8, 1975 from Mr. Entel to Mr. Bolton (a copy of which is annexed hereto as Exhibit E), requested that it be afforded an opportunity to be present at the meeting of the CTA called to act upon Reuter's request to modify the Plan, so that it could orally state its position and answer any questions which might arise. This request was denied by the CTA.

By letter dated December 22, 1975 the CTA advised Reuters that it had denied Reuters' request for modification of the Plan. The CTA failed to provide any indication whatsoever as to its reasons for denying Reuters' request. (A copy of such letter is annexed hereto as Exhibit F.)

In view of the CTA's summary rejection of Reuters' request for modification of the Plan, Reuters must now seek such modification from the Commission. As discussed above, elimination of the Plan's retransmission prohibitions as they apply to Reuters is essential if Reuters is to be able to utilize its new technology to compete effectively with other equipment vendors in the market for stock broker subscribers. As the following discussion demonstrates, the reasons cited by the Commission in upholding the retransmission prohibitions when it declared the Plan effective in 1974 no longer provide a sound basis for maintaining such restrictions in effect at this time as they apply to Reuters and the Monitor technology.

DISCUSSION

In Securities Exchange Act of 1934 Release No. 10671 (1974), the Commission published its definitive comments on the Plan. In considering the retransmission prohibitions, the Commission cited three reasons favoring their inclusion. Reuters respectfully submits that none of these reasons has any

current applicability vis-a-vis continuing the retransmission prohibitions in force as against Reuters.

The first policy reason cited by the Commission in support of the retransmission prohibitions was that the uniform rate charged by the CTA serves to subsidize the costs of serving the more remote areas of the country. The Commission declared: "if this limitation * * * were not imposed, the various vendors would be free to provide ticker services * * * [which] most likely would take on characteristics different from those of services currently available through the exchanges." Securities Exchange Act of 1934 Release No. 10671 (1974). As an example, the Commission noted that, since 1968, the NYSE and AMEX tapes have been priced on a geographically uniform basis, and voiced its concern that "[c]ompeting and independent vendors would not necessarily continue this practice." *Id.*

Assuming, *arguendo*, the need to subsidize the costs of serving the remote areas by establishing a uniform rate, such a need cannot justify an absolute retransmission prohibition and the anticompetitive effects which flow from such prohibition. Permitting Reuters to retransmit the tickers through the Monitor system would not require remote subscribers to pay more than metropolitan subscribers, and it would not require the CTA to increase its fees in remote areas. Reuters is, and has been, prepared to enter into an arrangement with the CTA by the terms of which the continued subsidy of remote subscribers would be ensured. For example, Reuters could assess its subscribers a certain fee for the transmission of the tickers, which fee would be paid by the subscribers directly to the CTA.

Secondly, the Commission expressed concern as to the reliability of the service that would be furnished by independent vendors if retransmission were permitted. In noting that "the exchanges provide extensive back-up systems for their tapes," *id.*, the Commission felt that it was "not clear that the interest of the independent vendors in uninterrupted service would be sufficiently great to justify the expense involved in developing such a back-up capability." *Id.* As noted above, the Monitor is both more comprehensive and more comprehensible, as well as more economical, than the traditional ticker display. The Monitor's unique use of computer, cable and television technology has been recognized as a notable step forward in advancing the "state of the art" of electronic information retrieval. Moreover, Reuters has already developed the back-up capability which the Commission believed to be desirable. See generally Consolidated Tape Plan § IV(b), at 8 ("In connection with the operation of nationwide ticker networks by NYSE and AMEX, it has been considered necessary to develop and maintain duplicate computer facilities to assure the appropriate back-up capability capability."). Thus, Reuters' central computer which contains the entire data base for the Monitor is a dual system: all of the information which is fed into one computer is simultaneously fed into a second computer. In the unlikely event of a breakdown in the first computer, the second computer promptly could be utilized to continue the flow of last sale price information to subscribers without material interruption. The probability of a concurrent breakdown of both computers is exceedingly remote.

Finally, at the time that the Commission examined the Plan regulatory oversight of vendors was lacking. The Commission noted the importance of direct regulatory authority over such securities information processors. Securities Exchange Act of 1934 Release No.

10671 (1974). The retransmission prohibitions operated to provide a means of control over otherwise unregulated vendors. However, the Amendments have now filled this void. See Securities Exchange Act of 1934 §§ 3(a)(22), 11A.

The Amendments also reflect Congress' concern with the type of exclusionary result with which we are presently concerned. The Commission's definitive comments regarding the Plan indicate that it believed that "the limitation on retransmission would not seem substantially to hamper competitive efforts." Securities Exchange Act of 1934 Release No. 10671 (1974). As shown above, however, this situation no longer exists. As applied to Reuters the Plan's prohibitions on retransmission now impose a direct and unmistakable restraint on competition among equipment vendors in the market for stock broker subscribers. The prohibitions seriously hamper, if not entirely foreclose, Reuters' entry into this concentrated market. Eliminating the retransmission prohibitions as they apply to Reuters would, therefore, further the policy underlying the Amendments.

Reuters believes it to be indisputable that the Plan's retransmission prohibitions operate unnecessarily to restrain competition between Reuters and other, more entrenched, equipment vendors. The new equipment and technology embodied in the Monitor can only be fully exploited if retransmission of continuous last sale price information for ticker display purposes is permitted. See p. 5 *supra*. Thus, the retransmission prohibitions at once hamper Reuters' ability to enter the equipment vendor market for broker subscribers and prevent such subscribers from obtaining the benefits of such new competition at lower prices.

The expressed intent of Congress with respect to the Amendments was to open more fully the national securities markets to the free play of competitive forces, by authorizing the Commission to intervene "[i]n those situations where competition may not be sufficient * * * [and] * * * to act promptly and effectively to insure that the essential mechanisms of an integrated secondary trading system are put into place as rapidly as possible." H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 92 (1975).

Section 11A(a)(1) of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), sets out the findings of Congress: that, *inter alia*, (1) the securities markets represent an important national asset which must be preserved and strengthened; (2) new data processing and communications techniques create the opportunity for more efficient and effective market operations; and (3) the linking of all markets for qualified securities through communication and data processing facilities will, *inter alia*, foster efficiency and enhance competition. Securities Exchange Act of 1934 § 11A(a)(1) (A), (B) and (D). "[C]ommunications systems, particularly those designed to provide automated dissemination of last sale and quotation information with respect to securities, will form the heart of the national market system. * * * H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 93 (1975).

Congress did not attempt by the Amendments to eliminate any enumerated barriers to competition. Rather, it charged the Commission with "an explicit and pervasive obligation to eliminate all present and future competitive restraints that could not be justified by the purposes of the Exchange Act." H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 94 (1975). Thus, "[t]he Commission was directed to remove existing burdens on competition and to refrain from imposing, or

See footnotes at end of document.

permitting to be imposed, any new regulatory burden" which did not further the purposes of the Exchange Act. *Id.* In addition, the Commission was obligated to review existing and proposed rules of the self-regulatory organizations and to abrogate any present rule, or to disapprove any proposed rule, which had the effect of imposing a competitive restraint neither necessary nor appropriate in connection with legitimate regulatory objectives. *Id.*

The Commission also was required to evaluate its own proposed rules and regulations "in light of the fundamental national economic policy of furthering competition," and was prohibited from promulgating any rule or regulation which imposed a burden on competition that was neither necessary nor appropriate with respect to the goals of the Exchange Act. H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 94 (1975); see Securities Exchange Act of 1934 § 23(a)(2).¹

It is well settled that regulatory agencies operating under a "public interest" standard, such as the Commission, are required to consider in appropriate circumstances the anticompetitive effects of their regulatory actions. *Gulf States Utilities Co. v. FCC*, 411 U.S. 747 (1973). And, of course, in enacting the Amendments, Congress manifested an overriding concern with the effects on competition in the securities markets of actions of the Commission and of the self-regulatory organizations with respect to which the Commission has oversight power.

The Congressional policy of avoiding anticompetitive restraints expressed in the Amendments is grounded in basic federal antitrust policies. See, e.g., *United States v. Philadelphia National Bank*, 374 U.S. 321 (1963); *Brown Shoe Co. v. United States*, 370 U.S. 294 (1962). The effect of the retransmission prohibitions is to protect the few existing vendors which utilize Western Union circuitry provided by the CTA against the development of new and more efficient forms of competition—to maintain them in a virtual monopoly position—which historically has been recognized as "deadening" initiative, discouraging thrift and depressing energy. *United States v. Aluminum Co. of America*, 148 F.2d 416 (2d Cir. 1945). The competitive philosophy underlying the antitrust laws is that "immunity from competition is a narcotic, and rivalry is a stimulant, to industrial progress." *Id.* at 427.

Thus, the CTA is undermining basic antitrust policy. The equipment vendor market for broker subscribers should not be artificially foreclosed from the benefits of new entry and from the spur to innovation and progress resulting from free and open competition. But that is the effect of the Plan if it is not modified as requested herein.

Of course, when the Commission previously examined the Plan in connection with its definitive comments, the present situation was not contemplated, i.e., the Commission was not confronted with a unique communications system such as Reuters has developed for the Monitor, which system could overcome each of the reasons cited by the Commission in support of including the retransmission prohibitions in the Plan. In view of these new facts, and in view of the Amendments and the demonstrable unnecessary anticompetitive effects of the prohibitions, a less restrictive alternative to the blanket retransmission prohibitions should be adopted which would allow Reuters to enter the equipment vendor market for broker subscribers without adversely affecting any of the interests the Commission seeks to foster.

If you have any questions in connection with the foregoing, or if any assistance is

desired with respect thereto, please do not hesitate to contact the undersigned.

Very truly yours,

Phillip Siegel.

All interested persons are invited to submit written views, data and arguments with respect to all issues raised in the above letter. Persons wishing to make written submissions should file six copies thereof with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Room 892, 500 North Capitol Street, Washington, D.C. 20549, not later than April 1, 1976. All communications should refer to File No. S7-620, and will be available for public inspection in the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

MARCH 3, 1976.

FOOTNOTES

¹ Securities Exchange Act Release No. 10787 (May 10, 1974).

² Letter from Phillip Siegel, Reuters, to Bart Friedman, Division of Market Regulation, Securities and Exchange Commission (February 14, 1976) (hereinafter cited as "Reuters letter"). Exhibits to that letter not published with this Release are available for public inspection in the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

³ In commenting on the Plan before declaring it effective, the Commission noted that implicit in its authority to pass upon the terms of a Rule 17a-15 plan would be the right not only to approve subsequent proposed changes but also to initiate such changes. In addition, the Commission noted that its authority to amend the rule gave it inherent authority to amend the Plan (subject to the requirements of the Administrative Procedure Act). Securities Exchange Act Release No. 10671 (March 8, 1974), Securities Exchange Act Release No. 10218 (June 13, 1973). The Commission's authority to regulate the dissemination of information with respect to transactions in any security (other than an exempted security) was made explicit by the Securities Acts Amendments of 1975. See Sections 11A(c)(1) and 17(a)(1) of the Act.

⁴ Reuters letter, *supra* note, at 7.
⁵ Joint Industry Plan Section VIII (a), (b). See also Section V(e).

⁶ Securities Exchange Act Release No. 10671 (March 8, 1974).

⁷ *Id.*

⁸ Reuters letter, *supra* note 2, at 7.

⁹ *Id.* at 8.

¹⁰ *Id.* at 7.

¹¹ See Section 11A(c)(1)(C) of the Act.

¹² See Section 11A(c)(1)(D) of the Act.

¹³ See Section 11A(b)(5) of the Act.

¹⁴ The Plan was originally filed by the American Stock Exchange, Inc. (the "AMEX"), the Midwest Stock Exchange, Inc. (the "MSE"), the National Association of Securities Dealers, Inc. (the "NASD"), the New York Stock Exchange, Inc. (the "NYSE"), the Pacific Stock Exchange, Inc. (the "PSE") and the PBW Stock Exchange, Inc. (the "PBW") on March 2, 1973 and declared effective by the Commission as of May 17, 1974.

¹⁵ For the authority of the Commission to modify the Plan in the present situation see Consolidated Tape Plan § VIII(c), at 30; Securities

Exchange Act of 1934, §§ 19(c), 23(a); Securities Exchange Act of 1934 Rule 17a-15; Securities and Exchange Commission Rule of Practice IV(a); Securities Exchange Act of 1934 Release No. 10671 (1974); Securities Exchange Act of 1934 Release No. 10218 (1973).

¹⁶ A "vendor" includes any person, other than the processor of the last sale price information, engaged in the business of disseminating or displaying to brokers and dealers or others, on a real time or other current basis, reports of transactions in eligible securities, Consolidated Tape Plan § VIII(a), at 27.

¹⁷ P.L. 94-29 (June 4, 1975).

¹⁸ Pursuant to the provisions of the Plan, the CTA would be given the opportunity, in the first instance, to approve or disapprove the vendor based upon such vendor's compliance with the requirements noted above. If, as in the present situation, the vendor has been aggrieved by a final decision of the CTA disapproving such vendor's inclusion in the Plan, the vendor would be permitted to seek Commission review of such decision.

¹⁹ The Options Price Reporting Authority has permitted Reuters to retransmit last sale data relating to options traded on the floor of such options exchanges for ticker display purposes.

²⁰ In lieu of displaying a security's symbol (e.g., "CDA"), the Monitor's cascading ticker, as it is currently constituted, displays an actual ("Control Data") or abbreviated name, as well as providing last sale and net price change information. These cascading tickers display quotations from various securities and commodities exchanges in the United States and abroad, as well as a combined display of options traded on the United States options exchanges. (A copy of a representative ticker display is annexed hereto as Exhibit A.) Reuters has the capability and intention of programming Networks A and B tapes to include "market identification" and "volume" information.

²¹ This requires that each Monitor must be able to accept two line feeds, which duplicates the hardware necessary to read, interpret and display the signals.

²² In requiring exclusive processors of securities information to register with the Commission, it was recognized that such a processor "takes on certain of the characteristics of a public utility and should be regulated accordingly." H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 93 (1975). In Securities Exchange Act of 1934 Release No. 11673 (1975), the Commission included the CTA among those persons "whose activities appear to be within the * * * definition of a securities information processor and who appear to be performing the functions of a securities information processor on an exclusive basis." In accordance with its belief that inherent in an exclusive processor was a public utility-type function, Congress severely restricted the actions of registered securities information processors which prohibit or limit any person in respect of access to services offered, directly or indirectly, by such processor. Securities Exchange Act of 1934 § 11A(b)(5). The intent was clear: In addition to giving the Commission the oversight authority with respect to independent vendors which it sought, the Commission was given a mandate to take a long, hard look at the exclusionary practices of securities information processors vested with a public interest, such as the CTA.

²³ "The Commission's responsibility * * * is to balance the perceived anticompetitive effects of a regulatory policy or decision

(whether its own or that of a self-regulatory organization) against the purposes of the Exchange Act that are advanced thereby and the costs of doing so." H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 94 (1975).

[FR Doc. 76-6930 Filed 3-10-76; 8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

MARCH 4, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 5, 1976 through March 14, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6922 Filed 3-10-76; 8:45 am]

[File No. 500-1]

GOVERNMENT EMPLOYEES INSURANCE CO.

Suspension of Trading

MARCH 4, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Government Employees Insurance Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 4, 1976 through 10:00 a.m. (EST) on March 8, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6923 Filed 3-10-76; 8:45 am]

[File No. 81-197]

MAIN DOLLAR STORES, INC.

Application and Opportunity for Hearing

MARCH 2, 1976.

Notice is hereby given that Main Dollar Stores, Inc. ("Applicant") has filed an

application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act") that Applicant be granted an exemption from the provisions of Section 15(d).

Section 15(d) of the 1934 Act requires that issuers of securities registered pursuant to Section 12 or that have filed a registration statement that has become effective pursuant to the Securities Act of 1933, must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole, or in part, any issuer or class of issuers from the provisions of Sections 12(g), 13, 14 or 15(d) of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or protection of investors.

The Applicant states, in part:

1. Applicant is incorporated under the laws of Tennessee.

2. The Applicant has only one class of equity securities outstanding, which had been registered under the Securities Act of 1933.

3. As a result of a merger on May 1, 1975, the Applicant became a wholly-owned subsidiary of W. E. Walker Stores, Inc.

4. At this time the Applicant has only one shareholder, W. E. Walker Stores, Inc.

In the absence of an exemption, Applicant would be subject to the periodic reporting requirements of Section 15(d) of the 1934 Act.

Applicant contends that there would be no useful purpose served by the filing of continued reports for the balance of the 1975 calendar year, in view of the fact it has but one stockholder, and there is no market in its securities.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

Notice is further given that any interested person not later than March 26, 1976 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application

which he desires to controvert. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6924 Filed 3-10-76; 8:45 am]

[File No. SR-MSRB-76-2]

MUNICIPAL SECURITIES RULEMAKING BOARD

Filing of Proposed Rule Change

MARCH 5, 1976.

The Municipal Securities Rulemaking Board ("MSRB") submitted on March 3, 1976 a proposed rule change under Rule 19b-4 to define the term "bank dealer" as used in MSRB rules.

The foregoing rule change has become effective, pursuant to Section 19(b)(3) (A) of the Securities Exchange Act of 1934. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Publication of the submission is expected to be made in the FEDERAL REGISTER during the week of March 8, 1976. Interested persons are invited to submit written data, views and arguments concerning the submission within 30 days from the date of publication in the FEDERAL REGISTER. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-MSRB-76-2.

Copies of the submission and of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of the filing will also be available at the principal office of the above-mentioned self-regulatory organization.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc. 76-6928 Filed 3-10-76; 8:45 am]

[Release No. 34-12163; File No. SR-OCC-76-1]

OPTIONS CLEARING CORPORATION **Self-Regulatory Organizations**

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 27, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

Statement of the Terms of Substance of the Proposed Rule Change. Pursuant to Article III, Section 8 of the By-Laws of The Options Clearing Corporation ("OCC"), and in accordance with the principles set forth in Article IX, Section 9 of said By-Laws, the Board of Directors of OCC has determined to revise OCC's clearing fees by reducing the fee for transactions executed at prices of \$1.00 or more from \$0.195 per contract to \$0.15 per contract. The reduction is to become effective with the March, 1976 billing (covering the month of February, 1976).

Statement of Basis and Purpose. The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the fee reduction is to adjust OCC's clearing fees to a level more closely approximating OCC's operating costs, while at the same time enabling OCC to maintain capital, surplus and reserves sufficient for its needs and consistent with the principles set forth in Article IX, Section 9 of its By-Laws.

OCC believes that the reduction of clearing fees for transactions executed at prices of \$1.00 or more is reasonable in light of OCC's anticipated revenues from clearing fees and its anticipated operating costs and other needs. The fee reduction is applicable only to transactions executed at prices of \$1.00 or more because the previously established fees for transactions executed at prices under \$1.00 (\$0.095 per contract) and for market maker scratch transactions (\$.15 per contract) approximate the cost to OCC of handling such contracts, and it is believed that any reduction of those fees at this time would result in a negative margin on such transactions. Accordingly, OCC believes that the proposed fee reduction allocates reasonable fees in an equitable manner among OCC's Clearing Members.

Comments were not and are not intended to be solicited with respect to the proposed fee reduction.

OCC does not believe that the proposed fee reduction would impose any burden on competition.

The foregoing rule change has become effective, pursuant to Section 19b-3 of the Securities Exchange Act of 1934. At any time within sixty days of the filing

of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C. and at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within twenty-one days of the date of this publication.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
 Secretary.

MARCH 5, 1976.

[FR Doc.76-6926 Filed 3-10-76;8:45 am]

[File No. SR-OCC-76-1]

OPTIONS CLEARING CORP.

Filing of Proposed Rule Change

MARCH 5, 1976.

The Options Clearing Corporation ("OCC") submitted, on February 27, 1976, a proposed rule change, in accordance with Section 19(b)(3)(A)(ii) of the Securities Exchange Act of 1934 (the "Act") and pursuant to Rule 19b-4 thereunder. The proposed rule change reduces the fee for processing transactions executed at prices of \$1.00 or more from \$0.195 per contract to \$0.15 per contract. The reduction is to become effective with the March, 1976, billing.

In its submission, OCC states that the purpose of the fee reduction is to adjust OCC's clearing fees to a level more closely approximating OCC's operating costs.

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act. At any time within sixty days of the filing of the proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

Publication of the rule change is expected to be made in the FEDERAL REGISTER during the week of March 8, 1976. Interested persons are invited to submit written data, views and arguments concerning the submission within twenty-one days from the date of publication in the FEDERAL REGISTER. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, N.W., Washington, D.C. 20549. Reference should be made to File No. SR-OCC-76-1.

Copies of the submission and of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of the filing will also be available at the principal office of OCC.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
 Secretary.

[FR Doc.76-6929 Filed 3-10-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

ATLANTA DISTRICT ADVISORY COUNCIL **Meeting**

The Atlanta District Advisory Council will hold public meetings at 5:00 p.m., Thursday, April 30, 1976, and 1:00 p.m., Friday, April 30, 1976, at the Holiday Inn, Jekyll Island, Georgia, to discuss such business as may be presented by members, staff of the Small Business Administration and others present.

For further information write or call John D. Sewell, 1401 Peachtree Street, N.E., Atlanta, Georgia 30309, (404) 285-5749.

Dated: March 3, 1976.

MARY LOU GRIER,
 Deputy Advocate for
 Advisory Councils.

[FR Doc.76-6961 Filed 3-10-76;8:45 am]

HONOLULU DISTRICT ADVISORY COUNCIL **Meeting**

The Honolulu District Advisory Council will hold a public meeting at 10:00 a.m., Tuesday, March 30, 1976, at the First Hawaiian Bank Board Room, First Hawaiian Bank, 5th Floor, 161 South King Street, Honolulu, Hawaii, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present.

For further information write or call David K. Nakagawa, 1149 Bethel Street,

Room 402, Honolulu, Hawaii 96813, (808) 546-8950.

Dated: March 3, 1976.

MARY LOU GRIER,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-6962 Filed 3-10-76; 8:45 am]

INDIANAPOLIS DISTRICT ADVISORY COUNCIL

Meeting

The Indianapolis District Advisory Council will hold a public meeting at 10:30 a.m. Tuesday, April 6, 1976, at the Quality Inn Downtown, 1530 N. Meridian Street, Indianapolis, Indiana, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present.

For further information, write or call William F. Miller, 575 North Pennsylvania Street, Federal Building, 5th Floor, Indianapolis, Indiana 46204, (317) 331-7272.

Dated: March 4, 1976.

MARY LOU GRIER,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-6963 Filed 3-10-76; 8:45 am]

LITTLE ROCK DISTRICT ADVISORY COUNCIL

Meeting

The Little Rock District Advisory Council will hold a public meeting at 1:00 p.m., Thursday, April 1, 1976, at the Simmons First National Bank, Pine Bluff, Arkansas, to discuss such business as may be presented by members, staff of the Small Business Administration, and others present.

For further information, write or call Maurice Britt at P.O. Box 1401, Little Rock, Arkansas 72203, (501) 740-5871.

Dated: March 4, 1976.

MARY LOU GRIER,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-6964 Filed 3-10-76; 8:45 am]

MADISON DISTRICT ADVISORY COUNCIL

Meeting

The Madison District Advisory Council will hold a public meeting at 10:00 a.m., Friday, April 9, 1976, in the Conference Room of the Small Business Administration, 735 West Wisconsin Avenue, Milwaukee, Wisconsin, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present.

For further information, write or call Lucian G. Schlimgen, Jr., 122 West

Washington Avenue, Room 700, Madison, Wisconsin 53703, (608) 252-5267.

Dated: March 3, 1976.

MARY LOU GRIER,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-6965 Filed 3-10-76; 8:45 am]

[Declaration of Disaster Loan Area #1216]

MONTANA

Declaration of Disaster Area

An area located in the downtown business district, Billings, Yellowstone County, Montana, constitutes a disaster area because of damage resulting from a fire on December 30, 1975. Eligible persons, firms and organizations may file applications for loans for physical damage until the close of business on May 4, 1976, and for economic injury until the close of business on December 6, 1976, at:

Small Business Administration, District Office, 618 Helena Avenue, Helena, Montana 59601.

or other locally announced locations.

Dated: March 5, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-7003; Filed 3-10-76; 8:45 am]

SYRACUSE DISTRICT ADVISORY COUNCIL

Meeting

The Syracuse District Advisory Council will hold a public meeting at 9:00 a.m., Thursday, April 1, 1976, at the University Club, 431 Fayette Street, in the City of Syracuse, New York, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others present.

For further information, write or call J. Wilson Harrison, Room 308, Hunter Plaza, Syracuse, New York 13202, (315) 473-3460.

Dated: March 3, 1976.

MARY LOU GRIER,
Deputy Advocate for
Advisory Councils.

[FR Doc.76-6966 Filed 3-10-76; 8:45 am]

CONCORD DISTRICT ADVISORY COUNCIL

Public Meeting

The Concord District Advisory Council will hold a public meeting from 10:00 a.m. until 12:00 noon, Thursday, April 1, 1976, at the Federal Building, Room 304, Concord, New Hampshire, to discuss such business as may be presented by members, staff of the Small Business Administration and others present.

For further information write or call Bert F. Teague, Small Business Administration, 55 Pleasant Street, Concord, New Hampshire, 03301.

Dated: March 9, 1976.

MARY LOU GRIER,
Deputy Advocate
for Advisory Councils.

[FR Doc.76-7214 Filed 3-11-76; 8:45 am]

INTERSTATE COMMERCE COMMISSION

PETITIONS FOR MODIFICATION, INTER- PRETATION OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

Notice

MARCH 5, 1976.

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission on or before April 12, 1976. Such protest shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.247) and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 7166 (Notice of filing of petition for reopening, clarification, or modification of certificate), filed January 29, 1976. Petitioner: WILSON TRANSPORTATION SERVICE, INC., 1294 E. 4th Street, P.O. Box 258, Ottawa, Ohio 45875. Petitioner's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Petitioner holds a motor common carrier certificate in No. MC 7166, issued March 12, 1962, authorizing transportation as pertinent, 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 those requiring special equipment), between Holgate, Ohio, Ottawa, Ohio, points within two miles of Holgate, and points within 15 miles of Ottawa, on the one hand, and, on the other, points within 200 miles of Ottawa, in Indiana, Illinois, Kentucky, Ohio, Pennsylvania, Michigan, and West Virginia. By the instant petition, petitioner seeks (1) to clarify the language "points within 200 miles of Ottawa," in the above territorial description; (2) or in the alternative, modify the certificate so as to read, *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 Holgate, Ohio, Ottawa, Ohio, points within two miles of Holgate, and points within 15 miles of Ottawa, on the one hand, and, on the other, Chicago, Ill., and points in Illinois which are in and east of DuPage, Cook, Will, Kankakee, Iroquois, and Vermillion Counties, Ill.; points in Indiana which are in, east and north of Vermillion, Vigo, Sullivan, Greene, Daviess, Martin, Orange, Wash-

ington, Floyd, and Clark Counties, Ind.; points in Kentucky which are in and north of Jefferson, Shelby, Franklin, Woodford, Fayette, Clark, Montgomery, Bath, Rowan, Carter, and Boyd Counties, Ky.; points in West Virginia which are in north and west of Wayne, Cabell, Putnam, Jackson, Wirt, Ritchie, Tyler, Wetzel, Marshall, Ohio, Brooke, and Hancock Counties, W. Va.; Pittsburgh and points in Pennsylvania which are on and west of Interstate Highway 79; points in Ohio; points in Michigan which are in and south of Muskegon, Newago, Mecosta, Clare, Gladwin, Bay, Tuscola, and Huron Counties, Mich.

No. MC 12169 (Notice of filing of petition to modify license), filed January 30, 1976. Petitioner: S & C CORPORATION, doing business as PIEDMONT TOURS, No. 6 River Street, Piedmont, S.C. 29673. Petitioner's representative: Maxwell A. Howell, 1100 Investment Building, 1511 K Street N.W., Washington, D.C. 20005. Petitioner holds a license to engage in operations as a broker at Piedmont, S.C., in MC 12169, issued April 14, 1975, to sell or offer to sell the transportation of *Passengers and their baggage*, between points in South Carolina, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). By the instant petition, petitioner seeks to add Piedmont, S.C., as an additional place of business in the above authority.

No. MC 80289 (Notice of filing of petition to modify commodity description), filed February 10, 1976. Petitioner: RED LINE FURNITURE CARRIERS, INC., 533 Strahl Street, Philadelphia, Pa. 19111. Petitioner's representative: George A. Olsen, 69 Tonnele Ave., Jersey City, N.J. 07306. Petitioner holds a motor common carrier certificate in No. MC 80289, issued August 2, 1974, authorizing transportation, as pertinent, over irregular routes, of (A) *New furniture*, uncrated, (1) between Philadelphia, Pa., on the one hand, and, on the other, points in Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, and the District of Columbia; and (2) from New York, N.Y., Perth Amboy, Hoboken, Newark, and Trenton, N.J., and points in Delaware, Maryland, New York, New Jersey, Pennsylvania, and the District of Columbia; and (B) *Uncrated furniture*, from Oakmont (Allegheny County), Pa., to points in Connecticut, Delaware, Indiana, Illinois, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Rhode Island, Virginia, West Virginia, and the District of Columbia. By the instant petition, petitioner seeks to add the word "crated" to the commodity description in parts (A) and (B) above.

No. MC 95540 (Sub-No. 733) (Notice of filing of petition to modify restriction), filed February 3, 1976. Petitioner: WATKINS MOTOR LINES, INC., 1144 W. Griffin Road, Lakeland, Fla. 33801. Petitioner's representative: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga. 30303. Petitioner holds a motor common carrier certificate in No. MC

95540 (Sub-No. 733), issued September 11, 1975, authorizing transportation, over regular routes, of *General commodities* (except household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, articles of unusual value, and commodities the transportation of which by reason of size or weight require the use of special equipment, motor vehicles and boats), (1) Between Savannah, Ga. and San Diego, Calif.: From Savannah over U.S. Highway 80, and return over the same route; (2) Between Jacksonville, Fla., and Los Angeles, Calif.: (a) From Jacksonville over U.S. Highway 90 to Van Horn, Tex., thence over U.S. Highway 80 to Las Cruces, N. Mex., thence over U.S. Highway 70 to Globe, Ariz., thence over U.S. Highway 60 to Los Angeles, and return over the same route; and (b) From Jacksonville over Interstate Highway 10 to Los Angeles, and return over the same route; (3) Between Savannah, Ga. and Key West, Fla.: From Savannah over U.S. Highway 17 to Jacksonville, Fla., thence over U.S. Highway 1 to Key West, and return over the same route; (4) Between Columbus, Ga., and Miami, Fla.: From Columbus over U.S. Highway 27 to Miami, and return over the same route; (5) Between Savannah, Ga. and Miami, Fla.: From Savannah over Interstate Highway 95 to Miami, and return over the same route;

(6) Between Macon, Ga., and Miami, Fla.: (a) From Macon over U.S. Highway 41 to Miami, and return over the same route; and (b) From Macon over Interstate Highway 75 to Wildwood, Fla., thence over the Sunshine State Parkway to Miami, and return over the same route; (7) Between Wildwood, Fla. and Tampa, Fla.: From Wildwood over Interstate Highway 75 to Tampa, and return over the same route; (8) Between Daytona Beach, Fla. and St. Petersburg, Fla.: From Daytona Beach over Interstate Highway 4 to St. Petersburg, and return over the same route; (9) Between Statesboro, Ga. and Ocala, Fla.: From Statesboro over U.S. Highway 301 to Ocala and return over the same route; (10) Between Bainbridge, Ga. and Brunswick, Ga.: From Bainbridge over U.S. Highway 84 to Brunswick, and return over the same route; (11) Between Cusseta, Ga. and Blitchton, Ga.: From Cusseta over U.S. Highway 280 to Blitchton, and return over the same route; (12) Between Cuthbert, Ga., and Midway, Ga.: From Cuthbert over U.S. Highway 82 through Enigma, Ga., to Midway, and return over the same route; (13) Between Macon, Ga. and Folkston, Ga.: From Macon over U.S. Highway 23 to Folkston, and return over the same route; (14) Between junction U.S. Highway 80 and 19 north of Butler, Ga. and St. Petersburg, Fla.: From junction U.S. Highways 80 and 19 over U.S. Highway 19 to St. Petersburg, and return over the same route; (15) Between Lebanon Station, Fla. and Dunnellon, Fla.: From Lebanon Station over Florida Highway 336 to Dunnellon, and return over the same route; (16) Between Perry, Fla. and

¹ Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

Pensacola, Fla.: From Perry over U.S. Highway 98 to Pensacola, and return over the same route;

(17) Between Panama City, Fla. and Cottondale, Fla.: From Panama City over U.S. Highway 231 to Cottondale, and return over the same route; (18) Between Lakeland, Fla. and Punta Gorda, Fla.: From Lakeland over U.S. Highway 98 to Bartow, thence over U.S. Highway 17 to Punta Gorda, and return over the same route; (19) Between Fort Myers, Fla. and West Palm Beach, Fla.: From Fort Myers over Florida Highway 80 to junction U.S. Highway 27, thence over U.S. Highway 27 by South Bay and Belle Glade to junction U.S. Highway 441, thence over U.S. Highway 441 to West Palm Beach, and return over the same route; (20) Between Tampa, Fla. and Vero Beach, Fla.: From Tampa over Florida Highway 60 to Vero Beach, and return over the same route; (21) Between Bradenton, Fla. and West Palm Beach, Fla.: From Bradenton over Florida Highway 64 to junction Florida Highway 675, thence over Florida Highway 675 to junction Florida Highway 70, thence over Florida Highway 70 to junction Florida Highway 710, thence over Florida Highway 710 to West Palm Beach, and return over the same route; (22) Between Ocala, Fla. and Ormond Beach, Fla.: From Ocala over Florida Highway 40 to Ormond Beach, and return over the same route; (23) Between San Diego, Calif. and Crescent City, Calif.: From San Diego over U.S. Highway 101 to Crescent City, and return over the same route; (24) Between Los Angeles, Calif. and Weed, Calif.: From Los Angeles over California Highway 99 and Interstate Highway 5 to Weed, and return over the same route; (25) Between San Diego, Calif. and Alturas, Calif.: From San Diego over U.S. Highway 395 to Alturas, and return over the same route; (26) Between San Francisco, Calif. and Reno, Nev.: From San Francisco over Interstate Highway 80 to Reno, and return over the same route; (27) Between Blythe, Calif. and San Bernardino, Calif.: From Blythe over U.S. Highway 95 to Needles, Calif., thence over U.S. Highway 66 to San Bernardino, and return over the same route;

(28) Between Santa Maria, Calif. and Bakersfield, Calif.: From Santa Maria over California Highway 166 to junction California Highway 33, thence over California Highway 33 to junction California Highway 119, thence over California Highway 119 to junction California Highway 99, thence over California Highway 99 to Bakersfield, and return over the same route; (29) Between Bakersfield, Calif. and Barstow, Calif.: From Bakersfield over California Highway 58 to Barstow, and return over the same route; (30) Between Gilroy, Calif. and Fairmead, Calif.: From Gilroy over California Highway 152 to Fairmead, and return over the same route; (31) Between Ventura, Calif. and junction California Highways 33 and 152: From Ventura over California Highway 33 to junction California Highway 152, and return over the same route; (32)

Between San Jose, Calif. and Stockton, Calif.: From San Jose over Interstate Highway 680 to junction U.S. Highway 50, thence over U.S. Highway 50 to Stockton, and return over the same route; (33) Between Mobile, Ala. and Jackson, Miss., serving Mobile, Ala., and Jackson, Miss., for purpose of joinder only: From Mobile over U.S. Highway 98 to junction U.S. Highway 49 near Hattiesburg, Miss., thence over U.S. Highway 49 to Jackson, and return over the same route. Serving all intermediate points on the above specified routes in Georgia, Florida, and California, and serving all other points in Florida, California, and that part of Georgia on and south of U.S. Highway 80, as off-route points.

Restriction: The authority granted herein is restricted to the transportation of traffic either (1) originating at points in Florida, or at those in that part of Georgia on or south of U.S. Highway 80, and destined to Reno, Nev., or to points in California, or (2) originating at Reno, Nev., or at points in California, and destined to points in Florida or to those in that part of Georgia on or south of U.S. Highway 80, or (3) originating at or destined to Reno, Nev., or points in California, and received from or delivered to connecting carriers at points in Florida or those in that part of Georgia on or south of U.S. Highway 80; provided, however, that the restrictions in (1), (2), or (3) shall not preclude the transportation of traffic having an immediately prior or subsequent movement by water or air from or to points located outside of the above-described territories. By the instant petition, petitioner seeks to modify the restrictions in the above authority so as to read, "restricted against the transportation of traffic moving between (1) points in California; (2) between points in California, on the one hand, and, on the other, Reno, Nevada; (3) between points in Florida; (4) between points in Georgia on and south of U.S. Highway 80; and (5) between points in Florida, on the one hand, and, on the other, points in Georgia on and south of U.S. Highway 80."

No. MC 104104 (Sub-No. 10) (Notice of filing of petition to modify territorial description), filed February 3, 1976. Petitioner: GEORGE A. FETZER, INC., R. D. Newton-Sussex Rd., Augusta, N.J. 07822. Petitioner's representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, N.J. 08904. Petitioner holds a motor common carrier certificate in No. MC 104104 (Sub-No. 10), issued June 30, 1972, authorizing transportation, over irregular routes, of *Lawn furniture*, in cartons, from Tranquility, N.J., to points in Connecticut, Delaware, Maryland, New York, Pennsylvania, and the District of Columbia. By the instant petition, petitioner seeks to add West Brookfield, Mass., as an additional origin point in the above authority.

No. MC 139106 (Notice of filing of petition to modify territorial description), filed February 3, 1976. Petitioner: A.B.A. TRUCKING CORPORATION, 12-16 Bank Street, Summit, N.J. 07901. Pe-

itioner's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Petitioner holds a motor contract carrier permit in No. MC 139106, issued October 17, 1974, authorizing transportation over irregular routes, of *Iron and steel articles, metal roof and floor decking, and materials, equipment, and supplies* used in the installation, manufacture, sale or production of all the above specified commodities (except commodities in bulk), between the facilities of United Steel Deck, Inc., at South Plainfield, N.J., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with United Steel Deck, Inc. By the instant petition, petitioner seeks to add from Philadelphia, Pa., to Morrisville, Pa., as an additional territorial description in the above authority.

No. MC 139206 (Notice of filing of petition for modification of permit), filed February 3, 1976. Petitioner: F.M.S. TRANSPORTATION, INC., 900 North Alvarado, Los Angeles, Calif. 90026. Petitioner's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, D.C. 20001. Petitioner holds a motor contract carrier permit in No. MC 139206, issued January 7, 1976, authorizing transportation, over irregular routes, of *Textiles and textile products, and materials, equipment and supplies* used in the sale, manufacture, processing, production, and distribution of the above-named commodities (except commodities in bulk), between Laredo, Brenham, and Houston, Tex., Wellsville, Mo., and Johnson City, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract, or contracts, with Chromalloy American Corporation and Leon Ferenbach, Inc. By the instant petition, petitioner seeks to (1) add *chemicals* to the above commodity description and (2) to delete Leon Ferenbach, Inc., as a contracting shipper in the above authority.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

The following grants of operating rights authorities are republished by Order of the Commission to indicate a broadened grant of authority over that previously noticed in the FEDERAL REGISTER. An original and one copy of protests to the granting of the authority must be filed with the Commission on or before April 12, 1976. Such protest shall comply with Special Rule 247(d) of the Commission's *General Rules of Practice* (49 CFR § 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition shall not be tendered at this time. A copy of the protest shall be served concurrently upon the carrier's representa-

tive, or carrier if no representative is named.

No. MC 60580 (Sub-No. 32) (Republication), filed August 11, 1975, and published in the FEDERAL REGISTER issue of September 18, 1975, and republished this issue. Applicant: MAISLIN TRANSPORT OF DELAWARE INC., 7401 Newman Boulevard, La Salle, Quebec H8N 1X4. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. An order of the Commission, Review Board Number 1, dated February 5, 1976, and served February 25, 1976, finds that the present and future public convenience and necessity require operations by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular 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 those requiring special equipment), (1) between Lowell and Worcester, Mass., from Lowell over Interstate Highway 495 to its junction with Interstate Highway 290, thence over Interstate Highway 290 to Worcester, and return over the same route, serving Boston, Mass., as an off-route point, (2) between Worcester and Springfield, Mass., over Interstate Highway 90, and serving the junction of Massachusetts Highway 15 and Interstate Highway 90 for joinder only, and (3) between the junction of Massachusetts Highway 15 and Interstate Highway 90, and Hartford, Conn., from the junction of Massachusetts Highway 15 and Interstate Highway 90 over Massachusetts Highway 15 to junction Interstate Highway 86, thence over Interstate Highway 86 to Hartford and return over the same route, 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 that the authority granted in Parts (1) and (2) above were not exclusively based upon the conversion of underlying irregular-route authority.

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR § 1100.247). 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 the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to seasonably 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 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 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) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application. Further processing steps 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.* Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 340 (Sub-No. 35), filed February 2, 1976. Applicant: QUERNER TRUCK LINES, INC., 1131-33 Austin Street, San Antonio, Tex. 78208. Applicant's representative: M. Ward Bailey, 2412 Continental Life Bldg., Fort Worth, Tex. 76102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packing-houses*, as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Sweetwater, Tex. and Duncan, Okla., to points in Arkansas and Missouri, and those points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas, Tex., or Oklahoma City, Okla.

No. MC 966 (Sub-No. 25), filed February 2, 1976. Applicant: CAPITOL TRUCK LINES, INC., 200 West First

Street, Topeka, Kans. 66603. 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: *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), (1) Between Atchison, Kansas and Topeka, Kansas: From Atchison over Kansas Highway 4 to junction U.S. Highway 24, thence over U.S. Highway 24 to Topeka, and return over the same route; (2) Between Topeka, Kans. and Junction Kansas Highway 37 and U.S. Highway 169: From Topeka over U.S. Highway 75 to junction Kansas Highway 37 thence over Kansas Highway 37 to junction Kansas Highway 37 and U.S. Highway 169 and return over the same route; (3) Between Topeka, Kans. and Chanute, Kans.: From Topeka over U.S. Highway 75 to junction Kansas Highway 39, thence over Kansas Highway 39 to Chanute, and return over the same route; (4) Between Topeka, Kans. and Iola, Kans.: From Topeka over U.S. Highway 75 to junction U.S. Highway 54, thence over U.S. Highway 54 to Iola, and return over the same route; (5) Between Iola, Kans. and Moran, Kans.: From Iola over U.S. Highway 54 to Moran, and return over the same route; (6) Between Stark, Kans. and Godfrey, Kans.: From Stark over Kansas Highway 39 to junction Kansas Highway 7, thence over Kansas Highway 7 to Godfrey and return over the same route; (7) Between Independence, Kans. and Junction U.S. Highway 160 and U.S. Highway 169: From Independence over U.S. Highway 160 to Junction U.S. Highway 160 and U.S. Highway 169 and return over the same route; (8) Between Cherokee, Kans. and Pittsburg, Kans.: From Cherokee over U.S. Highway 160 to Pittsburg, and return over the same route.

(9) Between Farlington, Kans. and Girard, Kans.: From Farlington over Kansas Highway 7 to Girard and return over the same route; (10) Between junction Kansas Highway 47 and U.S. Highway 169 and Franklin, Kans.: From junction Kansas Highway 47 and U.S. Highway 59 over Kansas Highway 47 to junction Kansas Highway 57, thence over Kansas Highway 57 to Franklin, and return over the same route; (11) Between Garnett, Kans. and Kansas City, Kans.: From Garnett via U.S. Highway 169 to junction Interstate 35 thence over Interstate 35 to Kansas City and return over the same route; (12) Between Ottawa, Kans. and Kansas City, Kans.: From Ottawa over Interstate 35 to Kansas City and return over the same route; (13) Between Kansas City, Kans. and St. Joseph, Mo.: From Kansas City via Interstate 29 to St. Joseph, and return over the same route; (14) Between Topeka, Kans. and Kansas City, Kans.: From Topeka via Interstate 70 to Kansas City and return over the same route; (15) Between Victory Junction, Kans. and Olathe, Kans.: From Victory Junction

tion via Kansas Highway 7 to Olathe, and return over the same route; and (16) Serving the construction site and plantsite of the Iatan Power Plant located at or near Iatan, Mo., as an off-route point to carrier's regular route service.

NOTE.—Items (1) through (15) are alternate routes for operating convenience only, serving no intermediate points. Carrier presently has authority to serve between points on said routes. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 2986 (Sub-No. 38), filed February 21, 1976. Applicant: I & S-MC-DANIEL, INC., 1102 Prairie Street, Vincennes, Ind. 47591. 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 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 the Southwind Maritime Centre, at or near Mt. Vernon, and Evansville, Ind., as an off-route point in connection with applicant's presently authorized authority to and from Evansville, Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind., or Chicago, Ill.

No. MC 8958 (Sub-No. 31), filed January 21, 1976. Applicant: THE YOUNGSTOWN CARTAGE CO., 825 West Federal Street, 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) *Iron and steel articles* of the kind used in construction and manufacture of contractor's equipment and machinery (a) from points in Massachusetts, Rhode Island, and Connecticut to points in that part of Michigan east of U.S. Highway 27 and south of Michigan Highway 20 and Saginaw Bay. The purpose of this filing is to eliminate the gateways of points in that part of Pennsylvania on and east of U.S. Highway 15 and points in that part of Ohio on and north of U.S. Highway 30 and on and east of Ohio Highway 13. (b) Between points in New Jersey, and points in Pennsylvania and Maryland on and east of U.S. Highway 15 on the one hand, and on the other, points in that part of Ohio on, south and east of U.S. Highway 22 from the West Virginia-Ohio State line to its junction with U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line.

The purpose of this filing is to eliminate the gateways of Niles, Ohio, and junction Interstate Highway 80 and Ohio Highway 18, and points in that part of Pennsylvania on and east of U.S. Highway 15. (c) Between points in Pennsylvania on and west of U.S. Highway 15 on the one hand, and on the other, points in Ohio bounded by and south of a line

commencing at the Ohio-West Virginia State line, thence west along U.S. Highway 22 to its junction with U.S. Highway 36, thence west along U.S. Highway 36 to its junction with Ohio Highway 21, thence north along Ohio Highway 21 to its junction with U.S. Highway 30, thence west along U.S. Highway 30 to its junction with Ohio Highway 309 (formerly U.S. Highway 30S) thence west along Ohio Highway 309 to its junction with U.S. Highway 30, thence west along U.S. Highway 30 to the Ohio-Indiana State line. The purpose of this filing is to eliminate the gateways of Niles, Ohio, and junction Interstate Highway 80 and Ohio Highway 18. (d) between points in that part of Ohio west and south of a line commencing at Lake Erie, thence along Ohio Highway 534 to its junction with Ohio Highway 14, thence along Ohio Highway 14 to its junction with Ohio Highway 45, thence along Ohio Highway 45 to its junction with Ohio Highway 7, thence along Ohio Highway 7 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Ohio-West Virginia State line on the one hand, and on the other, points in that part of Lake and Porter Counties, Ind., on and north of U.S. Highway 30; Cook, Libertyville, Grayslake, Chicago, DeKalb, DuPage, Grundy, Kane, Kendall, Will, Belvidere, and points in LaSalle Counties, Ill. within fifty (50) miles of Oswego, Ill., and points in Kenosha and Walworth Counties, Wis.

The purpose of this filing is to eliminate the gateways of Niles, Ohio, and the junction of Interstate Highway 80 and Ohio Highway 18, points in that part of northeastern Ohio on and east of U.S. Highway 21 and on and north of the junction of U.S. Highways 21 and 36 to U.S. Highway 22 and on and north of U.S. Highway 22 to the Ohio-West Virginia State line and Indiana Toll Road Interchange No. 12, points in Lake County, Ind., on and north of U.S. Highway 30 and Chicago, Cook, McHenry and Lake Counties, Ill., and (e) between points in that part of Michigan on and south of Michigan Highway 21 and on and east of U.S. Highway 27 on the one hand, and on the other, points in Ohio except those 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 along U.S. Highway 36 to its junction with U.S. Highway 250 thence along U.S. Highways 36 and 250 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Niles, Ohio, and the junction of Interstate Highway 80 and Ohio Highway 18. (2) *Metal and metal products, asphalt, roofing cement, and prepared roofing materials* (except commodities in bulk and those requiring special equipment) (a) from points in Ohio except Toledo, Ohio, and points in that part of Ohio on and north of U.S. Highway 30 and on and east of Ohio Highway 13 to points in that part of Lake and Porter Counties, Ind., on and north of U.S. Highway 30; Cook County, Ill.; Libertyville and Grayslake, Ill.; Chicago, Ill.; points in Illinois within twenty-five

(25) miles of Chicago; points in DeKalb, DuPage, Grundy, Kane, Kendall, and Will Counties, Ill.; Belvidere, Ill.; points in LaSalle County, Ill., within fifty (50) miles of Oswego, Ill.; and points in Kenosha and Walworth Counties, Wis.

The purpose of this filing is to eliminate the gateways of Indiana Toll Road Interchange No. 12 and points in Lake County, Ind., on and north of U.S. Highway 30, Chicago, Ill., and points in Cook, McHenry and Lake Counties, Ill. (b) From points in that part of Lake and Porter Counties, Ind., on and north of U.S. Highway 30; Cook County, Libertyville, and Grayslake Counties, Ill.; Chicago, Ill., those points within twenty-five (25) miles of Chicago; points in DeKalb, DuPage, Grundy, Kane, Kendall, and Will Counties, Ill.; Belvidere, Ill.; points in LaSalle County, Ill. within fifty (50) miles of Oswego, Ill., and points in Kenosha and Walworth Counties, Wis., to points in that part of Ohio except those on and north and east of a line beginning at the Ohio-Michigan State line and extending along U.S. Highway 23 to Upper Sandusky, thence eastward along U.S. Highway 30 to the Ohio-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of Cook, McHenry, and Lake Counties, Ill.; Chicago, Ill., and points in Lake County, Indiana, on and north of U.S. Highway 30 and Indiana Toll Road Interchange No. 12; and (c) from points in Kenosha and Walworth Counties, Wis. Belvidere, Ill., points in LaSalle County, Ill. within fifty (50) miles of Oswego, Ill.; Chicago, Ill., points in McHenry, DuPage, Cook, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Ill., and points in Lake and Porter Counties, Ind., on and north of U.S. Highway 30 to points in that part of Michigan east of U.S. Highway 27 north of Interstate Highway 94 and Michigan Highway 20 and south of Saginaw Bay. The purpose of this filing is to eliminate the gateways of points in Cook, McHenry, and Lake Counties, Ill.; Chicago, Ill., and points in that part of Lake and Porter Counties, Ind., on and north of U.S. Highway 30, Indiana Toll Road Interchange No. 12 and Toledo, Ohio.

(3) *Metal and metal products*, (a) from points in Ohio except Toledo, Ohio and points in that part of Ohio on and north of U.S. Highway 30 and on and east of Ohio Highway 13 to points in that part of Michigan east of U.S. Highway 27 and on and south of Michigan Highway 20 and south of Saginaw Bay. The purpose of this filing is to eliminate the gateway of Niles, Ohio, and the junction of Interstate Highway 80 and Ohio Highway 18; and (b) from Monroe, Mich., and points in Wayne County, Mich., to points in Ohio except points in that part of Ohio on and east of a line beginning at the Ohio-Michigan State line and extending along U.S. Highway 23 to Upper Sandusky and on and north of a line beginning at Upper Sandusky and extending eastward along U.S. Highway 30 to the Ohio-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of Niles, Ohio and junction of Interstate Highway 80 and Ohio High-

way 18. (4) *Iron and steel articles* used in construction and manufacture, from the plant site of Jones & Laughlin Steel Corporation located in Putnam County, Ill., to points in that part of Ohio on, south and west of a line commencing at Toledo, Ohio, thence south along U.S. Highway 23 to the junction of U.S. Highway 30S, thence east along U.S. Highways 30S and 30 to the junction of Ohio Highway 83, thence south along Ohio Highway 83 to the junction of Ohio Highway 16, thence south along Ohio Highway 16 to the junction with Ohio Highway 60, thence south along Ohio Highway 60 to the junction of Ohio Highway 93, thence south along Ohio Highway 93 to the junction of Ohio Highway 13, thence south along Ohio Highway 13 to the junction of U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-West Virginia State line.

The purpose of this filing is to eliminate the gateways of points in Indiana, and the lower peninsula of Michigan; the junction of Interstate Highways 80 and 90 with U.S. Highway 27 known as Indiana Toll Road Interchange No. 12, and points in Ohio; and (5) *Iron and steel articles* used in construction and manufacture and the manufacturing, processing of iron and steel articles, from points in that part of Ohio on, south and west of a line commencing at Toledo, Ohio, thence south along U.S. Highway 23 to the junction of U.S. Highway 30S, thence east along U.S. Highways 30S and 30 to the junction of Ohio Highway 83, thence south along Ohio Highway 83 to the junction of Ohio Highway 16, thence south along Ohio Highway 16 to the junction with Ohio Highway 60, thence south along Ohio Highway 60 to the junction of Ohio Highway 93, thence south along Ohio Highway 93 to the junction of Ohio Highway 13, thence south along Ohio Highway 13 to the junction of U.S. Highway 33, thence along U.S. Highway 33 to the Ohio-West Virginia State line, to the plant site of Jones & Laughlin Corporation located in Putnam County, Ill. The purpose of this filing is to eliminate the gateways of points in Ohio, the junction of Interstate Highways 80 and 90 with U.S. Highway 27, also known as Indiana Toll Road Interchange No. 12, and points in Indiana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus, Ohio or Washington, D.C.

No. MC 13547 (Sub-No. 6), filed January 29, 1976. Applicant: LEONARD BROTHERS TRANSPORT COMPANY, INC., 1701 St. Louis, Kansas City, Mo. 64101. Applicant's representative: Frank W. Taylor, Jr., Suite 600, 1221 Baltimore Avenue, 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 construction site and plant of the Iatan Power Plant, at or near Iatan, Mo., as an off-route point in connection with appli-

cant's regular route operation to and from Kansas City, Mo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 20793 (Sub-No. 48), filed January 21, 1976. Applicant: WAGNER TRUCKING CO., INC., 301 Grant Ave., Hightstown, N.J. 08520. Applicant's representative: Raymond A. Thistle, Jr., Suite 1012, Four Penn Center Plaza, Philadelphia, Pa. 19103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Block*, on vehicles equipped with boom-unloaders, from the plant site of Anchor Cement Products, Inc. located in Brick Township (Ocean County), N.J., to points in Pennsylvania east of the Susquehanna River and those in that part of New York on and east of U.S. Highway 209 from the New York-New Jersey State Boundary line to the Hudson River at or near Kingston, N.Y. and east of the Hudson River to Hudson Falls, N.Y. and east of New York State and U.S. Highway 4 from Hudson Falls, N.Y. to the New York-Vermont State Boundary line.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 30837 (Sub-No. 475), filed January 26, 1976. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200-39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Charles Rieroni, 4000 West Sample Street, South Bend, Ind. 46619. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used trucks* in secondary movements, in truckaway service, restricted to traffic moving on bills of lading issued by Freight Forwarders, between points in Arizona, California, Nevada, Oregon, and Washington, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Missouri, Ohio, and points in West Virginia within five miles of the Ohio River, and points in Wayne County and Warren Township (Malcomb County), Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 43246 (Sub-No. 24), filed February 9, 1976. Applicant: BUSKE LINES, INC., 123 W. Tyler Avenue, Litchfield, Ill. 62556. Applicant's representative: Harold Buske (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* in containers, from Scobeyville, N.J., to points in Illinois, Iowa, Michigan, and Ohio, under a continuing contract or contracts with Laird & Company.

NOTE.—Applicant holds common carrier authority in MC 15975 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either St. Louis, Mo., or Springfield, Ill.

No. MC 43269 (Sub-No. 61), filed January 15, 1976. Applicant: WELLS CARGO, INC., 1775 East 4th Street,

Reno, Nev. 89505. Applicant's representative: Edward J. Hegarty, 400 Bush Street, 21st Floor, San Francisco, Calif. 94104. 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, petroleum products in bulk, new automobiles, new trucks, new buses, and commodities requiring special equipment), between Las Vegas, Nev. and Walters Ranch and Airport, near Needles, Calif.; From Las Vegas, Nev., over U.S. Highway 95 to junction Nevada Highway 76, thence over Nevada Highway 76 to the Nevada-California State Boundary line, thence over unnumbered County road to Walters Ranch and Airport, located near the junction of Pew Road and River Road approximately seven-tenths of a mile north of the city limits of Needles, Calif., and return over the same route, serving no intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Los Angeles, Calif. or Las Vegas, Nev.

No. MC 43867 (Sub-No. 28), filed February 11, 1976. Applicant: A. LEANDER MCALISTER TRUCKING COMPANY, a Corporation, P.O. Box 2214, Wichita Falls, Tex. 76307. Applicant's representative: Bernard H. English, 6270 Fifth Road, Fort Worth, Tex. 76116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Center pivot irrigation systems, fluid distribution systems, and waste treatment systems*; and (b) *materials, equipment, supplies, and parts*, used in, or in connection with the manufacture, assembly, distribution, installation and operation of the commodities described in (a) above (except commodities in bulk), between points in Wichita County, Tex., 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 plantsites, storage facilities and distributors of the Lockwood Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Wichita Falls, Dallas, or Fort Worth, Tex.

No. MC 46421 (Sub-No. 12), filed February 26, 1976. Applicant: ESCRO STORAGE & CARTAGE, INC., 275 Mayville Ave., Buffalo, N.Y. 14217. Applicant's representative: Robert D. Gunderman, Suite 710, Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat by-products, dairy products and meat packinghouse articles* as described in 61 M.C.C. 209 and 766 (except hides, skins and pieces thereof); (2) *frozen foods*; and (3) *foodstuffs*, in vehicles equipped with mechanical refrigeration, between points in New Jersey, on the one hand, and, on the other, points in New York.

NOTE.—Applicant states the requested authority may be tacked at Buffalo and Elmira, N.Y., to provide service to points in Pennsylvania. If a hearing is deemed necessary the applicant requests it be held at either Jersey City, N.J. or New York, N.Y.

No. MC 50493 (Sub-No. 58) (Correction), filed December 29, 1975, published in the FEDERAL REGISTER issue of January 29, 1976, republished as corrected this issue. Applicant: P. C. M. TRUCKING, INC., 1063 Main St., Orefield, (Lehigh County), Pa. 18104. Applicant's representative: Paul B. Kemmerer, 1620 N. 19th St., Allentown, Pa. 18104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pulverized limestone and pulverized limestone by-products*, in bulk, in blower equipped tank vehicles, between points in Maxatawny Township, Berks County, Pa., on the one hand, and, on the other, points in New Jersey.

NOTE.—The purpose of this republication is to correct the territorial description in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at either Allentown, Pa. or Philadelphia, Pa.

No. MC 51146 (Sub-No. 456) (Correction), filed December 29, 1975, published in the FEDERAL REGISTER issue of January 29, 1976, republished as corrected this issue. Applicant: SCHNEIDER TRANSPORT, INC., 2661 South Broadway, Green Bay, Wis. 54306. 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 mill products, pulp mill products, and materials, equipment and supplies used in the manufacture and/or distribution thereof* (except commodities in bulk), between the plantsite and storage facilities of Potlatch Corp. located in Desha County, Ark., on the one hand, and, on the other, points in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, New Mexico, Colorado, Wyoming, Montana, Minnesota, Iowa, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia.

NOTE.—The purpose of this republication is to correct the territorial description. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 59150 (Sub-No. 90), filed February 6, 1976. Applicant: PLOOF TRUCK LINES, INC., 1414 Lindrose Street, Jacksonville, Fla. 32206. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *PVC pipe and steel tanks, and precast concrete tanks, and accessories and fittings therefor*, from the plantsites and facilities of Davis Water & Waste Industries, Inc., located at Thomasville, Ga., Maxton, N.C., and Sarasota, Fla., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia; and (2) *cast iron pipe and fittings*,

from Anniston, Ala.; *cast iron fittings and valves*, from Alexander City, Ala.; *fire hydrants and valves*, from Chattanooga, Tenn.; *steel plate*, from Gadsden, Ala.; *concrete meter boxes*, from Birmingham, Ala. and *steel plate heads*, from Tuscaloosa, Ala., and Orlando, Fla., to points Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, restricted to traffic originating at or destined to the plantsites and facilities of Davis Water & Waste Industries, Inc., its suppliers and customers.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jacksonville, Fla. or Atlanta, Ga.

No. MC 59856 (Sub-No. 67), filed January 19, 1976. Applicant: SALT CREEK FREIGHTWAYS, a Corporation, 3333 West Yellowstone, Casper, Wyo. 82601. Applicant's representative: John R. Davidson, Suite 805, Midland Bank Building, Billings, Mont. 59101. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, and those requiring special equipment), (1) between Garrison, Mont. and Helena, Mont.: From Garrison, Mont. over U.S. Highway 12 to Helena, Mont., and return over the same route, serving no intermediate points; (2) between Butte, Mont. and Helena, Mont.: From Butte, Mont. over Interstate Highway 15 and U.S. Highway 91 to Helena, Mont., and return over the same route, serving no intermediate points; (3) between Great Falls, Mont. and Helena, Mont.: From Great Falls, Mont. over Interstate Highway 15 to Helena, Mont., and return over the same route, serving no intermediate points; and (4) between Three Forks, Mont. and Townsend, Mont.: From Three Forks, Mont. over U.S. Highway 287 to Townsend, Mont. and return over the same route, serving no intermediate points, as alternate routes to applicant's otherwise authorized regular routes.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Helena, Mont.

No. MC 60012 (Sub-No. 96), filed January 12, 1976. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West 52d Avenue, Denver, Colo. 80221. Applicant's representative: John S. Walker, Jr., P.O. Box 5482, Denver, Colo. 80217. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk, and those requiring special equipment), between Belina Coal Mine, Clear Creek, Utah Coal Mine No. 2, O'Conner Coal Mine, and the mine sites of Valley Camp of Utah, Inc., located at or near Scofield, Utah, on the one hand, and, on the other, Salt Lake City, Utah and Denver and Pueblo, Colo.

NOTE.—Applicant intends to tack the requested authority with its sub 58 at junction U.S. Highway 6 and Alternate Highway 50 and Utah Highway 96 at Colton, Utah to provide service from points mentioned in instant application to authorized points in Utah and Colorado. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Price, or Provo, Utah.

No. MC 61231 (Sub-No. 89), filed February 5, 1976. Applicant: ACE LINES, INC., 4143 E. 43d Street, Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Irrigation systems and parts and accessories therefor, pipe, tubing, light poles, mast arms, brackets, bases, and transmission poles*; and (2) *equipment, materials and supplies used in the manufacture and installation of the commodities named in (1) above* (except in bulk), between the plantsite of Valmont Industries, Inc. located near Valley, Nebr., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC 61825 (Sub-No. 64), filed February 4, 1976. Applicant: ROY STONE TRANSFER CORPORATION, V. C. Drive, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New furniture and furniture parts*, between Bibb and Laurens Counties, Ga., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming; and (2) *materials, equipment, and supplies used in the manufacture and distribution of new furniture and furniture parts* (except in bulk), from points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, to Bibb and Laurens Counties, Ga.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 65701 (Sub-No. 3) (Correction), filed January 14, 1976, published in the FEDERAL REGISTER issue of February 20, 1976, and republished as corrected this issue. Applicant: ANDUJAR TRUCKING CORP., 200 Fieldmere Street, Elmont, N.Y. 11003. Applicant's representative: John L. Alfano, 550 Ma-

maroneck Avenue, Harrison, N.Y. 10528. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail supermarkets and food stores (except in bulk), between the facilities of Mid-Eastern Cooperative, Inc., at Carlstadt, N.J., on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont, under contract with Mid-Eastern Cooperative, Inc.

NOTE.—The purpose of this republication is to correct the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 67450 (Sub-No. 53), filed Feb. 5, 1976. Applicant: PETERLIN CARTAGE CO., a Corporation, 9651 South Ewing Avenue, Chicago, Ill. 60617. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60617. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products of corn*, in bulk, (1) from the plantsites and facilities of CPC International, at Pekin, Ill., to points in the United States (except Alaska and Hawaii); and (2) from the plantsites and facilities of CPC International at Chicago, Ill., to points in the United States (except Indiana, Ohio, the Lower Peninsula of Michigan, Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 67866 (Sub-No. 31), filed December 29, 1975. Applicant: FILM TRANSPORT, INC., 3931 Homewood Street, Memphis, Tenn. 38118. Applicant's representative: Warren A. Goff, 5100 Poplar Avenue, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and livestock), between points in an area and on the line which bounds that area commencing at the southwest corner of Arkansas, thence north along the Arkansas-Texas State Line to Texarkana, Ark., thence west along the Arkansas-Texas State Line to the Arkansas-Oklahoma State Line, thence north along the Arkansas-Oklahoma State Line to the Arkansas-Missouri State Line, thence east along the Arkansas-Missouri State Line to its intersection with U.S. Highway 62, thence east along U.S. Highway 62 to New Madrid, Mo. at the Mississippi River, thence northeast along the meanders of the Mississippi River to Paducah, Ky., thence southeast along U.S. Highway 68 to its intersection with U.S. Highway 641, thence south along U.S. Highway 641 to the Kentucky-Tennessee State Line, thence east along the Kentucky-Tennessee State Line to its intersection with U.S. Highway 31W, thence south along U.S. Highway 31W to Nashville, Tenn., thence south along U.S. Highway

31 to Columbia, Tenn., thence southeast along Tennessee Highway 50 to Lewisburg, Tenn., thence south along U.S. Highway 431 to the Tennessee-Alabama State Line, thence west along the Tennessee-Alabama State Line to its intersection with Alabama Highway 17, thence south along Alabama Highway 17 to Hamilton, Ala., thence west along U.S. Highway 78 to the Alabama-Mississippi State Line, thence south along the Alabama-Mississippi State Line to its intersection with U.S. Highway 80, thence west along U.S. Highway 80 to the Mississippi-Louisiana State Line, thence north along the Mississippi-Louisiana State Line to the Arkansas-Louisiana State Line, thence west along the Arkansas-Louisiana State Line to the point of beginning, and Lilbourn, Mo. Restrictions: No service shall be rendered in the transportation of any package or article weighing more than 70 pounds or exceeding 180 inches in length and girth combined, no service shall be provided in the transportation of packages or articles weighing in the aggregate more than 200 pounds from one consignor to one consignee on any one day.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 69833 (Sub-No. 114), filed February 2, 1976. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, Grand Rapids, Mich. 49502. Applicant's representative: Harry Pohlard (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 and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); Serving the plantsite of Lowell Engineering Company at or near Alto, Mich., as an off-route point in connection with carrier's presently authorized routes.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Lansing or Detroit, Mich.

No. MC 73165 (Sub-No. 377), filed February 4, 1976. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, 830 North 33rd St., Birmingham, Ala. 35202. Applicant's representative: William P. Parker (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foam board, insulation, and insulated gypsum foam board panels*, from points in Dallas County, Tex., and Salt Lake County, Utah, to points in the United States (except Alaska and Hawaii); and (2) *materials*, used in the manufacture of foam board, insulation, and insulated gypsum foam board panels (except commodities in bulk), from points in the United States (except Alaska and Hawaii), to points in Dallas County, Tex., and Salt Lake County, Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Dallas or Houston, Tex.

No. MC 76065 (Sub-No. 32), filed January 26, 1976. Applicant: EHRLICH-NEWARK TRUCKING CO., INC., 505 West 37th Street, New York, N.Y. 10018. Applicant's representative: Michael R. Werner, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture of wearing apparel (except commodities in bulk), between points in Pennsylvania on and east of U.S. Highway 11 on the one hand, and, on the other, points in Delaware and those in Carolina, Dorchester, and Wicomico Counties, Md.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 82492 (Sub-No. 130), filed February 4, 1976. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., P.O. Box 2853, 2109 Olmstead Road, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Infant clothing and infant care products and supplies* in mixed shipments with *foodstuffs* (except commodities in bulk), from the facilities of Gerber Products Company, located at or near Fremont, Mich., to points in Minnesota, North Dakota, and South Dakota.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 82841 (Sub-No. 164), filed February 4, 1976. Applicant: HUNT TRANSPORTATION, INC., 10779 "I" Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Marble chips*, from Wheatland, Wyo., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, and Wisconsin; and (2) *scoria* from Dona Ana County, N. Mex., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 83835 (Sub-No. 129), filed February 9, 1976. Applicant: WALES TRANSPORTATION, INC., P.O. Box 6186, Dallas, Tex. 75222. Applicant's representative: James W. Hightower, 136 Wynnewood Professional Bldg., Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Telescoping poles and accessories, attachments and parts therefor*; and (2) *materials and supplies* used in the manufacture of the commodities in (1) above (except commodities in bulk), between Peachtree City, Ga., on the one hand, and, on the other, points in the

United States (except Georgia and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC 88380 (Sub-No. 20) (Correction), filed December 18, 1975, published in the FEDERAL REGISTER issue of February 5, 1976, republished as corrected this issue. Applicant: REB TRANSPORTATION, INC., 2400 Cold Springs Road, Fort Worth, Tex. 76106. Applicant's representative: John L. Payne, (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, as defined in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Chaparral Steel Company, Inc., at or near Midlothian, Tex., to points in Texas; and (2) *Iron and steel scraps*, from points in Texas, to the origin facilities named in (1) above.

NOTE.—The purpose of this republication is to correct the commodity description. If a hearing is deemed necessary, the applicant requests it be held at Fort Worth or Dallas, Tex.

No. MC 93186 (Sub-No. 1), filed January 29, 1976. Applicant: EUDELL WATTS III, doing business as WATTS TRANSFER & DELIVERY SERVICE, 825-1st Avenue, Rock Island, Ill. 61201. Applicant's representative: James Coryn, 312 First National Bank Bldg., 17th St. and 2d Avenue, Rock Island, Ill. 61201. 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 plant-site of French & Hecht Division, Kelsey-Hayes Co., located at or near Walcott, Iowa, as an off-route point in connection with carrier's otherwise authorized regular route operations to and from Davenport, Iowa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Des Moines, Iowa.

No. MC 97526 (Sub-No. 2), filed December 29, 1975. Applicant: NEVADA FREIGHT LINES, INC., 301 Commercial Row, Reno, Nev. 89502. Applicant's representative: William D. Taylor, 100 Pine Street, San Francisco, Calif. 94111. 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), (1) Between Reno, Nev., over Interstate Highway 80 to Verdi, Nev., and return over the same route; (2) Between Reno, Nev. over Interstate Highway 80 to Winnemucca, Nev., and return over the same route; (3) Between Reno, Nev. over U.S. Highway 395 to Carson City, Nev. and

return over the same route; (4) Between Carson City, Nev. over U.S. Highway 50 to Fallon, Nev. and return over the same route; (5) Between Wadsworth, Nev. over Alternate U.S. Highway 95 to Yerington, Nev. and return over the same route; (6) Between Yerington, Nev. over Nevada State Highway 3 to Topaz Lake, Nev. and return over the same route; (7) Between junction of Nevada State Highway 3 and U.S. Highway 395 at Topaz Lake, Nev. over U.S. Highway 395 via Gardnerville and Minden, Nev. to Carson City, Nev., serving the off-route community of Stewart, Nev. and return over the same route; (8) Between Carson City, Nev. over U.S. Highway 395 and Nevada State Highway 88 to Centerville, Nev. and return over the same route; (9) Between Gardnerville, Nev. over Nevada State Highway 56 to its junction with unnumbered county road and Nevada State Highway 88 at Centerville, Nev. thence over unnumbered county road to its junction with Nevada State Highway 19 at a point approximately 11 miles east of Stateline, Nev. thence over Nevada State Highway 19 to Stateline, Nev. and return over the same route;

(10) Between Carson City, Nev. over U.S. Highway 50 to Stateline, Nev. and return over the same route; (11) Between Stateline, Nev. over U.S. Highway 50 and Nevada State Highway 28 via Zephyr Cove, Glenbrook, and Incline Village to Crystal Bay, Nev. and return over the same route; (12) Between Crystal Bay, Nev. over Nevada State Highway 27 to its junction with U.S. Highway 395 at a point approximately 10 miles south of Reno, Nev. and return over the same route; (13) Between junction of Nevada State Highway 17 and U.S. Highway 395 at a point approximately 10 miles south of Reno, Nev. over Nevada State Highway 17 via Virginia City, Gold Hill, and Silver City, Nev. to its junction with U.S. Highway 50 at a point approximately 4 miles west of Dayton, Nev. and return over the same route; (14) Between Fernley, Nev. over Alternate U.S. Highway 95 and U.S. Highway 50 to Fallon, Nev. and return over the same route; (15) Between Yerington, Nev. over Alternate U.S. Highway 95 to Schurz, Nev. and return over the same route; (16) Between Schurz, Nev. over U.S. Highway 95 to its junction with Interstate Highway 80 at a point approximately 24 miles south of Lovelock, Nev. and return over the same route; (17) Between Weed Heights, Nev. over unnumbered county road via Mason to its junction with Nevada State Highway 3 at a point approximately 10 miles east of Smith, Nev. and return over the same route; (18) Between Yerington, Nev. over Alternate and U.S. Highway 95 to Las Vegas, Nev. and return over the same route; (19) Between Fernley, Nev. over Alternate U.S. Highway 95 to Yerington, Nev. and return over the same route; (20) Between Stateline, Nev. over Nevada State Highway 19 to Genoa, Nev. and return over the same route; (21) Between Genoa, Nev. over Nevada State Highway 57 to its junction with U.S. Highway 395 at a point approximately 2

miles north of Minden, Nev. and return over the same route; (22) Between Las Vegas, Nev. over U.S. Highway 95 to Boulder City, Nev. and return over the same route; (23) Between Reno, Nev. over U.S. Highway 395 to Purdy, Nev. and return over the same route; (24) Serving all points and places within the counties of Clark, Douglas, Lyon, Ormsby, Storey, and Washoe, Nev., in connection with service performed over the above-described regular routes.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Reno or Las Vegas, Nev., or San Francisco, Calif.

No. MC 100449 (Sub-No. 60), filed Feb. 2, 1976. Applicant: MALLINGER TRUCK LINE, INC., R.F.D. No. 4, Fort Dodge, Iowa 50501. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. 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 packing-houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and cold storage facilities utilized by Wilson & Co., Inc., at Albert Lea, Minn., to points in Nebraska, restricted to traffic originating at the above specified plantsite and cold storage facility, and destined to the named destination.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 102401 (Sub-No. 20), filed January 2, 1976. Applicant: TAYLOR HEAVY HAULING, INC., 20601 West Ireland Road, South Bend, Ind. 46613. 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) *Self-propelled road construction and earth moving machines and equipment*, each weighing 15,000 lbs. or more, (except trailers designed to be drawn by truck tractors), restricted to commodities transported on trailers, and related machinery, tools, parts and supplies moving therewith; (a) from Berrien, Cass, St. Joseph, Van Buren, Allegan, and Barry Counties, Mich., to points in the United States (except those in Alaska, Arkansas, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New Mexico, Oklahoma, Texas, and those in Ohio on and north of U.S. Highway 30 from the Ohio-West Virginia State line to Mansfield, Ohio, thence along U.S. Highway 30N to Delphos, Ohio, and thence along U.S. Highway 30 to the Ohio-Indiana State line) and further restricted against service from St. Joseph County, Mich.; to points in Ohio; (b) from Lake, Porter, La Porte, St. Joseph, Elkhart, Newton, Benton, Warren, Carroll, Starke, Pulaski, Fulton, Marshall, Kosciusko, Tippecanoe, Cass, Jasper, and White Counties, Ind., to points in the United

States (except Alaska, Arkansas, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New Mexico, Oklahoma, Texas, Ohio, Alabama, Iowa, Tennessee, West Virginia, Wisconsin, points in Nebraska east of U.S. Highway 81, those in South Dakota east of U.S. Highway 281 and those in South Carolina south of U.S. Highway 378 and South Carolina Highway 90); and (c) from Will, Cook, Kankakee, Iroquois, Vermillion, Lake, DuPage, Boone, McHenry, Kane, DeKalb, Kendall, La Salle, Grundey, Livingston, and Ford Counties, Ill., to points in the United States (except Alaska, Arkansas, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New Mexico, Oklahoma, Texas, Alabama, Colorado, Georgia, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Ohio, South Carolina, Tennessee, West Virginia, Wisconsin, and Wyoming). The purpose of this filing is to eliminate the gateway at South Bend, Ind. (St. Joseph County).

(2) (a) *self-propelled tractors*, each weighing 15,000 lbs. or more, and related parts moving therewith from Springfield, Ill., to points in Lake, Porter, La Porte, St. Joseph, Starke, Marshall, and Kosciusko Counties, Ind., and in Berrien, Cass, St. Joseph, Van Buren, Allegan, and Barry Counties, Mich. The purpose of this filing is to eliminate the gateway at Cook County, Ill. (b) *self-propelled tractors* used or useful in road construction and earth moving (except trailers designed to be drawn by truck tractors), each weighing 15,000 lbs. or more, and restricted to commodities transported on trailers, and related parts moving therewith from Springfield, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Pennsylvania, New York, New Jersey, Maryland, Delaware, Washington, D.C., Virginia, North Carolina, those points in West Virginia on and north of U.S. Highway 50, Washington, Oregon, those in and north of San Luis Obispo, Kern, Tulare and Inyo Counties, Calif., those in Nevada on and west of U.S. Highway 95, those in and west of Madison, Jefferson, Lewis and Clark, Teton, Pondera, and Glacier Counties, Mont. The purpose of this filing is to eliminate the gateways at Cook County, Ill. and South Bend (St. Joseph County), Ind.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 102478 (Sub-No. 6), filed January 26, 1976. Applicant: BRIGHT BELT MOTOR LINES, INC., P.O. Box 237, Grifton, N.C. 28530. Applicant's representative: Jesse H. Wade (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and building materials, industrial asphalt*, from the plantsite of Trumbull Asphalt Company, at Morehead City,

N.C., and points in Carteret County, N.C., to points in Pennsylvania, South Carolina, Virginia, and North Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Raleigh, N.C., or Washington, D.C.

No. MC 104430 (Sub-No. 47), filed February 9, 1976. Applicant: CAPITAL TRANSPORT COMPANY, INC., P.O. Box 408, Highway 24 West, McComb, Miss. 39648. 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: *Blends of animal and vegetable oils or fats*, in bulk, in tank vehicles, from Westwego, La., to points in Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Jackson, Miss., or New Orleans, La.

No. MC 105881 (Sub-No. 52), filed February 2, 1976. Applicant: M. R. & R. TRUCKING COMPANY, 715 North Ferdon Blvd., Crestview, Fla. 32536. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, household goods as defined by the Commission and commodities in bulk), serving points in Sumter County, Ga., as off-route points in connection with carrier's presently authorized regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 107445 (Sub-No. 10), filed February 9, 1976. Applicant: UNDERWOOD MACHINERY TRANSPORT, INC., 940 W. Troy Avenue, Indianapolis, Ind. 46225. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical and mechanical antipollution systems and parts thereof*, from the facilities of Van Huffel Tube Corporation, located at Warren, Ohio, 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 either Indianapolis, Ind., or Chicago, Ill.

No. MC 107496 (Sub-No. 1016), filed January 12, 1976. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, 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: (1) *Caustic soda*, in bulk, from Superior, Wis., to points in Michigan, Minnesota and Wisconsin; (2) *paint and paint products*, in bulk, from Ft. Madison, Iowa to points in Georgia; and (3) *anhydrous ammonia*,

in bulk, in tank vehicles, (a) from the storage facility of CF Industries, located near Glenwood, Minn., to points in Iowa, Minnesota, North Dakota, South Dakota and Wisconsin; and (b) from the storage facility of CF Industries, located near Grand Forks, N. Dak., to points in Minnesota, North Dakota and South Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill., or Omaha, Nebr.

No. MC 107818 (Sub-No. 79), filed January 19, 1976. Applicant: GREENSTEIN TRUCKING COMPANY, 280 N.W. 12th Avenue, P.O. Box 608, Pompano Beach, Fla. 33061. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, from Van Wert, Ohio and Champaign, Ill., to points in Alabama, Florida, Georgia, and Tennessee; and (2) *oleomargarine* (except in bulk), from Bradley and Kankakee, Ill., to points in Alabama, Florida, Georgia and Tennessee; and (3) *dessert toppings*, from Holland, Mich., to points in Alabama, Florida, Georgia, and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Atlanta, Ga.

No. MC 107993 (Sub-No. 42) (Restrictive Amendment), filed October 22, 1975, published in the FEDERAL REGISTER issue of November 13, 1975, republished as restrictively amended this issue. Applicant: J. J. WILLIS TRUCKING COMPANY, a Corporation, P.O. Box 5328, Terminal Station, Dallas, Tex. 75222. Applicant's representative: J. G. Dail, Jr., 1111 E. Street, N.W., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and materials, supplies and equipment*, used in the manufacture of iron and steel articles, from the plantsite and storage facilities of National Pipe & Tube Company, located in Liberty County, Tex., to points in the United States (except Alaska, Hawaii and Texas), and (2) *materials, equipment and supplies*, used in the manufacture, processing and distribution of iron and steel articles (except commodities in bulk), from points in the United States (except Alaska, Hawaii, and Texas) to the plantsite of and facilities of National Pipe and Tube Company, located in Liberty County, Tex., restricted in parts (1) and (2) above to traffic originating at and destined to the named plantsite and facilities of National Pipe and Tube Company and the named states.

NOTE.—The purpose of this republication is to amend the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

MC 108398 (Sub-No. 46), filed January 12, 1976. Applicant: RINGSBY-PACIFIC LTD., 3980 Quebec Street, Denver, Colo. 80207. Applicant's representative: Alvin J. Meklejohn, Jr., 1660 Lincoln Street, Suite 1600 Lincoln Center, Denver, Colo. 80203. 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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Ogden, Utah and Maryhill, Wash., serving no intermediate points: From Ogden, Utah over Interstate Highway 80N to Biggs, Oreg., thence over U.S. Highway 97 to Maryhill, Wash., and return over the same route; service at Ogden, Utah is restricted to interchange and interline of traffic with Ringsby Truck Lines, Inc., and service at Maryhill, Wash., is restricted to joinder with applicant's otherwise authorized routes; and (2) Between junction Interstate Highway 80 and U.S. Highway 30N near Little America, Wyo., and Maryhill, Wash., serving no intermediate points: From junction Interstate Highway 80 and U.S. Highway 30N over U.S. Highway 30N to joinder with Interstate Highway 15W, thence over U.S. Highway 30N and Interstate Highway 15W to junction Interstate Highway 80N, thence over Interstate Highway 80N to Biggs, Oreg., and from Biggs, Oreg., over U.S. Highway 97 to Maryhill, Wash., and return over the same route, service at junction Interstate Highway 80 and U.S. Highway 30N is restricted to interchange and interline of traffic with Ringsby Truck Lines, Inc., and service at Maryhill, Wash., is restricted to joinder with applicant's otherwise authorized routes, and service on both of the above-described routes is restricted to traffic moving to, from or through Denver, Colo., or Cheyenne, Wyo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo., or Portland, Oreg.

No. MC 109478 (Sub-No. 141), filed January 21, 1976. Applicant: WORSTER MOTOR LINES, INC., R.D. #1, Gay Road, North East, Pa. 16428. Applicant's representative: Joseph F. Mackrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel rust-preventing or removing compound* (other than petroleum), *metal cutting, drawing and drilling compounds* (other than petroleum), *brake fluid* (other than petroleum), *cleaning, washing and scouring compound*, *petroleum tar*, *petroleum wax*, *petroleum oil*, *compounded oil and greases and lubricating greases*, and *oil emulsions*, in containers and *petroleum and petroleum products* as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except in bulk and related advertising material), from Bradford and Farmers Valley (McKean County), Pa.; Emlenton (Venango County), Pa.,

and Buffalo, N.Y., to points in Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 110325 (Sub-No. 72), filed February 4, 1976. Applicant: TRANSCON LINES, P.O. Box 92220, Los Angeles, Calif. 90009. Applicant's representative: Jerome Biniasz, 101 Continental Boulevard, El Segundo, Calif. 90245. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment): Serving the plant-site and facilities of Amoco Chemicals Corporation, located at or near Chocolate Bayou (Alvin), Tex., as an off-route point in connection with carrier's authorized regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Houston or Dallas, Tex.

No. MC 110563 (Sub-No. 167), filed January 27, 1976. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747 (Ohio Building), Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 W. Washington, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Chelsea, Mich., to points in Arkansas, Oklahoma, and Texas, restricted to traffic originating at Chelsea, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Detroit, Mich. or Toledo, Ohio.

No. MC 111310 (Sub-No. 16), filed February 6, 1976. Applicant: BEER TRAN-SIT, INC., P.O. Box 338, Hartland, Wisc. 53029. Applicant's representative: Wayne W. Wilson, P.O. Box 232, 329 W. Wilson St., Madison, Wisc. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages, and related advertising equipment, premiums, materials and supplies*, when shipped therewith, from St. Louis, Mo., and La Crosse, Wisc., to points in Minnesota; and (2) *rejected shipments and empty malt beverage containers*, from points in Minnesota, to St. Louis, Mo., and La Crosse, Wisc.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Madison or Black River Falls, Wisc.

No. MC 112963 (Sub-No. 61), filed January 26, 1976. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities*, in bulk, in tank vehicles (except gasoline, ce-

ment, kerosene, lubricating oil, heating oils, jet fuel, fuel oil, road oils, asphalt and tars), (1) from points in Rhode Island, to points in Connecticut, Maine, Massachusetts, New Hampshire and Vermont; and (2) from Fall River, Mass., to points in Connecticut.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Providence, R.I. or Boston, Mass.

No. MC 113325 (Sub-No. 142), filed Feb. 2, 1976. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats and oils*, in bulk, in tank vehicles, from St. Louis, Mo., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113434 (Sub-No. 68), filed February 6, 1976. Applicant: GRA-BELL TRUCK LINE, INC., 679 Lincoln Avenue, Holland, Mich. 49423. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in containers (except in bulk and tank trucks), and *advertising matter, display racks and premiums*, when moving at the same time and in the same vehicle with foodstuffs, from the facilities of American Home Foods Division of American Home Products Corporation, at LaPorte, Ind., to points in Illinois.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington D.C.

No. MC 113495 (Sub-No. 74), filed February 6, 1976. Applicant: GREGORY HEAVY HAULERS, INC., 51 Oldham St., P.O. Box 60628, Nashville, Tenn. 37206. Applicant's representative: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mining machinery and equipment and drying machinery and equipment, and parts, accessories and equipment used in connection therewith, and materials, supplies and equipment used in the manufacture thereof* (except commodities in bulk), between points in Smyth County, Va., 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, the applicant requests it be held on a consolidated record with Moss Trucking Company, Inc. at either Washington, D.C. or Nashville, Tenn.

No. MC 113908 (Sub-No. 365), filed January 30, 1976. Applicant: ERICKSON TRANSPORT CORPORATION, 2104 East Dale Street, P.O. Box 1380 G.S.S., Springfield, Mo. 65180. Applicant's representative: B. B. Whitehead (same ad-

dress as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in bulk, from the Owensboro Riverport Authority at or near Owensboro, Ky., to points in Alabama, Arkansas, District of Columbia, Florida (points on and north of Florida State Highway 40), Georgia, Illinois, Indiana, Iowa, Kansas, (points on and east of U.S. Highway 81), Kentucky, Louisiana, Mississippi, Maryland, Michigan, Minnesota (points on and south of Minnesota Highway 210), Missouri, Nebraska (points on and east of U.S. Highway 81), New York (points on and west of U.S. Highway 81), North Carolina, Ohio, Oklahoma (points on and east of U.S. Highway 81), Pennsylvania (points on and west of Interstate Highways 81, 81E and 80), South Carolina and South Dakota (points on and east of U.S. Highway 81), Tennessee, Texas (points on and east of the following highways: commencing at the Oklahoma-Texas state boundary—U.S. Highway 81 to Fort Worth, Tex., thence along U.S. Highway 287 to Ennis, Tex., thence along U.S. Highway 45 to Houston, Tex., thence along Texas State Highway 288 to the Gulf of Mexico), Virginia, West Virginia and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo., Chicago, Ill. or Washington, D.C.

No. MC 113908 (Sub-No. 366), filed January 22, 1976. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, P.O. Box 3180 G.S.S., Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Brandy, rum, wine and wine products*, in bulk, from Atlanta and Roberta, Ga., to Cincinnati, Ohio; (2) *Wine*, in bulk, from Atlanta and Roberta, Ga., to Jacksonville, Fla.; and (3) *brandy, neutral spirits, distilled spirits and alcohol*, in bulk, from Roberta, Ga., to points in Illinois and New Jersey.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Kansas City, Mo., Chicago, Ill. or Washington, D.C.

No. MC 115331 (Sub-No. 404), filed February 5, 1976. Applicant: TRUCK TRANSPORT INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products of corn*, in bulk, from the plantsites and facilities of CPC International, at Chicago and Pekin, Ill., to 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 St. Louis, Mo., or Chicago, Ill.

No. MC 115821 (Sub-No. 18) (Restrictive Amendment), filed December 12, 1975, published in the FEDERAL REGISTER

issue of January 22, 1976, republished as amended this issue. Applicant: FRANK BEELMAN, doing business as BEELMAN TRUCK CO., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fly ash*, in bulk, in tank vehicles, from East Alton, Ill., to points in Indiana, Kentucky, Arkansas, Tennessee and Missouri (except those points located on and south of U.S. Highway 36, on and east of U.S. Highway 63, and on and north of U.S. Highway 60).

NOTE.—The purpose of this republication is to restrictively amend out that portion of (Sub-No. 18), seeking to transport wood chips, in bulk, from Hoyleton, Ill. to the plantsite of Westvaco Corp., located at Wickliffe, Ky. If a hearing is deemed necessary, the applicant does not specify location.

No. MC 115821 (Sub-No. 20), filed February 19, 1976. Applicant: FRANK BEELMAN, doing business as BEELMAN TRUCK CO., St. Libory, Ill. 62282. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from Hoyleton, Ill., to the plantsite of Westvaco Corp. located at Wickliffe, Ky.

NOTE.—If a hearing is deemed necessary, the applicant does not specify location.

No. MC 116014 (Sub-No. 76), filed February 9, 1976. Applicant: OLIVER TRUCKING COMPANY, INC., P.O. Box 53, Winchester, Ky. 40391. Applicant's representative: Louis J. Amato, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and veneer*, between Danville, Va., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Danville or Richmond, Va.

No. MC 116915 (Sub-No. 21), filed February 9, 1976. Applicant: ECK MILLER TRANSPORTATION CORPORATION, 2015 Alsop Lane, P.O. Box 1279, Owensboro, Ky. 42301. Applicant's representative: Fred Bradley, Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel tubing and gear frame side and cross bars* (except commodities which because of their size or weight require the use of special equipment or handling), from Elkhart, Ind., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lexington or Louisville, Ky. or Washington, D.C.

No. MC 116915 (Sub-No. 22), filed January 19, 1976. Applicant: ECK MILLER TRANSPORTATION COR-

PORATION, 2015 Alsop Lane, P.O. Box 1279, Owensboro, Ky. 42301. Applicant's representative: Fred Bradley, P.O. Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Non-ferrous metals* (except liquid in bulk), between points within the United States in and east of Kansas, Iowa, Minnesota, Nebraska, Oklahoma and Texas, restricted to service only for the account of Metal Exchange Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lexington or Louisville, Ky., or Washington, D.C.

No. MC 116915 (Sub-No. 23), filed January 20, 1976. Applicant: ECK MILLER TRANSPORTATION CORPORATION, 2015 Alsop Lane, P.O. Box 1279, Owensboro, Ky. 42301. Applicant's representative: Fred Bradley, P.O. Box 773, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, and household goods as defined by the Commission), between Southwind Maritime Centre, located at or near Mt. Vernon (Posey County), Ind., on the one hand, and, on the other, points in Arkansas, Kentucky, Illinois, Indiana, Missouri, Ohio and Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Lexington or Louisville, Ky., or Washington, D.C.

No. MC 117165 (Sub-No. 40), filed February 6, 1976. Applicant: ST. LOUIS FREIGHT LINES, INC., 413 U.S. Highway 20 West, Michigan City, Ind. 46360. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic foam insulation panels*, from Joliet, Ill., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Virginia and West Virginia, restricted against the transportation of commodities in bulk.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 117574 (Sub-No. 273), filed January 26, 1976. Applicant: DAILY EXPRESS, INC., 1076 Harrisburg Pike, P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: James W. Hagar, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Earth moving, material handling, paving, mine, quarry and compaction machinery and equipment; air compressors; pumps; and portable light plants*, between points in North Carolina and South Carolina; and (2) *attachments, accessories, parts and supplies*, used in connection with erection, construction, operation, repair or maintenance of the commodities named in (1) above, between points in North Carolina and South Carolina, on the one

hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia, restricted to the transportation of shipments originating at or destined to the facilities of L. B. Smith, Inc., its affiliates, subsidiaries, suppliers or distributors.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either New York, N.Y., or Washington, D.C.

No. MC 117904 (Sub-No. 43), filed February 5, 1976. Applicant: GROVER TRUCKING CO., 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Masonry articles and supplies* that require the use of special equipment when loading and unloading, from Denver, Boulder and Pueblo, Colo., to points in Idaho, California, Montana, Nevada, Oregon, Utah, Washington and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Denver, Colo. or Washington, D.C.

No. MC 117940 (Sub-No. 171) filed February 4, 1976. Applicant: NATION-WIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Allan L. Timmerman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel tubing*, in boxes or crates, from Pearl Creek, N.Y. and Cynthia, Ky., to St. Cloud, Minn., restricted to traffic destined to the facilities of Franklin Manufacturing Company located at St. Cloud, Minn.

NOTE.—Applicant holds contract carrier authority in No. MC 114789 and subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either St. Paul or Minneapolis, Minn.

No. MC 118142 (Sub-No. 114) filed January 22, 1976. Applicant: M. BRUNGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Eugene W. Hiatt, 308 Casson Bldg., 603 Topeka Blvd., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables, frozen potato products, frozen juices, frozen pizzas, pies and bakery goods*, between Laramie, Wyo., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Wichita or Topeka, Kans., Kansas City, Mo. or Laramie, Wyo.

No. MC 118535 (Sub-No. 74) filed February 5, 1976. 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: *Dry corn products*, from the plant-site and storage facilities of Lincoln Grain, Inc., Cereal Processing Division, located at or near Atchison, Kans., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Wisconsin and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 119560 (Sub-No. 12), filed February 5, 1976. Applicant: SOUTHERN BULK HAULERS, INC., P.O. Box 278, Hartsleyville, S.C. 29448. Applicant's representative: Harris G. Andrews, P.O. Box 4255, Greenville, S.C. 29608. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in pneumatic trailers, from points in Kershaw County, S.C., to points in Alabama, Georgia, North Carolina, South Carolina, Tennessee and Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Columbia, S.C. or Charlotte, N.C.

No. MC 120727 (Sub-No. 5), filed January 29, 1976. Applicant: GALLATIN-PORTLAND FREIGHT LINES, INC., James Street, P.O. Box 888, Gallatin, Tenn. 37066. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. 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 Nashville and Memphis, Tenn. (excluding those points in its commercial-zone lying outside of Tennessee) over Interstate Highway 40, serving no intermediate points, restricted against the handling of traffic which originates at, is destined to, or interlined at points in Davidson County, Tenn. and further restricted against tacking with presently held irregular route authority.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Nashville, Tenn.

No. MC 121336 (Sub-No. 3), filed February 4, 1976. Applicant: SUPERIOR FAST DRAYAGE, doing business as SUPERIOR EXPRESS, 611 North Mission Road, Los Angeles, Calif. 90033. Applicant's representative: Clarence William Vandergrift, 1709 New York Avenue, N.W., Suite 305, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual

value, Classes A and B explosives, livestock, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment) moving on Bills of Lading of freight forwarders operating pursuant to Part IV of the Interstate Commerce Act, between points in California, Oregon and Washington.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 123048 (Sub-No. 334), filed January 30, 1976. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 5021—21st Street, Racine, Wis. 53401. Applicant's representative: Paul C. Gartzke, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors, agricultural, industrial, construction, and excavation machinery and equipment*; and (2) *attachments, parts, accessories and equipment* designed for use in conjunction with the commodities named in (1) above, between points in the United States (except Alaska and Hawaii), restricted to the transportation of traffic originating at or destined to the sites of the manufacturing facilities, sales branch warehouses, storage facilities, retail stores and dealers of Long Mfg. N.C., Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or Washington, D.C.

No. MC 123061 (Sub-No. 79), filed February 9, 1976. Applicant: LEATHAM BROTHERS, INC., 46 Orange, Salt Lake City, Utah 84104. Applicant's representative: Harry D. Pugsley, 315 East 2nd South, Suite 400, Salt Lake City, Utah 84116. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plant, garden and farm care materials and supplies*, in packages and bags, from Sacramento, and San Joaquin Counties, Calif., to points in Idaho, Oregon, Utah, and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Sacramento, Calif. or Salt Lake City, Utah.

No. MC 123255 (Sub-No. 65), filed February 9, 1976. Applicant: B & L MOTOR FREIGHT, INC., 140 Everett Ave., Newark, Ohio 43055. Applicant's representative: C. F. Schnee Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods,uffs*, from the plantsites and storage facilities of Heinz U.S.A., located at Fremont, Bowling Green and Toledo, Ohio, to points in Connecticut, Massachusetts, New Jersey, New York, and Pennsylvania.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 123294 (Sub-No. 35) (Correction), filed December 12, 1975, published in the FEDERAL REGISTER issue of February 12, 1976, republished as corrected this issue. Applicant: WARSAW

TRUCKING CO., INC., 1102 West Winona Avenue, Warsaw, Ind. 46580. Applicant's representative: Martin J. Leavitt, P.O. Box 400, 22375 Haggerty Road, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry animal and poultry feeds, dry animal and poultry mineral mixtures, animal and poultry tonics and medicines, insecticides, pesticides, livestock and poultry feeders and equipment and advertising matter and premiums related to such commodities* (except the transportation of liquid commodities in bulk), from the plantsite and warehouse facilities of Moorman Manufacturing Co., at or near Bluffton, Ind., to points in Virginia, Alabama, Delaware, Florida, Georgia, Kentucky, Maryland, New York, Tennessee, West Virginia, Illinois, Michigan, Mississippi, Ohio, Pennsylvania, South Carolina, North Carolina and Wisconsin; and (2) *materials, equipment and supplies*, used in the manufacture, sale and distribution of the above-named commodities (except the transportation of liquid commodities in bulk), from the above named destination states, to the plantsite or warehouse facilities of Moorman Manufacturing Co., at or near Bluffton, Ind.

NOTE.—The purpose of this republication is to indicate that applicant's representative is located in Northville, Mich. in lieu of Northville, Minn. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC 123407 (Sub-No. 286), filed February 2, 1976. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Clifford J. Rice (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except in bulk), from Denver and Lafayette, Colo., to points in Kansas, Missouri, Nebraska, New Mexico, South Dakota, Utah 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 123407 (Sub-No. 287), filed Feb. 2, 1976. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Hwy. 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: *Prefabricated buildings, and parts, equipment, and materials thereof*, when shipped therewith, from Englewood, Colo., to points in Texas, Kansas, Oklahoma, New Mexico, Nebraska, and South Dakota.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 123407 (Sub-No. 288), filed February 9, 1976. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as ap-

plicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and wire rope*, from the plant and warehouse facilities of Broderick and Bascom Rope Co., located at Peoria, Ill., to points in Idaho, Montana, Oregon, Utah, Washington and Wyoming, restricted to traffic originating at the facilities of Broderick & Bascom Rope Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Chicago, Ill. or St. Louis, Mo.

No. MC 124078 (Sub-No. 680), filed Feb. 6, 1976. Applicant: SCHWERTMAN TRUCKING CO., a Corporation, 611 South 28 St., P.O. Box 1601, Milwaukee, Wis. 53201. Applicant's representative: Richard H. Prevette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Ground limestone*, from the plantsite of Cowan Stone Company, in Franklin County, Tenn., to points in Tennessee; and (2) *feldspar*, from Middletown, Conn., to points in Pennsylvania and Maryland.

NOTE.—Applicant holds contract carrier authority in MC 113832 Sub 68, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn., or Raleigh, N.C.

No. MC 124109 (Sub-No. 13), filed February 4, 1976. Applicant: B.F.C. TRANSPORTATION, INC., 708 "J" Street, P.O. Box 985, Cedar Rapids, Iowa 52406. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated containers, partitions and parts thereof, and materials and supplies*, used in the manufacture, processing and distribution of corrugated containers, between the plantsite of Packaging Corporation of America located at Marshalltown, Iowa, on the one hand, and, on the other, points in Illinois, Minnesota, Missouri, Nebraska, South Dakota and Wisconsin, under a continuing contract or contracts with Packaging Corporation of America.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 124144 (Sub-No. 17), filed February 6, 1976. Applicant: ROBERT N. TOOMEY, doing business as ROBERT N. TOOMEY TRUCKING CO., 1516 South George Street, York, Pa. 17403. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs, food treating compounds, chemicals* (except in liquid form or in bulk), *additives and advertising paraphernalia and materials, equipment and supplies*, used in the manufacture, preparation, sale and distribution of spices, extracts and convenience foods, in vehicles

equipped with mechanical refrigeration; and (2) *commodities*, the transportation of which is exempt or partially exempt from regulation under the provisions of Section 203(b) (6) of the Interstate Commerce Act, in mixed loads with the commodities described in (1) above, between Baltimore, Md., on the one hand, and, on the other, points in Alabama, Georgia, Mississippi, Tennessee, Illinois, Michigan, Minnesota, Ohio, Indiana, Wisconsin, North Carolina, and South Carolina, under contract with McCormick & Company, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 124144 (Sub-No. 18), filed February 5, 1976. Applicant: ROBERT N. TOOMEY, doing business as ROBERT N. TOOMEY TRUCKING COMPANY, 1516 South George Street, York, Pa. 17403. Applicant's representative: Charles E. Creager, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, Md. 21740. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chains and miscellaneous attachments and hardware therefor, cable, wire rope, chain manufacturing equipment and machinery and advertising paraphernalia*, from Denver, Colo., to points in Arizona, California, Idaho, Nevada, Oregon, Utah and Washington; and (2) *iron and steel* (except commodities which because of size and weight require the use of special equipment), from points in California to York, Pa., under a continuing contract with Campbell Chain Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 124328 (Sub-No. 89) filed February 3, 1976. Applicant: BRINK'S INCORPORATED, 234 East 24th Street, Chicago, Ill. 60616. Applicant's representative: Richard H. Streeter, 704 Southern Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precious metals, doré bullion and precious metal products*, between Amarillo, Tex., Omaha, Nebr., Perth Amboy, N.J., and Takoma, Wash., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), under a continuing contract or contracts with Asarco, Inc.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 125403 (Sub-No. 10), filed January 22, 1976. Applicant: S.T.L. TRANSPORT, INC., 1000 Jefferson Road, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Albany, N.Y., to Rochester, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Boston, Mass., or New York, N.Y.

No. MC 125433 (Sub-No. 70), filed February 6, 1976. Applicant: F-B TRUCK LINE COMPANY, 1945 South Redwood Road, Salt Lake City, Utah 84104. Applicant's representative: William G. Kos (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorescent light fixtures*, from the Los Angeles Commercial Zone, to points in Arizona, Colorado, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, New Mexico, Ohio and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles, Calif. or Salt Lake City, Utah.

No. MC 125952 (Sub-No. 24), filed Feb. 2, 1976. Applicant: INTERSTATE DISTRIBUTOR CO., a Corporation, 8311 Durango S.W., P.O. Box 99307, Tacoma, Wash. 98499. Applicant's representative: George R. LaBissoniere, 1100 Norton Building, Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cake and cookies*, from Oakland, Calif., to points in Oregon, Washington, Idaho, Utah, Nevada, and Arizona; and (2) *bakery supplies, materials, and ingredients*, from points in Oregon, Washington, Idaho, Utah, Nevada and Arizona, to Oakland, Calif., under contract with Mothers Cake and Cookies Co.

NOTE.—Applicant holds common carrier authority in MC 117201, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif.

No. MC 126305 (Sub-No. 76), filed February 2, 1976. Applicant: BOYD BROTHERS TRANSPORTATION CO., INC., R.D. #1, 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: (1) *Valves, hydrants, fittings, and equipment, materials, and supplies*, used or useful in the installation thereof, from the plantsite and storage facilities of Mueller Co., located in Marshall County, Ala., and Hamilton County, Tenn., to points in Oregon, Washington, California, Arizona, Nevada, Utah, Wyoming, Idaho, and Montana; and (2) *materials, equipment, and supplies*, used in the manufacture and sale of the commodities described above (except commodities in bulk, and those which because of size shape, or weight require the use of special equipment), from the destination territory named in (1) above, to the plantsite and storage facilities of Mueller Co., located in Marshall County, Ala., and Hamilton County, Tenn., restricted to shipments originating at the above origins and destined to the above destination points.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala., or Washington, D.C.

No. MC 128217 (Sub-No. 19), filed Jan. 30, 1976. Applicant: REINHART MAYER, doing business as MAYER

TRUCK LINE, 1203 S. Riverside Drive, Jamestown, N. Dak. 58401. Applicant's representative: James B. Hovland, 425 Gate City Building, Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Materials, equipment, parts and supplies*, used in the manufacture of agricultural implements, from points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, to the facilities of Clark Equipment Company, Melroe Division, at or near Fort Benton, Mont.; (2) *materials, equipment, parts and supplies*, used in the manufacture of agricultural, industrial and construction machinery, from points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, to the facilities of Clark Equipment Company, Melroe Division, at or near Spokane, Wash.; and (3) (a) *agricultural, industrial and construction machinery, and parts and sub-assemblies*, for agricultural, industrial and construction machinery; and (b) *materials, equipment, parts and supplies*, used in the manufacture of agricultural implements, between the facilities of Clark Equipment Company, Melroe Division, located at or near Spokane, Wash.; Fort Benton, Mont.; Gwinner, Cooperstown, and Bismarck, N. Dak.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak., or Minneapolis or St. Paul, Minn.

No. MC 128273 (Sub-No. 222), filed February 2, 1976. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 169, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, Jr., 1403 South Horton, Fort Scott, Kans. 66701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except in bulk), from Bakersfield, Richmond and Los Angeles, Calif., to points in Arizona, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah and Washington.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles or San Francisco, Calif.

No. MC 133123 (Sub-No. 9), (Correction), filed December 22, 1975, published in the FEDERAL REGISTER issue of February 12, 1976, republished as corrected this issue. Applicant: RUJAC TRUCKING CORP., 1133 Avenue of the Americas, Room 3210, New York, N.Y. 10036. 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: *Electronic calculators and electronic time pieces, and equipment, materials and supplies* used in the manufacture, production and distribution of such commodities, from the facilities of Casio, Inc., at Fairfield (Essex County), N.J., and from points in the New York, N.Y. Commercial Zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451,

within which local operations may be conducted under the exemption provided in Section 203(b)(8) of the Act (the exempt zone), to points in New Jersey, New York, and those in Pennsylvania in and east of Susquehanna, Wyoming, Luzerne, Schuylkill, Berks and Montgomery Counties, Pa., and the Philadelphia, Pa. Commercial Zone, under a continuing contract or contracts with Casio, Inc.; and (2) *electrical goods, and equipment, materials and supplies* used in the manufacture, production and distribution of such commodities, from the facilities of Meriton Electronics, Inc. at Moonachie (Bergen County), N.J., and from points in the New York, N.Y. Commercial Zone as defined in the Fifth Supplemental Report in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted under the exemption provided in Section 203(b)(8) of the Act (the exempt zone), to points in New Jersey, New York, and those in Pennsylvania in and east of Susquehanna, Wyoming, Luzerne, Schuylkill, Berks and Montgomery Counties, Pa., and the Philadelphia, Pa. Commercial Zone, under a continuing contract or contracts with Meriton Electronics, Inc.

NOTE.—The purpose of this republication is to correct the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 133259 (Sub-No. 6), filed January 26, 1976. Applicant: ALLIED AIR FREIGHT CORPORATION, Griswold Industrial Park, Williston, Vt. 05495. Applicant's representative: John F. O'Donnell, 60 Adams St., P.O. Box 238, Milton, Mass. 02187. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household cleaning agents, car care products, personal care products, vitamins and food supplements*; and (2) *plastic articles*, other than expanded, and *premium merchandise and sales kits* in mixed shipments with plastic articles, other than expanded, from Burlington, Vt., to points in St. Lawrence, Clinton and Essex Counties, N.Y. under a continuing contract or contracts with Amway Corporation and Green Mountain Parties, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Burlington, Vt. or Boston, Mass.

No. MC 133920 (Sub-No. 12) (Amendment), filed Nov. 25, 1975, published in the FEDERAL REGISTER issue of December 31, 1975, republished as amended this issue. Applicant: HOWARD SHEPPARD, INC., P.O. Box 755, Sandersville, Ga. 31082. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime slurry*, in bulk, in tank vehicles, between points in Georgia, on the one hand, and, on the other, points in Alabama.

NOTE.—The purpose of this republication is to amend the territorial description in this

proceeding. If a hearing is deemed necessary, applicant requests it be held at either Atlanta or Columbus, Ga.

No. MC 134129 (Sub-No. 8), filed February 3, 1976. Applicant: WILLIAM A. LONG, INC., Bealeton, Va. 22712. Applicant's representative: Daniel B. Johnson, 1123 Munsey Bldg., 1329 E. Street NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Reinforcing mesh, wire and nails*, from Warrenton, Va., to points in and east of Alabama, Kentucky, Indiana, and Tennessee; and (2) *materials, supplies and equipment* used in the manufacture and sale of reinforcing mesh, wire and nails from points in and west of Alabama, Kentucky, Indiana, and Tennessee to Warrenton, Va., under a continuing contract or contracts with Virginia Wire and Fabric Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 134408 (Sub-No. 6), filed December 31, 1975. Applicant: SARCHFIELD TRANSFER, LTD., Simonds Road, Box 84, Hartland New Brunswick, Canada. Applicant's representative: Peter L. Murray, 30 Exchange Street, Portland, Maine 04111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fencing*, from ports of entry on the International Boundary line between the United States and Canada, located at or near Houlton, Calais, Vanceboro, and Madawaska, Maine to points in Alabama, Kentucky, Illinois, Indiana, Michigan, Missouri, Tennessee, and Wisconsin; (2) *cedar shingles*, from ports of entry on the International Boundary line between the United States and Canada, located at or near Houlton, Calais, Vanceboro, and Madawaska, Maine to points in Connecticut, Maine, Massachusetts, New Hampshire, New York, New Jersey, and Rhode Island; and (3) *building materials*, from Bangor, Maine to ports of entry on the International Boundary line between the United States and Canada, located at or near Houlton, Calais, Vanceboro, and Madawaska, Maine.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Portland, Maine or Boston, Mass.

No. MC 134765 (Sub-No. 18), filed January 26, 1976. Applicant: SPECIALTY TRANSPORT, INC., 20 Wilbraham Street, Palmer, Mass. 01069. Applicant's representative: David M. Marshall, 135 State Street—Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *paper and paper products, and materials, supplies and equipment* used in the manufacture, sale and distribution of such commodities (except in bulk), between Middletown, Ohio and Chicago, Ill., on the one hand, and, on the other, points in and east of Arkansas, Iowa, Louisiana, Minnesota, and Missouri, under a con-

tinuing contract or contracts with Hoerner Waldorf Corporation

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 135007 (Sub-No. 51), filed January 26, 1975. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Window shades, shutters, slats, rollers, roller fixtures and equipment, materials and supplies* used in the manufacture and installation of the above named commodities, from Benton Harbor, Mich., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, under contract with William Volker & Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif., or Omaha, Nebr.

No. MC 135032 (Sub-No. 19), filed February 2, 1976. Applicant: HIAWATHA PRODUCE COMPANY, a Corporation, 4195-4th St., Winona, Minn. 55987. Applicant's representative: Allan B. Thorsthorpe, P.O. Box 190, 217 E. Jefferson St., Burlington, Wis. 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, juice, marmalade, flavoring essences, syrup, and juice* (except in bulk in tank trucks), from Warwick, R.I., to points in Ohio, Indiana, Michigan, Illinois, Iowa, Minnesota, Wisconsin, South Dakota, North Dakota, Nebraska, Kansas, and Missouri.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Chicago, Ill.

No. MC 135234 (Sub-No. 13), filed February 9, 1976. Applicant: COMMERCIAL CARTAGE, INC., c/o Daniel Boone Hotel, P.O. Box 2786, Charleston, W. Va. 25330. Applicant's representative: E. Joseph Buffa, Jr., 604 Virginia Street East, Charleston, W. Va. 25301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric cable, aluminum coils and aluminum rod*, from the plant-site and shipping facilities of Alcan Aluminum Corporation, at or near Bay St. Louis, Miss., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia, under contract with Alcan Aluminum Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Charleston or Huntington, W. Va., or Washington, D.C.

No. MC 135325 (Sub-No. 1), filed February 6, 1976. Applicant: WEMCO, INC., 10111 Mercier, Dearborn, Mich. 48120. Applicant's representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from points in the lower peninsula of Michigan, to ports of entry on the International Boundary line between the United States and Canada, at or near Detroit, Port Huron, and Sault Ste. Marie, Mich.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Detroit or Lansing, Mich.

No. MC 135437 (Sub-No. 6), filed January 30, 1976. Applicant: TRI-NORTH-EASTERN TRANSPORT, INC., South Main Street, Lyndon, N.Y. 14098. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except frozen foodstuffs) (except in bulk); and (2) *empty containers and materials, supplies and equipment* used in the manufacture, sale or distribution of foodstuffs (except frozen foodstuffs, in bulk), between Owensboro, and Henderson, Ky., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, and Tennessee, and points in Jefferson, St. Charles, and St. Louis Counties, Mo., and points in Ohio on and south of Interstate Highway 70 and on and west of Interstate Highway 77.

NOTE.—Applicant presently holds authority to provide service between Owensboro, Ky., on the one hand, and, on the other, the same destination territory as requested herein. The presently held authority is restricted to traffic originating at or destined to the facilities of Ragu Foods, Inc. at or near Owensboro, Ky. The purpose of this application is to add the origin point of Henderson, Ky., and eliminate the restriction. If a hearing is deemed necessary, applicant requests it be held at either Rochester or Buffalo, N.Y.

No. MC 135684 (Sub-No. 16) (Restrictive amendment), filed October 29, 1975, published in the FEDERAL REGISTER issue of December 11, 1975, republished as amended this issue. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, P.O. Box 391, Flemington, N.J. 08822. Applicant's representative: Herbert A. Dubin, Federal Bar Building West, 1819 H Street N.W., Suite 1030, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household cleaning products, industrial cleaning products, and water purifying products* (except in bulk), (a) from Bristol, Pa., to points in Connecticut, Massachusetts, Rhode Island, New Hampshire, Maine, Vermont, Maryland, Delaware, New Jersey, New York, and the District of Columbia; (b)

from Philadelphia, Pa., to points in Maryland, Delaware, New Jersey, and New York; (2) *Material and supplies* used in the manufacture, sale or distribution of the commodities named in (1) above (except commodities in bulk), (a) from points in the destination states named in (1a) above, to Bristol, Pa.; (b) from points in the destination states named in (1b) above, to Philadelphia, Pa.; (3) *returned shipments* of the commodities named in (1) above, from points in the destination states named in (1a) above, to Bristol, Pa.; (4) *Household cleaning products, water purifying compounds, and dry acids* (except commodities in bulk), (a) between Philadelphia and Bristol, Pa., on the one hand, and, on the other, Tampa, Fla., Atlanta, Ga., New Orleans, La., and Dallas, Tex.; (b) between Atlanta, Ga., on the one hand, and, on the other, Tampa, Fla., New Orleans, La., and Dallas, Tex.; (c) from Atlanta, Ga., to points in Alabama, Florida, and that part of Tennessee on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 31-E to Nashville, Tenn., and thence along U.S. Highway 31 to the Tennessee-Alabama State line, and to Savannah, Ga.; (5) *Materials and supplies* used in the manufacture, sale, or distribution of the commodities named in (4) above (except commodities in bulk), from the next destination territory described in 4(c) above to Atlanta, Ga.;

(6) *Household cleaning products and swimming pool chemicals*, from the plant and warehouse site of Purex Corporation, Ltd., at Tampa, Fla., to points in Alabama, Georgia, Mississippi, North Carolina, and South Carolina; (7) *Swimming pool chemicals and empty bottles*, between the plant and warehouse sites of Purex Corporation, Ltd., at Tampa, Fla., and Atlanta, Ga.; (8) *Plastic containers*, in cartons, and *closures therefor*, from Baltimore, Md., to Bristol and Philadelphia, Pa., and Salem, Va.; and (9) *returned shipments* of the named commodities in (8) above, from Bristol and Philadelphia, Pa., and Salem, Va., to Baltimore, Md.; (10) *Foodstuffs* (except in bulk), from Bristol, Pa., to points in Maryland and the District of Columbia; and (11) *Materials and supplies* used in the manufacture, sale, or distribution of the commodities named in (10) above, from points in the destination states named in (10) above to Bristol, Pa.; and (12) *Materials and supplies* used in the manufacture, sale, or distribution of household and industrial cleaning products and water purifying products, from points in Maryland, Delaware, New Jersey, and New York, to Bristol and Philadelphia, Pa. Parts (1) through (12) are restricted to traffic originating at or destined to facilities utilized by the Purex Corporation.

NOTE.—The purpose of this republication is to amend the requested authority by including part (12) to the above proceeding. Applicant holds contract carrier authority in MC 87720 Sub 2 and others, therefore dual operations may be involved. The application

duplicate permits issued in MC 87720 Subs 81, 98, 102, 121, and 125 which will be cancelled when permits are converted into a certificate. If a hearing is deemed necessary, the applicant requests it be held at Flemington or Trenton, N.J.

No. MC 135691 (Sub-No. 12), filed January 29, 1976. Applicant: DALLAS CARRIERS CORP., 3610 Garden Brook Drive, P.O. Box 34080, Dallas, Tex. 75234. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Automotive parts and accessories automotive jacks and cranes* (not self-propelled), *hand, electric, and pneumatic tools, and advertising materials, premiums, racks, display cases and signs; and materials, supplies and equipment* used in the manufacture, sale and distribution of the aforementioned commodities, between Jonesboro, Ark.; Batavia, Ill.; Lake Mills, Iowa; Jackson, Mich.; Aberdeen and Southaven, Miss.; Seward, Nebr.; Arden, N.C.; Newark, Ohio; Harrisonburg, Va.; Racine, Wis.; and Greenville, Tex., restricted to traffic originating and terminating at the plantsite and warehouse facilities utilized by Walker Manufacturing Company and further restricted against commodities in bulk, in tank vehicles, and restricted against commodities, which by reason of size or weight, require the use of special equipment, restricted to a transportation service to be performed under a continuing contract with Walker Manufacturing Company of Racine, Wis., a Division of Tenneco, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 135797 (Sub-No. 48), filed January 30, 1976. 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: (1) *Diet and nutritional foods*; (2) *drugs, vitamins and toilet preparations*; (3) *food grinders, water purifiers, can openers, container lids, cookbooks, seed sprouting kits, safety matches, candles and seeds*; and (4) *compost, fertilizers and soil conditioners*, from Hereford, Tex., to points in Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Maryland, Massachusetts, Michigan, Missouri, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, Vermont, Washington, and Wisconsin, and points on the International Boundary line between the United States and Canada, located at Blaine, Wash. and Detroit, Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Amarillo, Tex., or Tulsa, Okla.

No. MC 135874 (Sub-No. 52), filed February 4, 1976. Applicant: LTL PERISHABLES, INC., 550 E. 5th Street South,

South St. Paul, Minn. 55075. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 W. Center Rd. 1, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), from Duluth, Minn. and Superior, Wis., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at St. Paul, Minn.

No. MC 136337 (Sub-No. 4), filed January 14, 1976. Applicant: RICHARD D. PEASE, doing business as R. P. TRUCKING, Route 2, Box 14, Warrens, Wis. 54666. Applicant's representative: Nancy J. Johnson, 4506 Regent Street, Suite 100, Madison, Wis. 53705. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Treated utility poles and crossarms*, (1) from points in Alabama, Florida, Kentucky, Mississippi, and Tennessee, to points in Iowa, Michigan, and Minnesota, under a continuing contract or contracts with (a) Rural Electric Supply Cooperative; and (b) American Creosote Works, Inc.; and (2) from points in Alabama, Florida, Kentucky, Mississippi, and Tennessee, to points in Wisconsin, under a continuing contract or contracts with American Creosote Works, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Madison, Wis. or Minneapolis or St. Paul, Minn.

No. MC 136343 (Sub-No. 74), filed February 2, 1976. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, Pa. 17847. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Paper bags*, from the facilities of Chase Bag Company located at Hudson Falls, N.Y., to points in Colorado, Georgia, Iowa, Nevada, Oklahoma, Pennsylvania (except on and east of Rt. 15) and Texas; and (2) *wrapping paper*, from the facilities of Chase Bag Company located at Chagrin Falls, Ohio, to points in Connecticut, Iowa, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, and Virginia.

NOTE.—Applicant holds contract carrier authority in No. MC 96098 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Washington, D.C. or New York, N.Y.

No. MC 136786 (Sub-No. 91), filed February 2, 1976. Applicant: ROBCO TRANSPORTATION, INC., 309 5th Avenue Northwest, New Brighton, Minn. 55112. Applicant's representative: Stanley C. Olsen, Jr., 7525 Mitchell Road, Eden Prairie, Minn. 55343. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines, periodicals, catalogs and printed matter, and materials, equipment and supplies*, used in the manufacture thereof (except commodities in bulk and those requiring special equipment), between the plant-site and storage facilities of Mid-America Webpress, located at or near Lincoln, Nebr., 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 Minneapolis, Minn.

No. MC 136828 (Sub-No. 7), filed February 9, 1976. Applicant: COX & SHAY, INC., P.O. Drawer "O", Highway 79, Gilmer Industrial Park, Pinson, Ala. 35126. Applicant's representative: Louis J. Amato, P.O. Box "E", Bowling Green, Ky. 42101. 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 air, water, and sewage systems and installations; metal and metal articles and fabrications, from points in Cullman County, Ala., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

No. MC 138274 (Sub-No. 26), filed February 11, 1976. Applicant: SHIPPERS BEST EXPRESS, INC., 2151 North Redwood Road, Salt Lake City, Utah 84116. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 15th St. NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Inedible meat*, from Gooding, Idaho, to Midvale and Salt Lake City, Utah.

NOTE.—Applicant holds contract carrier authority in MC 138058 Sub 1, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 138295 (Sub-No. 4), filed February 6, 1976. Applicant: CYCLONE TRANSPORT, INC., 104 Black Hawk Street, Reinbeck, Iowa 50669. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Refuse containers and compactors*; (2) *hoists*; (3) *truck bodies, boxes and platforms*; and (4) *parts and accessories*, for commodities in (1), (2), and (3), from the facilities of Mid-Equipment, Inc., at or near Grundy Center, Iowa to points in Massachusetts, Connecticut, Maryland, and New Jersey, restricted to shipments originating at the named facilities and destined to points in the named states.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Des Moines, Iowa, or Omaha, Nebr.

No. MC 138308 (Sub-No. 11), filed February 2, 1976. Applicant: K.L.M.

DISTRIBUTING, INC., 2102 Old Brandon Road, P.O. Box 6098, Jackson, Miss. 39208. 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: *Tile and materials and supplies* used in the installation thereof (except in bulk) and *advertising materials*, when moving in the same vehicle, from the facilities of Monarch Tile Manufacturing, Inc., located at Florence, Ala., Marshall and San Angelo, Tex., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the above named origins and destined to the above named destinations.

NOTE.—Applicant holds contract carrier authority in MC 128592 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant does not specify a location.

No. MC 138469 (Sub-No. 22), filed February 6, 1976. Applicant: DONCO CARRIERS, INC., 641 North Meridian, P.O. Box 75354, Oklahoma City, Okla. 73107. Applicant's representative: Wm. L. Peterson, Jr., P.O. Box 917, Oklahoma City, Okla. 73101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bedroom furniture, including, but not limited to bed frames, head boards, mattresses, chairs, dressers and nightstands*, from Guthrie, Okla., to points in Arizona, California, Nevada, Oregon, Utah, and Washington.

NOTE.—Applicant holds contract carrier authority in MC 136375 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 139212 (Sub-No. 2), filed January 14, 1976. Applicant: JOE H. TIDWELL AND LEONARD LEVERETT, doing business as NORTHEAST TRUCK BROKERS, 719 North Cage, P.O. Box 826, Pharr, Tex. 78577. Applicant's representative: Thomas R. Kingsley, Suite 1030, 1819 H St. N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe fittings* (including threaded pipe), from Blossburg (Tioga County) and Waynesboro (Franklin County), Pa., to points in Florida, Georgia, Illinois, Louisiana, Tennessee, and Texas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 139341 (Sub-No. 6), filed February 4, 1976. Applicant: J. J. PERRY, JR. AND EDWARD BAILEY, doing business as P & B Trucking Company, R.F.D., Horn Lake, Miss. 38637. Applicant's representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid brewers grain effluent*, in

bulk, in tank vehicles, from the facilities of the Joseph Schlitz Brewing Company, located at Memphis, Tenn., to the facilities of Murphy Products Company, Inc., located at Burlington, Wis., under a continuing contract or contracts with Murphy Products Company, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 139468 (Sub-No. 12), filed February 2, 1976. Applicant: INTERNATIONAL CONTRACT CARRIERS, INC., 6534 Gessner Road, Houston, Tex. 77040. Applicant's representative: David R. Parker, 2310 Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings, complete, and in sections*; (2) *building sections and building panels*; (3) *parts and accessories*, used in the installation and completion of the commodities in (1) and (2) above, and (4) *pre-fabricated structural components and panels, and accessories*, used in the installation and completion thereof, from Terre Haute, Ind., and Houston, Tex., to points in Alaska, restricted (1) to traffic originating at the plantsites and facilities utilized by National Steel Products Company, Inc., and (2) to traffic under a continuing contract or contracts with National Steel Products Company, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 139938 (Sub-No. 2), filed February 10, 1976. Applicant: GLENN R. DUSENBERRY, 1414 Grandview Avenue, Muscatine, Iowa 52761. Applicant's representative: Kenneth F. Dudley, 611 Church St., P.O. Box 279, Ottumwa, Iowa 52501. 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 defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and warehouse facilities of Wilson & Co., Inc. located at Cedar Rapids, Iowa, to Chicago, Ill., and points located within the Chicago Commercial Zone, restricted to traffic originating at the above named origin and destined to the above named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Oklahoma City, Okla., or Chicago, Ill.

No. MC 139956 (Sub-No. 1), filed February 9, 1976. Applicant: M. LANGE, INC., 1234 Clybourne Avenue, Chicago, Ill. 60610. Applicant's representative: Robert H. Levy, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Safes, insulated filing equipment, fireproof vault doors, fireproof bank vaults, safe deposit boxes, night*

depositories, drive-in windows, steel vault linings, cash protective equipment, alarm systems and pneumatic tube systems, which because of size or weight require the use of special equipment or handling; and (2) materials used in fireproofing doors and bank vaults and parts and materials used in the installation of the items in (1) above, when moving at the same time and in the same vehicle with the items in (1) above, from Chicago, Ill., to points in Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 140024 (Sub-No. 62) (Correction), filed December 29, 1975, published in the FEDERAL REGISTER issue of February 13, 1976, republished as corrected this issue. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Avenue, Commerce City, Colo. 80022. Applicant's representative: Charles J. Kimball, 350 Capitol Life Center, 1600 Sherman, Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals; laboratory supplies and equipment; graphic arts supplies and equipment; electroplating supplies and equipment; laundry supplies and equipment; dry cleaning supplies and equipment; swimming pools, supplies and equipment; and materials, equipment and supplies* used in the manufacture, sale and distribution of the above named commodities, from points in California, Connecticut, Delaware, Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Texas, Washington, West Virginia, and Wyoming, to the facilities utilized by Chemical Sales Company, located at or near Denver, Colo.

NOTE.—The purpose of this republication is to correct the commodity and territorial description. Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC 140389 (Sub-No. 4), filed February 2, 1976. Applicant: OSBORN TRANSPORTATION, INC., P.O. Box 1830, Gadsden, Ala. 35902. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. 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 packing-houses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites, warehouse and storage facilities of or used by Swift Edible Oil Company, at or near Chattanooga, Tenn., to points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 140389 (Sub-No. 5), filed February 2, 1976. Applicant: OSBORN TRANSPORTATION, INC., P.O. Box

1830, Gadsden, Ala. 35902. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs*, from the plantsites, warehouse, and storage facilities of or used by Winter Garden, Inc., located at or near Bells (Crockett County); Humboldt (Gibson County); and Rossville (Fayette County), Tenn., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn.

No. MC 140581 (Sub-No. 3), filed February 5, 1976. Applicant: TOMMY HAGWOOD, doing business as HAGWOOD ENTERPRISES, Route 1, Box 222-A, Trafford, Ala. 35172. Applicant's representative: William P. Jackson, Jr., 3426 North Washington Blvd., P.O. Box 267, Arlington, Va. 22201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Used automobiles*, between San Diego, Calif., on the one hand, and, on the other, points in Alabama, Georgia, Florida, South Carolina, Baltimore, Md., and New York, N.Y.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either San Diego or Los Angeles, Calif.

No. MC 141146 (Sub-No. 1), filed February 2, 1976. Applicant: RAYMOND J. LYNCH, JR., doing business as CENTRAL MAINE STORAGE CO., 31 March Circle, Bangor, Maine 04401. Applicant's representative: Raymond J. Lynch, P.O. Box 753, Bangor, Maine 04401. 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 Maine.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Bangor or Portland, Maine.

No. MC 141269 (Amendment), filed August 27, 1975, published in the FEDERAL REGISTER issue of October 9, 1975, republished as amended this issue. Applicant: CHAS. R. MORGAN, INC., 18574 S. Highway 99E, Oregon City, Ore. 97045. Applicant's representative: James A. Nelson, Pacific Bldg., 520 S.W. Yamhill St., Portland, Ore. 97204. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Beer and malt liquor*, in bottles, (a) from Pabst Brewing Company in Los Angeles, Calif., to Portland, Ore., and Oregon City, Ore., under contract with Morgan Distributing, Inc.; (b) from Anheuser-Busch, Inc., in Los Angeles, Calif. and Fairfield, Calif., to Portland, Ore., and Oregon City, Ore., under contract with M. C. Distributing Co.; (2) *Wine*, in bottles, from Browne Vintners, San Francisco, Calif.; United Vintners, Modesto, Calif.; Franzia Winery, Lodi, Calif.; and Gibson Winery,

Elk Grove, Calif., to Portland, Ore. and Oregon City, Ore., under contract with M. C. Distributing Co.; and (3) *Beer and malt liquor*, in bottles and cans, from Blitz-Weinhard Company in Portland, Ore., to distributors of Blitz-Weinhard Company in Canoga Park, Cerritos, Colton, Compton, El Monte, Los Angeles, Rosemead, Oxnard, San Diego, San Fernando, and Santa Ana, Calif.

NOTE.—The purpose of this republication is to amend the requested authority in this proceeding.

It is ordered, That the order of December 12, 1975, by which the said matter was directed for handling under modified procedure, be, and it is hereby, vacated and set aside.

Dated at Washington, D.C., this 2nd day of March, 1976.

By the Commission, Commissioner Murphy.

No. MC 141414 (Sub-No. 1), filed February 4, 1976. Applicant: TOTO PURCHASING & SUPPLY CO., INC., 275 South Highland Drive, Las Vegas, Nev. 89106. Applicant's representative: John Goodwill (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Gypsum wallboard, gypsum lath and lime*, palletized, from points in Clark County, Nev., to points in Los Angeles, Orange, Riverside and San Bernardino Counties, Calif., restricted to movement on flat-bed equipment.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Las Vegas, Nev., or Los Angeles, Calif.

No. MC 141536 (Sub-No. 2), filed February 3, 1976. Applicant: BILL BLANN, doing business as BLANN TRACTOR CO., Route 2, Box 38, Hampton, Ark. 71744. Applicant's representative: J. Phelpa Jones, P.O. Box 557, Hampton, Ark. 71744. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rock, Clay, dirt, sand, and gravel*, in bulk, in dump-bed trailers, from points in Calhoun, Ouachita, and Bradley Counties, Ark., to points in Vernon, Rapides, Avoyelles, Winn, Caddo, Ouachita, Union, Lincoln, Jackson, Claiborne, Bienville, Webster, Bossier, Sabine, Natchitoches, Grant, La Salle, Catahoula, DeSoto, Red River, Tensas, Caldwell, Franklin, Concordia, Madison, Richland, East Carroll, West Carroll, and Morehouse Parishes, La.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Little Rock, Ark.

No. MC 141597 (Sub-No. 1), filed January 29, 1976. Applicant: LOUIS BOBBITT, doing business as RIVERSIDE TRUCK LINE, 919 4th Avenue South, Denison, Iowa 51442. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Printed religious material*, from points in Illinois,

Indiana, Kentucky, Michigan, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Virginia and West Virginia, to Iowa Falls, Iowa, under a continuing contract or contracts with Riverside Book and Bible House.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 141663 (Amendment), filed January 5, 1976, published in the FEDERAL REGISTER issue of January 20, 1976, republished as amended this issue. Applicant: ROBERT E. MOORE, doing business as MOORE TRUCKING COMPANY, Star Route, Yanceyville, N.C. 27379. Applicant's representative: Sharon T. Rayle, 611 Summit Avenue, P.O. Box 6188, Greensboro, N.C. 27405. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in North Carolina, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—The purpose of this republication is to amend the requested authority in this proceeding. If a hearing is deemed necessary, applicant requests it be held at either Greensboro or Yanceyville, N.C.

No. MC 141698, filed January 8, 1976. Applicant: RISH-POLL, INC., 1016 W. 8th Avenue, Suite A, King of Prussia Business Center, King of Prussia, Pa. 19406. Applicant's representative: Irving Levit (Same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by bakeries*, in bulk, from the facilities of New Boulevard Baking Co., at or near Philadelphia, Pa., to points in Maryland, New Jersey, and the District of Columbia, under a continuing contract or contract with New Boulevard Baking Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 141749 (Sub-No. 1), filed February 2, 1976. Applicant: SENTINEL TRUCKING CO., 407 N.E. 44th Street, Fort Lauderdale, Fla. 33334. 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) *Paint cans, aerosol spray cans and can parts*, from Chicago, Ill., Tallapoosa, Ga. and Indianapolis, and Evansville, Ind., to Tampa, Fla.; and (2) (a) *glass*, from the facilities of PPG, located at Wichita Fall, Tex.; Crystal City, Mo. and Carlisle, Pa.; (b) *die cast hardware*, from the facilities of Deco Products, located at Decorah, Iowa; and (c) *steel tubing*, from the facilities of Allied Tube, located at Chicago, Ill., to Pompano Beach, Fla., under

a continuing contract or contracts with Harris Paint Company and T. M. Products.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Tampa, Fla.

No. MC 141754, filed January 26, 1976. Applicant: TRANSPORTATION CARRIERS & STORAGE, INC., doing business as SECURITY STORAGE, 114 Hardy Court, Augusta, Ga. 30901. Applicant's representative: Robert G. Gleason, Evergreen Bldg., 15 South Grady Way, Renton, Wash. 98055. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, as defined by the Commission, between points in Richmond, Columbia, Burke, Jefferson, Lincoln, McDuffie, Emanuel, Glascock, Jenkins, Screven, Taliaferro, Warren, and Wilkes Counties, Ga., and those in Aiken, Edgefield, Allendale, Barnwell, Hampton, and McCormick Counties, S.C., restricted to the transportation of traffic having a prior or subsequent movement beyond said points in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating and decontainerization of such traffic.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Augusta or Atlanta, Ga.

No. MC 141759, filed February 2, 1976. Applicant: OHIO PACIFIC EXPRESS, INC., 6914 Conservation Drive, Springfield, Va. 22153. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers; and chinaware, earthenware, and pottery*, from Lancaster, Ohio and Chester, W. Va., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, under a continuing contract or contracts with Anchor Hocking Corporation located in Lancaster, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 141768, filed February 2, 1976. Applicant: WESTERN ASPHALT (1972), LTD., P.O. Box 3195, Sherwood Park, Alberta, Canada. 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: *Petroleum and petroleum products*, in bulk, between the ports of entry on the International Boundary line between the United States and Canada located in Montana, on the one hand, and, on the other, points in Montana.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 141781, filed February 9, 1976. Applicant: LARSON TRANSFER & STORAGE CO., INC., P.O. Box 877, Minneapolis, Minn. 55440. 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: *Canned vegetables* (except commodities in bulk), from Arlington, Minn., to Oklahoma City, Tulsa, and Durant, Okla.; Joplin, Springfield, and Kansas City, Mo., and Kansas City and Elwood, Kans.

NOTE.—Applicant holds contract carrier authority in MC 128652 therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 141782, filed February 9, 1976. Applicant: C & C CARTAGE COMPANY, INC., 3# Birkenhead Street, Port Wentworth, Ga. 31407. Applicant's representative: Paul Knolan Cates (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives), between points within the Savannah Georgia Commercial Zone, restricted to traffic having a prior or subsequent movement by water.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Savannah, Ga. or Jacksonville, Fla.

APPLICATION FOR EXEMPTION

No. MC 141771-EX, filed February 3, 1976. Applicant: S.O.S., a Division of Atlas Trucking, 3663 Clay Avenue, S.W., Grand Rapids, Mich. 49508. Applicant's representative: Edward Malinzak, 900 Old Kent Building, Grand Rapids, Mich. 49502. Authority sought for exemption from economic regulation in interstate or foreign commerce within one state as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities*, from the plant and warehouse sites of Keller Brass Company; Corduroy Rubber Co.; Grand Rapids Metalcraft, Division Gulf and Western Industrial Products Company; Furniture City Manufacturing, Division Gulf and Western Industrial Products Company; Leslie Metal Arts Co., Inc. located within the Grand Rapids commercial zone, the plant and warehouse site of Leslie Metal Arts Co., Inc. located within the Middleville commercial zone to Lansing, Pontiac, Flint, and Detroit and points within their commercial zone, restricted to movements not in excess of 1600 pounds from one consignor to one consignee in straight trucks only and to performance of service on any given shipment within a time span of not more than ten (10) hours from the time of picking up at point of origin to the time of delivery at point of destination.

NOTE.—From the destination points of the applicant's intrastate authority, Applicant desires an exemption from Section 204 (4a) of the Interstate Commerce Act to permit it to interline general commodities from said destination points to all points within the continental United States.

PASSENGER APPLICATIONS

No. MC 99143 (Sub-No. 5), filed January 28, 1976. Applicant: OHIO VALLEY CHARTER SERVICES, INC., R.D. No. 2, East Liverpool, Ohio 43920. Applicant's representative: James R. Allison, 25 East Rebecca Street, East Palestine, Ohio 44413. 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, sight-seeing and pleasure tours, beginning at points in Harrison and Columbiana Counties, Ohio 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 either Youngstown, Ohio, Pittsburgh, Pa., or Cleveland, Ohio.

No. MC 140991, filed December 22, 1975. Applicant: UNITED JEWISH ORGANIZATIONS OF WILLIAMSBURG, INC., 545 Bedford Avenue, Brooklyn, N.Y. 11211. Applicant's representative: Sidney J. Leshin, 575 Madison Avenue, New York, N.Y. 10022. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, between Brooklyn, N.Y., on the one hand, and, on the other, points in Orange, Rockland, Sullivan, and Ulster Counties, N.Y. and points in New Jersey, restricted to members of religious organization or religious school institutions who are members of the United Jewish Organizations of Williamsburgh, Inc., under a continuing contract or contracts with United Jewish Organizations of Williamsburgh, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

BROKER APPLICATIONS

No. MC 130359, filed January 23, 1976. Applicant: THE BRIDGEPORT AND PORT JEFFERSON STEAMBOAT COMPANY, a Corporation, 102 W. Broadway, Port Jefferson, N.Y. 11777. Applicant's representative: Gordon P. MacDougall, 1100 17th Street, N.W., Washington, D.C. 20036. Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Port Jefferson, N.Y. and Bridgeport, Conn., to sell or offer to sell the transportation of *Passengers and their baggage*, in special and charter operations, in all expense, round-trip, sightseeing and pleasure tours, between points in Connecticut, Massachusetts, New Jersey, New York, and Rhode Island, restricted to transportation in conjunction with applicant's existing authority in W-271.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Port Jefferson, N.Y. or Bridgeport, Conn.

No. MC 130362 filed January 28, 1976. Applicant: ROBERT L. NEFF & E. JEAN NEFF, doing business as BOB NEFF

TOURS, 718 Edgemoor Court, P.O. Box 3, Lancaster, Pa. 17604. Applicant's representative: Robert L. Neff (same address as applicant). Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Lancaster, Pa., to sell or offer to sell the transportation of *Passengers and their baggage*, individually and in groups, in special and charter operations in one way and round trip tours, by motor, air, water, and rail carriers, beginning and ending at Manheim Township, Lancaster County, Pa. and extending to points in the United States including Alaska and Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either Lancaster or Harrisburg, Pa. or Washington, D.C.

No. MC 130363, filed January 20, 1976. Applicant: LILLA TRAVEL, INCORPORATED, 1517 C Stowell Center Plaza, P.O. Box 1226, Santa Maria, Calif. 93454. Applicant's representative: David B. Bolter, 650 South Grand Avenue, Ste. No. 1000, Los Angeles, Calif. 90017. Authority sought to engage in operation, in interstate or foreign commerce, as a broker at Santa Maria, Calif., to sell or offer to sell the transportation of *Passengers and their baggage*, in charter and special operations, sightseeing and pleasure tours, by motor carriers, from points in St. Louis Obispo and Santa Barbara Counties, Calif., to points in Arizona, California, Colorado, Idaho, Louisiana, Montana, New Mexico, Oregon, Texas, Washington, and Wyoming, and to points in the Provinces of British Columbia and Alberta, Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Los Angeles or Santa Maria, Calif.

WATER APPLICATION

No. W-547 (Sub-No. 2) (Correction), filed January 13, 1976, published in the FEDERAL REGISTER issue of February 26, 1976, republished as corrected this issue. Applicant: THE GREAT LAKES TOWING COMPANY, a Corporation, 1800 Terminal Tower, Cleveland, Ohio 44113. Applicant's representative: Robert J. Ables, 1819 H Street NW., Washington, D.C. 20006. Authority sought to engage in operation, in interstate or foreign commerce as a common carrier by water in the transportation of *General commodities*, by non-self-propelled vessels with the use of separate towing vessels, and by towing vessels in the performance of general towage, between all ports and points on the Great Lakes and connecting all tributary waterways, including the Illinois Waterway and the St. Lawrence River.

NOTE.—The purpose of this republication is to correct the requested authority in this proceeding. If a hearing is deemed necessary, the applicant requests it be held at either Cleveland, Ohio or Washington, D.C.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-6848 Filed 3-10-76; 8:45 am]

[Notice No. 997]

ASSIGNMENT OF HEARINGS

MARCH 8, 1976.

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 110060 (Sub 1), Transportes Chihuahuaenses, S.A. de C.V., now being assigned June 14, 1976 (1 week) at El Paso, Texas, in a hearing room to be later designated. MC 129749 (Sub-No. 3), Foundry Service Corporation, now assigned April 7, 1976, at New York, N.Y., is canceled and application dismissed.

MC-C 8877, Consolidated Freightways Corporation of Delaware—Investigation and Revocation of Certificates, now being assigned April 7, 1976 (2 days) in New York, New York in a hearing room to be later designated.

MC 135732 Sub 13, Aubrey Freight Lines, Inc., now being assigned June 2, 1976, (2 days), at Tallahassee, Fla., in a hearing room to be later designated.

MC 141021, Petroleum Transport Co., Inc. now being assigned June 28, 1976 (1 week) at Baton Rouge, Louisiana in a hearing room to be later designated.

MC 1380 Sub 19, Colonial Motor Freight Line, Inc., now being assigned June 7, 1976 (2 wks), at Columbia, S.C., in a hearing room to be later designated.

AB 1 (Sub-No. 45), Chicago and North Western Transportation Company Abandonment Between Minerva Junction and Roland, In Story and Marshall Counties, Iowa, now assigned April 5, 1976, at Marshalltown, Iowa, will be held at the Municipal Building, 24 North Center Street.

AB 52 (Sub-No. 2), Atchison, Topeka and Santa Fe Railway Company Abandonment From West Ardmore to Ringling, Also Between Cobalt Junction and Healdton, In Carter and Jefferson Counties, Oklahoma now assigned April 7, 1976, at Ardmore, Oklahoma, will be held at the Chamber of Commerce Building, 6 East Main.

MC 88285 (Sub-No. 4), Bruce & Son Van Storage Co., now assigned April 12, 1976, at Dallas, Tex., will be held in Room 5A15-17, New Federal Building, 1100 Commerce Street.

No. 36307 and No. 36307 Sub 1, Radioactive Materials, Missouri-Kansas-Texas Railroad Company, now being assigned for pre-hearing conference on March 17, 1976, at the Office of the Interstate Commerce Commission, Washington, D.C., with hearing remaining as scheduled on March 31, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123407 (Sub 265), Sawyer Transport, Inc. now being assigned May 18, 1976 (1 day) at Chicago, Illinois in a hearing room to be later designated.

FF 476, Astro Air Express, Inc. now being assigned May 19, 1976 (3 days) at Chicago, Illinois in a hearing room to be later designated.

MC 140484 (Sub 10), Lester Coggins Trucking, Inc. now being assigned (2 days) May 24, 1976 at Chicago, Illinois in a hearing room to be later designated.

MC-F 12653, Roadway Express, Inc., Purchase—Portion of Key Line Freight, Inc. now being assigned May 26, 1976 (3 days) at Chicago, Illinois in a hearing room to be later designated.

MC-F 12713, Campbell Sixty-Six Express, Inc.—Purchase (Portion)—Transamerican Freight Lines, Inc. (Harold O. Love, Receiver) now being assigned July 7, 1976 (8 days) at St. Louis, Missouri in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc. 76-7012 Filed 3-10-76; 8:45 am]

CONRAIL, ET AL.

Continuation of Rail Service Under Subsidy by Designated Operator

Information concerning the implementation of section 304(c) and (d) of Regional Rail Reorganization Act of 1973 (45 U.S.C. 744), as amended by the Railroad Revitalization and Regulatory Reform Act of 1976, Pub. L. 94-210 (45 U.S.C. 801), enacted on February 5, 1976.

Background. Over the past several months, the Interstate Commerce Commission (Commission), has received many inquiries regarding the authority required, if any, by ConRail, other railroads, or responsible persons (including a government entity) designated to operate rail freight service (Designated Operators), pursuant to section 304(d) of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976. The staff of the Commission has responded to these inquiries by informing the parties to file an application with a motion to dismiss so that the Commission could formally consider the matter. This procedure was considered unsatisfactory and burdensome. After further study of the situation, including the problem of seeking authority to commence operation or to abandon upon termination of the rail service continuation payment, the Commission has concluded that Designated Operators should not be required to file an application under section 1(18) of the Interstate Commerce Act. As an alternative solution, the Commission has adopted the following procedure.

A "Certificate of Designated Operator" will be issued by the Commission to ConRail, other railroads, or responsible persons (including a government entity) designated to operate rail freight service (Designated Operators), pursuant to section 304(d) of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976, when a Designated Operator files with the Commission a letter which indicates its intent to provide the proposed service. The letter must include the following additional information:

1. The status of the Designated Operator.

(a) The name and address of the Designated Operator.

(b) If the Designated Operator is a new corporation or other new business entity and a non-carrier, a copy of the certificate of incorporation from the appropriate state authority in the state in which the Designated Operator is incorporated or, if unincorporated, the facts and official organizational documents relating to the formation of the new, non-carrier business entity.

(c) The names and addresses of all officers and directors of the new, non-carrier business entity with a statement from each which indicates present affiliation, if any, with a railroad.

(d) Sufficient information from the Designated Operator to establish its financial responsibility for the proposed undertaking, unless the Designated Operator is a common carrier by railroad.

2. The relevant dates:

(a) The effective date of the proposed discontinuance of service by the owning carriers in reorganization.

(b) The exact dates of the period of operation which have been agreed upon by the Designated Operator, on the one hand, and, on the other, the offeror of the rail service continuation payment and the owner of the line to be operated, in their operating or subsidy agreements.

3. The nature of the proposed service:

(a) A copy of all agreements between the Designated Operator, on the one hand, and, on the other, the offeror of the rail service continuation payment and the owner of the line to be operated.

(b) Any additional information which is necessary to provide the Commission with a description of:

(i) the line over which service is to be provided, e.g. (U.S.R.A. Line No.);

(ii) all interline connections including the names of the connecting railroads; and

(iii) the nature and extent of all liability insurance coverage.

4. The status of the offeror:

(a) The name and address of the offeror of the rail service continuation payment

(b) Sufficient information to establish the financial responsibility of the offeror for the proposed undertaking, unless the offeror is a state or municipal corporation or authority when must then state that it has authority to perform the service or enter into the agreement for subsidy.

Upon receipt of this information, the matter will be docketed by the prefix initials "D-OP." When a certificate is issued it will be entitled a "Certificate of Designated Operator." This certificate will state generally that the Designated Operator has entered into an agreement to provide service, pursuant to the provisions of section 304 of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976, over a described line, with the right to commence and terminate service pursuant to the terms of agreement between the parties in accordance with the provisions of section 304, without further authority under the provisions of the Interstate Commerce Act, (Act). Although the

Designated Operator will not be required to seek and obtain authority from the Commission pursuant to section 1a and 1(18) of the Act, as amended, for either commencement or termination of operations, the Designated Operator will be subject to all other provisions of the Act, as amended, as a common carrier by railroad.

Any operator, including ConRail, other railroads or responsible persons (including a government entity), which is not a Designated Operator, pursuant to section 304 of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976, is subject to all provisions of the Interstate Commerce Act. More specifically, a "Certificate of Designated Operator" is designed for a rather limited situation. It will apply only to subsidized operations conducted pursuant to section 304(c) and (d) of the Regional Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976. It will not apply, for example, to purchase situations described in section 304(d) (as amended to 304(f)) of that Act. A "Certificate of Designated Operator" will not authorize entry onto or operation over a light density line subsequent to its purchase.

RATES AND TARIFFS

Regarding rate and tariff issues, the implementation of the Final System Plan with respect to subsidized operations will involve the use of adoption notices as the vehicle to effectuate the shifting of the tariff responsibilities to the operating carrier. Since it now appears that there will be some subsidized operations performed by entities that will, at least initially, be non-carriers, deviation from the tariff filing requirements of Tariff Circular No. 20, 49 CFR 1300, will be necessary in some instances. To facilitate the take over by non-carriers, special permission can be granted, upon application, when warranted. It should be noted that ConRail's request for special permission for authority to file an adoption notice was granted by order of the Commission, Division 2, served March 3, 1976.

PROCEDURE

A "Certificate of Designated Operator" will be issued when all of the necessary information plus three copies thereof are filed with the Secretary of the Commission. The Commission strongly urges all Designated Operators to submit the necessary information as soon as possible. In the lower right corner of the covers of all envelopes which contain such information, "D-OP Certificate" should be indicated. In the event that all necessary information has been filed and no certificate has been received by the Designated Operator, operations may be commenced pending receipt of the "Certificate" on the date specified in the agreements filed with the Commission.

INFORMAL SEMINAR

An informal seminar, concerning the implementation of section 304 (c) and

(d) of the Rail Reorganization Act of 1973, as amended by the Railroad Revitalization and Regulatory Reform Act of 1976, will be held on Friday, March 19, 1976, at 10:00 a.m. at the offices of the Commission, Washington, D.C. The location of the seminar will be posted in the lobby of the Commission. It is hoped that such a conference will clarify questions that individuals may have concerning this section of the new Act and its implementation by the Commission.

By the Commission.

Dated: March 5, 1976.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7011 Filed 3-10-76;8:45 am]

[AB 1 (Sub-No. 51)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment of Services

Upon consideration of the record in impact statement need be issued in this assessment survey which is available to the above-entitled proceeding, and of a staff-prepared environmental threshold proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Kossuth, Palo Alto and Emmet Counties, Iowa on or before March 24, 1976 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 17th day of February, 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated February 17, 1976, it has been determined that the proposed abandonment by Chicago and North Western Transportation Company of its line of railroad between Burt and Halfa, a distance of 21.4 miles, all in Kossuth, Palo Alto, and Emmet Counties, Iowa, if approved by the Commission, does not

constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because of the low volume of traffic involved and the absence of any major historic, safety, or ecological consequences associated with the proposed abandonment. Highways in the vicinity of the subject line are able to accommodate the resultant slight diversion to truck transportation. There are no development plans or land use policies in the tributary territory which are dependent on the availability of rail service.

Furthermore, governmental units have expressed an interest in utilizing this right-of-way for recreational purposes should the abandonment be authorized.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-7966.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C., 20423, on or before April 8, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-7013 Filed 3-10-76;8:45 am]

[Exemption No. 109]

THE ATCHISON, TOPEKA, AND SANTA FE RAILWAY CO. AND PENN CENTRAL TRANSPORTATION CO.

Exemption of the Mandatory Car Service Rules

It appearing, That, The Atchison, Topeka and Santa Fe Railway Company (ATSF), and the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees (PC) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting

marks listed herein, may be used by the ATSF and PC without regard to the requirements of Car Service Rules 1 and 2.

Reporting marks

ATSF	PC
ATSF.....	NH PC
	NYC PRR

Effective March 2, 1976.

Expires May 31, 1976.

Issued at Washington, D.C., March 2, 1976.

INTERSTATE COMMERCE
COMMISSION,
LEWIS R. TEEPLE,
Agent.

[FR Doc.76-7017 Filed 3-10-76;8:45 am]

[Twelfth Revised Exemption No. 90]

ATLANTA AND SAINT ANDREWS BAY RAILWAY CO., ET AL.

Exemption of the Mandatory Car Service Rules

It appearing, That the railroads named below own numerous 50-ft. plain boxcars; that under present conditions there are substantial surpluses of these cars on their lines; that return of these cars to the owners would result in their being stored idle; that such cars can be used by other carriers for transporting traffic offered for shipments to points remote from the car owners; and that compliance with Car Service Rules 1 and 2 prevents such use of these cars, resulting in unnecessary loss of utilization of such cars.

It is ordered, That pursuant to the authority vested in me by Car Service Rule 19, 50-ft. plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "XM", and bearing reporting marks assigned to the railroads named below, shall be exempt from the provisions of Car Service Rules 1, 2(a), and 2(b).

Atlanta & Saint Andrews Bay Railway Company, Reporting Marks: ASAB.
Green Mountain Railroad Corporation, Reporting Marks: GMRC.
Missouri-Kansas-Texas Railroad Company, Reporting Marks: BKTY-MKT.
The Pittsburgh and Lake Erie Railroad Company, Reporting Marks: P&LE.
Raritan River Rail Road Company, Reporting Marks: RR.
Sacramento Northern Railway, Reporting Marks: SN.
Sierra Railroad Company, Reporting Marks: SERRA.
Tidewater Southern Railway Company, Reporting Marks: TS.
Vermont Railway, Inc., Reporting Marks: VTR.
WCTU Railway Company, Reporting Marks: WCTR.

Effective March 9, 1976, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., March 2, 1976.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.
[FR Doc.76-7014 Filed 3-10-76;8:45 am]

[Exemption No. 108]

CHICAGO & EASTERN ILLINOIS RAILROAD CO., ET AL.

Exemption of the Mandatory Car Service Rules

It appearing, That the Chicago & Eastern Illinois Railroad (C&EI), Missouri-Illinois Railroad Company (MI), Missouri Pacific Railroad Company (MP), Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees (PC), and The Texas and Pacific Railway Company (T&P) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the C&EI, MI, MP, PC, and T&P without regard to the requirements of Car Service Rules 1 and 2.

Reporting marks

C&EI	MI	MP	PC	T&P
C&EI.....	MI	MP	NH	T&P
CEL.....			NYC	TP
			PC	
			PRR	

Effective March 1, 1976.

Expires May 31, 1976.

Issued at Washington, D.C., March 1, 1976.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.
[FR Doc.76-7016 Filed 3-10-76;8:45 am]

[Exemption No. 111]

THE DETROIT, TOLEDO AND Ironton RAILROAD CO. AND NORFOLK AND WESTERN RAILWAY CO.

Exemption of the Mandatory Car Service Rules

It appearing, That The Detroit, Toledo and Ironton Railroad Company (DTI)

and the Norfolk and Western Railway Company (N&W) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of empty gondola cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the DTI and the N&W without regard to the requirements of Car Service Rules 1 and 2.

REPORTING MARKS

DTI	N&W
DTI.....	NKP
DT&I.....	N&W
	P&WV
	VGN
	WAB

Effective March 3, 1976.

Expires June 15, 1976.

Issued at Washington, D.C., March 3, 1976.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.
[FR Doc.76-7019 Filed 3-10-76;8:45 am]

[Exemption No. 113]

LEHIGH VALLEY RAILROAD CO. AND NORFOLK AND WESTERN RAILWAY CO.

Exemption of the Mandatory Car Service Rules

It appearing, That the Lehigh Valley Railroad Company (Robert C. Haldeman, Trustee) (LV) and the Norfolk and Western Railway Company (N&W) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of empty gondola cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the LV and N&W without regard to the requirements of Car Service Rules 1 and 2.

REPORTING MARKS

LV	N&W
LV.....	P&WV
	N&W
	NKP
	VGN
	WAB

Effective March 3, 1976.

Expires June 15, 1976.

Issued at Washington, D.C., March 3, 1976.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.
[FR Doc.76-7020 Filed 3-10-76;8:45 am]

[Exemption No. 110]

LOUISVILLE AND NASHVILLE RAILROAD CO. AND PENN CENTRAL TRANSPORTATION CO.

Exemption of the Mandatory Car Service Rules

It appearing, That, the Louisville and Nashville Railroad Company (L&N) and the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees (PC) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the L&N and PC without regard to the requirements of Car Service Rules 1 and 2.

Reporting marks

L&N	PC
CHL.....	NH
MON.....	NYC
	PRR
	PC

Effective March 2, 1976.

Expires May 31, 1976.

Issued at Washington, D.C., March 2, 1976.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.
[FR Doc.76-7018 Filed 3-10-76;8:45 am]

[Exemption No. 107]

PENN CENTRAL TRANSPORTATION CO. AND SEABOARD COAST LINE RAILROAD CO.

Exemption of the Mandatory Car Service Rules

It appearing, That the Penn Central Transportation Company, Robert W. Blanchett, Richard C. Bond and John H. McArthur, Trustees (PC) and the Seaboard Coast Line Railroad Company

(SCL) have each agreed to the unrestricted use by the other of its plain gondola cars less than 61 ft. in length; and that such mutual use of gondola cars will increase car utilization by reductions in switching and movements of such cars.

It is ordered, That, pursuant to the authority vested in me by Car Service Rule 19, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 398, issued by W. J. Trezise, or successive issues thereof, as having mechanical designations "GA", "GB", "GD", "GH", "GS", "GT", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks listed herein, may be used by the PC and SCL without regard to the requirements of Car Service Rules 1 and 2.

Reporting marks

PC		SCL	
NH.....	NYC	ACL	SAL
PC.....	PRR	SCL	

Effective March 1, 1976.

Expires May 31, 1976.

Issued at Washington, D.C., March 1, 1976.

INTERSTATE COMMERCE
COMMISSION,

[SEAL]

LEWIS R. TEEPLE,
Agent.

[FR Doc.76-7015 Filed 3-10-76;8:45 am]

federal register

THURSDAY, MARCH 11, 1976



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration



FEDERAL HEALTH INSURANCE

Skilled Nursing Facility Consultants

THURSDAY, MARCH 11, 1976



PART II

DEPARTMENT
OF HEALTH,
EDUCATION, AND
WELFARE

Social Security Administration

FEDERAL HEALTH
INSURANCE

Skilled Nursing Facility Conditions

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

[Reg. No. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Consultants for Skilled Nursing Facilities

Notice is hereby given pursuant to the Administrative Procedure Act, (5 U.S.C. 553) that the amendments to Subpart F of Regulations No. 5 (§§ 405.685, 405.686), set forth below in tentative form are proposed by the Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare. The proposed amendments revise the present regulations to implement section 277 of the Social Security Amendments of 1972 (P.L. 92-603) which provides authority for the State agencies to furnish consultant services to skilled nursing facilities.

Under this amendment, the State agency may provide consultants to skilled nursing facilities, upon request, in localities where such consultants are in short supply if the State is willing and able to do so. Medicare will reimburse the State for this service in proportion to the percentage of Medicare beneficiaries in the facility.

The proposed regulations include the requirement that consultants be in short supply since the extent to which consultants will be provided by the State agency is expected to be limited to the State's ability to recruit such specialists into its employment system. The report of the Senate Finance Committee on the Social Security Amendments of 1972, Pub. L. 92-603 (S. Rept. No. 92-1230, 92d Cong. 2d Sess. (1972) at p. 315), states in part: "... The committee is aware that in many parts of the country consultants in these particular specialty areas are in short supply, competition for their services is intense, and the cost of retaining them on a per diem basis is often prohibitive for many [skilled

nursing facilities]. . . . The State agency would be authorized to limit the availability of these services, consistent with its own assessment of available resources and needs." If a request for such specialized consultative services were not limited to areas of short supply, the demand by providers might not be met by State agencies. It is also recognized that where providers have difficulty in recruiting certain categories of specialists, similar difficulties might be encountered by State agencies. Those consultants provided by State agencies would function in the same manner as private consultants, e.g., a consultant-dietitian would plan menus for the facility.

Prior to the final adoption of the proposed amendment to the regulations, consideration will be given to any comments, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Maryland 21203, on or before April 12, 1976.

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

(Secs. 1102, 1864, and 1871 of the Social Security Act, as amended, 49 Stat. 647, as amended, 79 Stat. 326, as amended, 79 Stat. 331; 42 U.S.C. 1302, 1395aa, and 1395hh.)

(Catalog of Federal Domestic Assistance Program No. 13.800, Health Insurance for the Aged, Hospital Insurance.)

Dated: January 23, 1976.

J. B. CARDWELL,

Commissioner of Social Security.

Approved: March 1, 1976.

DAVID MATHEWS,

Secretary of Health,

Education, and Welfare.

Part 405 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 405.685 is amended by adding thereto a new paragraph (e) to read as follows:

§ 405.685 Agreements with States pursuant to section 1864 general.

The Secretary shall enter into an agreement with any State which is able and willing to do so, under which the services of the State health agency or other appropriate State agency (or the appropriate local agencies) will be utilized by the Secretary.

(e) To furnish (subject to the approval of the Secretary) specialized consultative services which it is able and willing to supply to a skilled nursing facility in localities where consultants are in short supply, upon written request by the facility, to enable the facility to meet one or more of the standards contained in the Conditions of Participation in Subpart K, where the facility could not meet the Conditions without the use of consultants.

2. A new § 405.686, is added to read as follows:

§ 405.686 Reimbursement to States for specialized consultative services.

Reimbursement to States for the services of specialized consultants pursuant to § 405.685(e), to enable a particular skilled nursing facility to comply with the Conditions of Participation, shall be made only if the facility could not meet one or more of the standards in the Conditions of Participation in Subpart K without the use of such specialized consultants and shall be limited in proportion to the number of Medicare beneficiaries in the facility.

[FR Doc.76-6419 Filed 3-10-76;8:45 am]

DEPARTMENT OF HEALTH
EDUCATION AND WELFARE

Division of Health Planning and Statistics

Washington, D.C. 20035

FEDERAL HEALTH PROGRAMS FOR
THE AGED AND CRIPPLED

The Department of Health, Education and Welfare is pleased to announce the availability of a new publication, "Federal Health Programs for the Aged and Crippled." This publication provides a comprehensive overview of the various federal health programs available to the aged and crippled, including Medicare, Medicaid, and the Social Security Administration's disability benefits. The publication is available in both English and Spanish, and is available free of charge to all interested parties. It is a valuable resource for individuals, families, and healthcare providers who are seeking information about the federal health programs available to the aged and crippled.

The Department of Health, Education and Welfare is committed to ensuring that all individuals, regardless of age or physical ability, have access to the health care services they need. The federal health programs for the aged and crippled are a key part of this commitment, and this publication provides the information needed to understand and navigate these programs. The publication is available in both English and Spanish, and is available free of charge to all interested parties. It is a valuable resource for individuals, families, and healthcare providers who are seeking information about the federal health programs available to the aged and crippled.

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federal register

THURSDAY, MARCH 11, 1976



PART III:

DEPARTMENT OF TRANSPORTATION

**Federal Aviation
Administration**



ADVISORY CIRCULARS AND STATUS OF FEDERAL AVIATION REGULATIONS

Revised Checklist

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[AC 00-2GG—Effective January 15, 1976]

ADVISORY CIRCULAR CHECKLIST AND STATUS OF FEDERAL AVIATION REGU- LATIONS

1. *Purpose.* This notice contains the revised checklist of current FAA advisory circulars and the status of Federal Aviation Regulations as of January 15, 1976.

2. *Explanation.* The FAA issues advisory circulars to inform the aviation public in a systematic way of nonregulatory material of interest. Unless incorporated into a regulation by reference, the contents of an advisory circular are not binding on the public. Advisory circulars are issued in a numbered-subject system corresponding to the subject areas of the Federal Aviation Regulations (14 CFR Ch. I). This checklist is issued triannually to list all current advisory circulars and also includes a checklist showing the status of the Federal Aviation Regulations.

3. The Circular Numbering System.

a. *General.* The advisory circular numbers relate to the FAR subchapter titles and correspond to the Parts, and when appropriate, to the specific sections of the Federal Aviation Regulations. Circulars of a general nature bear a number corresponding to the number of the general subject (subchapter) in the FAR's. A general subject number is used only when a circular covers more than one Part.

b. *Subject numbers.* The general subject matter areas and related numbers are as follows:

Subject Number and Subject Matter

00	General.
10	Procedural.
20	Aircraft.
60	Airmen.
70	Airspace.
90	Air Traffic Control and General Operations.
120	Air Carrier and Commercial Operators and Helicopters.
140	Schools and Other Certified Agencies.
150	Airports.
170	Air Navigational Facilities.
180	Administrative.
210	Flight Information.

c. *Breakdown of subject numbers.* When the volume of circulars in a general series warrants a subsubject breakdown, the general number is followed by a slash and a subsubject number. Material in the 150 series, Airports, is issued under the following subsubjects:

Number and Subject

150/1900	Defense Readiness Program.
150/4000	Resource Management.
150/5000	Airport Planning.
150/5100	Federal-aid Airport Program.
150/5150	Surplus Airport Property Conveyance Programs.
150/5190	Airport Compliance Program.
150/5200	Airport Safety—General.
150/5210	Airport Safety Operations (Recommended Training, Standards, Manning).
150/5220	Airport Safety Equipment and Facilities.

150/5230	Airport Ground Safety System.
150/5240	Civil Airports Emergency Preparedness.
150/5300	Design, Construction, and Maintenance—General.
150/5320	Airport Design.
150/5325	Influence of Aircraft Performance on Aircraft Design.
150/5335	Runway, Taxiway, and Apron Characteristics.
150/5340	Airport Visual Aids.
150/5345	Airport Lighting Equipment.
150/5360	Airport Buildings.
150/5370	Airport Construction.
150/5380	Airport Maintenance.
150/5390	Heliports.
150/5900	Planning Grant for Airports.

d. *Individual circular identification numbers.* Each circular has a subject number followed by a dash and a sequential number identifying the individual circular. This sequential number is not used again in the same subject series. Revised circulars have a letter A, B, C, etc., after the sequential number to show complete revisions. Changes to circulars have CH 1, CH 2, CH 3, etc., after the identification number on pages that have been changed. The date on a revised page is changed to the effective date of the change.

4. The Advisory Circular Checklist.

a. *General.* Each circular issued is listed numerically within its subject-number breakdown. The identification number (AC 120-1), the change number of the latest change, if any, to the right of the identification number, the title, and the effective date for each circular are shown. A brief explanation of the contents is given for each listing.

b. *Omitted numbers.* In some series, sequential numbers are missing. These numbers were assigned to advisory circulars still in preparation which will be issued later or were assigned to advisory circulars that have been canceled.

c. *Free and sales circulars.* This checklist contains advisory circulars that are for sale as well as those distributed free of charge by the Federal Aviation Administration. A list of circulars sold by the Superintendent of Documents is shown at the end of the numerical list of AC's. Please use care when ordering circulars to ensure that they are ordered from the proper source.

d. *Internal directives for sale.* A list of certain internal directives sold by the Superintendent of Documents is shown at the end of the checklist. These documents are not identified by advisory circular numbers, but have their own directive numbers.

5. How to get circulars.

a. When a price is listed after the description of a circular, it means that this circular is for sale by the Superintendent of Documents. When (Sub.) is included with the price, the advisory circular is available on a subscription basis only. After your subscription has been entered by the Superintendent of Documents, supplements or changes to the basic document will be provided automatically at no additional charge until the subscription expires. When no price is given, the circular is distributed free of charge by FAA.

b. Request free advisory circulars shown without an indicated price from:

U.S. Department of Transportation, Publications Section TAD 443.1, Washington, D.C. 20590.

c. Persons who want to be placed on FAA's mailing list for future circulars should write to:

U.S. Department of Transportation, Distribution Unit, TAD 482.3, Washington, D.C. 20590.

NOTE: Be sure to identify the subject matter numbers and titles shown in paragraph 3b because separate mailing lists are maintained for each advisory circular subject series. Checklists and circulars issued in the General series will be distributed to every addressee on each of the subject series lists. Persons requesting more than one subject classification may receive more than one copy of related circulars and this checklist because they will be included on more than one mailing list. Persons already on the distribution list for AC's will automatically receive related circulars.

d. Order advisory circulars and internal directives with purchase price given from:

Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402;

or from any of the following bookstores located throughout the United States:

- GPO Bookstore, Room 102A, 2121 Building, 2121 Eighth Avenue North, Birmingham, AL 35203.
- GPO Bookstore, Federal Building, Room 1015, 300 North Los Angeles Street, Los Angeles, CA 90012.
- GPO Bookstore, Federal Building, Room 1023, 450 Golden Gate Avenue, San Francisco, CA 94102.
- GPO Bookstore, Federal Building, U.S. Courthouse, Room 1421, 1961 Stout Street, Denver, CO 80202.
- GPO Bookstore, P.O. Box 713, Pueblo, CO 81002.
- GPO Bookstore, Federal Building, Room 158, 400 West Bay Street, Jacksonville, FLA 32202.
- GPO Bookstore, Room 100, Federal Building, 275 Peachtree Street NE., Atlanta, GA 30303.
- GPO Bookstore, Everett McKinley Dirksen Building, Room 1463, 14th Floor, 219 South Dearborn Street, Chicago, IL 60604.
- GPO Bookstore, Room G25, John F. Kennedy Federal Building, Sudbury Street, Boston, MA 02203.
- GPO Bookstore, Federal Office Building, Room 229, 231 W. Lafayette Blvd., Detroit, MI 48226.
- GPO Bookstore, Federal Building, Room 144, 601 East 12th Street, Kansas City, MO 64106.
- GPO Bookstore, Room 1356, 26 Federal Plaza, New York, NY 10007.
- GPO Bookstore, Federal Office Building, 201 Cleveland Avenue SW., Canton, OH 44702.
- GPO Bookstore, Federal Office Building, Room 171, 1240 East Ninth Street, Cleveland, OH 44199.
- GPO Bookstore, Federal Office Bldg., Room 1214, 600 Arch St. Philadelphia, PA 19106.
- GPO Bookstore, Room 1C46, Federal Building, U.S. Courthouse, 1100 Commerce Street, Dallas, TX 75202.
- GPO Bookstore, Federal Building, Room 190, 915 Second Ave., Seattle, WA 98174.
- GPO Bookstore, Federal Building, Room 190, 517 E. Wisconsin Avenue, Milwaukee, WI 53202.
- GPO Bookstore, 710 North Capitol Street NW., Washington, D.C. 20402.

Special Notice

Orders for subscription items can no longer be accepted by the bookstores. These orders must be placed directly with the Superintendent of Documents, Washington, D.C. 20402.

Send check or money order with your order to the Superintendent of Documents. Make the check or money order payable to the Superintendent of Documents in the amounts indicated in the list. Orders for mailing to foreign countries should include an additional 25 percent of the total price to cover handling. No c.o.d. orders are accepted.

6. *Reproduction of Advisory Circulars.* Advisory circulars may be reproduced in their entirety or in part without permission from the Federal Aviation Administration.

7. *Cancellations.* The following advisory circulars are canceled:

- AC 00-2FF *Advisory Circular Checklist*, 9-15-75. Canceled by AC 00-2GG *Advisory Circular Checklist*, 1-15-76.
- AC 00-6 *Aviation Weather*, 5-20-65. Canceled by AC 00-6A *Aviation Weather* 3-3-75.
- AC 00-41 *FAA Quality System Certification Program*, 1-31-74. Canceled by AC 00-41A *FAA Quality Control System Certification Program* 11-3-75.
- AC 00-44B *Status of the Federal Aviation Regulations*, 6-16-75. Canceled by AC 00-44C *Status of the Federal Aviation Regulations*, 10-28-75.
- AC 20-6X *U.S. Civil Aircraft Register*, Jan. 1975. Canceled by AC 20-6Y *U.S. Civil Aircraft Register*, July 1975.
- AC 20-36D *Index of Materials, Parts, and Appliances Certified Under the TSO System*, 9-6-74. Canceled by AC 20-36E *Index of Materials, Parts, and Appliances certified Under the TSO System*, 9-3-75.
- AC 61-18C *Airline Transport Pilot (Airplane) Written Test Guide*, 4-19-71. Canceled by AC 61-18D *Airline Transport Pilot (Airplane) Written Test Guide*, 2-14-75.
- AC 61-54 *Flight Test Guide (Part 61 revised)—Private Pilot Airplane*, 4-2-73. Canceled by AC 61-54A *Private Pilot Airplane—Flight Test Guide*, 4-18-75.
- AC 61-55 *Commercial Airplane Flight Test Guide*, 4-13-73. Canceled by AC 61-55A *Commercial Pilot Airplane Flight Test Guide*, 4-25-75.
- AC 61-57 *Multengine Airplane Class and Type Ratings, Flight Test Guide*, 4-13-73. Canceled by AC 61-57A *Type Rating Airplane, Flight Test Guide*, 5-1-75.
- AC 61-78 *Substitute "Acceptable Performance Guidelines" Applicable to AC 61-55 Commercial Pilot Airplane—Flight Test Guide*, 10-10-74. Canceled by AC 61-55A *Commercial Pilot Airplane—Flight Test Guide*, 4-25-75.
- AC 61-79 *Substitute "Acceptable Performance Guidelines" Applicable to AC 61-57 Multengine Airplane Class and Type Ratings Flight Test Guide*, 10-10-74. Canceled by AC 61-55A *Commercial Pilot Airplane—Flight Test Guide*, 4-25-75.
- AC 61-80 *List of Flight Test Guides and Supplementary Advisory Circulars to be Used For Private and Commercial Flight Tests*, 10-10-74. Canceled by AC 61-55A *Commercial Pilot Airplane—Flight Test Guide*, 4-25-75.

- AC 91-7 *Hazards Associated with In-Flight Use of "Visible-Fluid" Type Cigarette Lighters*, 3-16-65. Canceled.
- AC 141-2 *Written Tests Prepared by Pilot Schools with Examining Authority Under Part 141 of the FAR's*, 9-18-74. Canceled by AC 141-2A *Written Tests Prepared by Pilot Schools with Examining Authority Under Part 141 of the FAR's*, 10-3-75.
- AC 150/5000-3B *Address List for Regional Airports Divisions and Airport District Offices*, 10-26-73. Canceled by AC 150/5000-3C *Address List for Regional Airports Divisions and Airport District Offices*, 12-9-75.
- AC 150/5340-13B *High Intensity Runway Lighting System*, 3-24-73. Canceled by AC 150/5340-24 *Runway and Taxiway Edge Lighting System*, 9-3-75.
- AC 150/5340-15B *Taxiway Edge Lighting System*, 4-4-72. Canceled by AC 150/5340-24 *Runway and Taxiway Edge Lighting System*, 9-3-75.
- AC 150/5340-16B *Medium Intensity Runway Lighting System and Visual Approach Slope Indicators for Utility Airports*, 10-26-70. Canceled by AC 150/5340-24 *Runway and Taxiway Edge Lighting System*, 9-3-75.
- AC 210-1 *National to Airmen System*, 2-8-64. Canceled by AC 210-1A *National Notice to Airmen System*, 12-10-75.

8. *Additions.* The following advisory circulars are added to the list.

- AC 00-2GG *Advisory Circular Checklist*, 1-15-76.
- AC 00-6A *Aviation Weather*, 3-3-75.
- AC 00-41A *FAA Quality Control System Certification Program*, 11-3-75.
- AC 00-44C *Status of the Federal Aviation Regulations*, 10-28-75.
- AC 00-47 *Emergency Locator Transmitters*, 5-21-75.
- AC 11-2 *Notice of Proposed Rulemaking Distribution System*, 12-17-75.
- AC 20-6Y *U.S. Civil Aircraft Register*, July 1975.
- AC 20-7M *Supplement 2 (October 1975)*.
- AC 20-7M *Supplement 3 (November 1975)*.
- AC 20-7M *Supplement 4 (December 1975)*.
- AC 20-7M *Supplement 5 (January 1976)*.
- AC 20-36E *Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System—July 1975*, 9-3-75.
- AC 43-8 *Maintaining Hot Air Balloons in an Airworthy Condition*, 1-2-75.
- AV 61-18D *Airline Transport Pilot (Airplane) Written Test Guide*, 2-14-75.
- AC 6154A *Private Pilot Airplane—Flight Test Guide*, 4-18-75.
- AC 61-55A *Commercial Pilot Airplane—Flight Test Guide*, 4-23-75.
- AC 61-57A *Type Rating—Airplane—Flight Test Guide*, 5-1-75.
- AC 61-77 *Airline Transport Pilot—Airplane—Practical Test Guide*, 4-23-74.
- AC 90-45A *Change 1*, 9-15-75.
- AC 90-68 *Minimum Vectoring Altitudes (MVA)*, 10-29-75.
- AC 90-69 *National Beacon Code Allocation Plan*, 11-5-75.
- AC 129-1 *Foreign Air Carriers—Security Programs and Other Requirements—FAR Part 129*, 9-25-75.
- AC 135-5 *Maintenance Program Approval for Carry-on Oxygen Equipment for Medical Purposes*, 8-19-75.
- AC 141-2A *Written Tests Prepared by Pilot Schools With Examining Authority Under Part 141 of the FAR's*, 10-3-75.
- AC 150/5000-3C *Address List for Regional Airports Divisions and Airport District Offices*, 12-9-75.

- AC 150/5050-4 *Citizens Participation in Airport Planning*, 9-26-75.
- AC 150/5340-4C *Change 1*, 11-14-75.
- AC 150/5340-24 *Runway and Taxiway Edge Lighting System*, 9-3-75.
- AC 150/5345-26A *Change 1*, 9-11-75.
- AC 150/5345-42A *Change 1*, 11-14-75.
- AC 150/5345-46 *Change 1*, 9-9-75.
- AC 210-1A *National Notice to Airmen System*, 12-10-75.

ADVISORY CIRCULAR CHECKLIST

Notice

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General

SUBJECT NO. 00

00-1 The Advisory Circular System (12-4-62).

Describes the FAA Advisory Circular System.

00-2GG *Advisory Circular Checklist* (1-15-76).

Transmits the revised checklist of current FAA advisory circulars and the status of the Federal Aviation Regulations as of 1-15-76.

00-6A *Aviation Weather* (3-3-75).

Provides an up-to-date and expanded text for pilots and other flight operations personnel whose interest in meteorology is primarily in its application to flying. (\$4.55 GPO.) TD 4408:W37/975. SN 050-007-00283-1.

00-7A *State and Regional Disaster Air-lift (SARDA) Planning* (6-3-74).

Provides guidance for the development and implementation of State and Regional Disaster Airlift plans governing the use of general aviation aircraft during national emergencies and natural disasters.

00-17 *Turbulence in Clear Air* (12-16-65).

Provides information on atmospheric turbulence and wind shear, emphasizing important points pertaining to the common causes of turbulence, the hazards associated with it, and the conditions under which it is most likely to be encountered.

00-21 *Shoulder Harness* (10-5-66).

Provides information concerning the installation and use of shoulder harnesses by pilots in general aviation aircraft.

00-24 *Thunderstorms* (6-12-68).

Contains information concerning flights in or near thunderstorms.

00-25 Forming and Operating a Flying Club (3-24-69).

Provides preliminary information that will assist anyone or any group of people interested in forming and operating a flying club (\$0.75 GPO.) TD 4.8:F 67. SN 050-007-00065-1.

00-26 Definitions of "U.S. National Aviation Standards" (1-22-69).

Informs the aviation community of the approval by the FAA Administrator of a definition of U.S. National Aviation Standards, the need for such standards, and their relationship to the Federal Aviation Regulations.

00-28 Communications Interference Caused by Sticking Microphone Buttons (8-6-69).

Alerts the industry of communications interference from undesired radiofrequency transmissions.

00-30 Rules of Thumb for Avoiding or Minimizing Encounters with Clear Air Turbulence (3-5-70).

Brings to the attention of pilots and other interested personnel, the "Rule of Thumb" for avoiding or minimizing encounters with clear air turbulence (CAT).

00-31 U.S. National Aviation Standard for the VORTAC System (6-10-70).

Informs the aviation community of the establishment and content of the U.S. National Aviation Standard for the VORTAC (VOR-TACAN-DME) System.

00-32 Civil Air Patrol and State and Regional Defense Airlift Relationships (7-2-70).

Advises interested persons of the Memorandum of Understanding between CAP and FAA, and provides additional guidance to further improve the use of non-air carrier aircraft in time of national emergency.

00-33A Nickel-Cadmium Battery Operational, Maintenance, and Overhaul Practices (2-14-73).

Provides guidelines for more reliable nickel-cadmium battery operation through proper operational and maintenance practices, and has been reissued to include reconditioning information.

00-34A Aircraft Ground Handling and Servicing (7-29-74).

Contains information and guidance for the servicing and ground handling of aircraft.

00-35A Emergency Locator Transmitters—Operational and Maintenance Practices (9-28-73).

Provides guidelines relative to the licensing, installation, maintenance, and testing of emergency locator transmitters (ELT).

00-35A CH 1 (4-18-74).

Paragraph 4 of this Advisory Circular deals with the interpretation of FAA licensing requirements and in some instances has been misunderstood. Because this paragraph is subject to misinterpretation and does not concern

ELT operational or maintenance practices, it is therefore deleted.

00-36 Inadvertent Transmissions from Emergency Locator Transmitters (ELT) (3-15-73).

Urges pilots and maintenance personnel to make sure emergency locator transmitters are switched off when aircraft are parked.

00-38 Address List for Federal Aviation Administration Air Transportation Security Divisions, Air Transportation Security Field Offices, and Security Specialist Post of Duty (8-28-73).

Transmits the address list for all FAA Air Transportation Security Divisions, Air Transportation Security Field Offices, and Security Specialist Posts of Duty.

00-40 Emergency Locator Transmitter Regulations in FAR 91.52(a)(2) (10-3-73).

Discusses the relationship between FAR 91.52(a)(2) and Section 601(d) of the Federal Aviation Act of 1958 (as amended) and how that relationship affects those who might wish to petition the FAA for an exemption from FAR 91.52(a)(2).

00-41A FAA Quality Control System Certification Program (11-3-75).

Describes the FAA Quality Control System Certification Program and the mechanics of implementation. It is intended for guidance and information only.

00-44C Status of the Federal Aviation Regulations (10-28-75).

Summarizes the current status of the conversion program, lists FAR prices, and provides ordering instructions for purchasing the regulations.

00-45 Aviation Weather Services (2-26-75).

Supplements AC 00-6, Aviation Weather, in that it explains the weather service in general and the use and interpretation of reports, forecasts, weather maps, and prognostic charts in detail. Is an excellent source of study for pilot certification examinations. (\$1.95 GPO.) TD 4.408:W37/2. SN 050-007-00259-9.

00-46 Aviation Safety Reporting Program (5-9-75).

Advises that the FAA will make an evaluation study of the National Air Transportation System; will provide reporting procedures; and invites pilots, controllers, and other users of the airspace system or any other person to report discrepancies or deficiencies noted in the system to the FAA.

00-47 Emergency Locator Transmitters (5-21-75).

Provides information concerning the battery replacement requirements of FAR 91.52 for ELT's.

00-48 Announcement and Invitation—First Biennial Operations Review Conference (10-2-75).

Announces the convening of the first biennial Operations Review Conference

to be held in Washington, D.C., Dec. 1-5, 1975.

Procedural**SUBJECT NO. 10****11-1A Airspace Rule-Making Proposals and Changes to Air Traffic Control Procedures (12-21-72).**

Emphasizes the need for the early submission of proposal involving airspace rule-making activity or changes to existing procedures for the control of air traffic.

11-2 Notice of Proposed Rulemaking Distribution System (12-17-75).

Provides the public with information relative to participation in the FAA rulemaking process and explains the availability of the Notices.

Aircraft**SUBJECT NO. 20****20-3C Status and Availability of Military Handbooks and ANC Bulletins for Aircraft (6-1-73).**

Announces the status and availability of Military Handbooks and ANC Bulletins prepared jointly with FAA, Navy and Air Force.

20-5C Plane Sense (1974).

Provides general aviation information for the private aircraft owner.

20-6Y U.S. Civil Aircraft Register (2-Volume set) (July 1975).

Lists all active U.S. civil aircraft by registration number. (\$24.60 GPO.) TD 4.18/2:975-2/v. 1, 2. SN 050-007-00292-1.

20-7M General Aviation Inspection Aids, Summary (August 1975).

Provides the aviation community with a uniform means for interchanging service experience that may improve the durability and safety of aeronautical products. Of value to mechanics, operators of repair stations, and others engaged in the inspection, maintenance, and operation of aircraft in general. \$6.60; \$8.25 foreign—Sub. GPO.) TD 4.409:973.

20-7M Supplement 1 (September 1975).**20-7M Supplement 2 (October 1975).****20-7M Supplement 3 (November 1975).****20-7M Supplement 4 (December 1975).****20-7M Supplement 5 (January 1976).****20-9 Personal Aircraft Inspection Handbook (12-2-64).**

Provides a general guide, in simple, nontechnical language, for the inspection of aircraft. Reprinted 1972. (\$1.60 GPO.) FAA 5.8/2:A1 7/2. SN 5011-00001-1.

20-10 Approved Airplane Flight Manuals for Transport Category Airplanes (7-30-63).

Calls attention to the regulatory requirements relating to FAA Approved Airplane Flight Manuals.

20-13A Surface-Effect Vehicles (8-28-64).

States FAA policy on surface-effect vehicles (vehicles supported by a cushion of compressed air).

20-17B Surplus Aircraft of the Armed Forces (10-11-72).

Sets forth the method of obtaining copies of Federal Aviation Regulations which might be required for certification of surplus military aircraft.

20-18A Qualification Testing of Turbojet Engine Thrust Reversers (3-16-66).

Discusses the requirements for the qualification of thrust reversers and sets forth an acceptable means of compliance with the tests prescribed in Federal Aviation Regulations, Part 33, when run under nonstandard ambient air conditions.

20-23D Interchange of Service Experience—Mechanical Difficulties (2-12-71).

Provides information on the voluntary exchange service experience data used in improving durability and safety of aeronautical products.

20-24A Qualification of Fuels, Lubricants, and Additives (4-1-67).

Establishes procedures for the approval of the use of subject materials in certificated aircraft.

20-27B Certification and Operation of Amateur-Built Aircraft (4-20-72).

Provides information and guidance concerning certification and operation of amateur-built aircraft, including gliders, free balloons, helicopters, and gyroplanes, and sets forth an acceptable means, not the sole means, of compliance with FAR Part 21 and FAR Part 91.

20-28A Nationally Advertised Construction Kits, Amateur-Built Aircraft (12-29-72).

Advises persons contemplating the use of nationally advertised kits for the construction of an aircraft, that certain kits when used could render the aircraft ineligible for the issuance of an experimental certificate as an amateur-built aircraft.

20-29B Use of Aircraft Fuel Anti-icing additives (1-18-72).

Provides information on the use of anti-icing additives PFA-55MB and MIL-I-27686 as an acceptable means of compliance with the FARs that require assurance of continuous fuel flow under conditions where ice may occur in turbine aircraft fuel systems.

20-30A Airplane Position Lights and Supplementary Lights (4-18-68).

Provides an acceptable means for complying with the position light requirements for airplane airworthiness and acceptable criteria for the installation of supplementary lights on airplanes.

20-32B Carbon Monoxide (CO) Contamination in Aircraft—Detection and Prevention (11-24-72).

Provides information on the potential dangers of carbon monoxide contamination from faulty engine exhaust systems or cabin heaters of the exhaust gas heat exchanger type.

20-33B Technical Information Regarding Civil Aeronautics Manuals 1, 3, 4a, 4b, 5, 6, 7, 8, 9, 13 and 14 (5-1-75).

Advises the public that policy information contained in the subject Civil Aeronautics Manuals may be used in conjunction with specific sections of the Federal Aviation Regulations.

20-34A Prevention of Retractable Landing Gear Failures (4-21-69).

Provides information and suggested procedures to minimize landing accidents involving aircraft having retractable landing gear.

20-35B Tie-Down Sense (4-19-71).

Provides information of general use on aircraft tie-down techniques and procedures.

20-36E Index of Materials, Parts, and Appliances Certified Under the Technical Standard Order System—July 1, 1975 (9-3-75).

Lists the materials, parts, and appliances for which the Administrator has received statements of conformance under the Technical Standard Order system as of July 1, 1975. Such products are deemed to have met the requirements for FAA approval as provided in Part 37 of the Federal Aviation Regulations.

20-37B Aircraft Metal Propeller Blade Failure (9-12-74).

Provides information and suggested procedures to increase service life and to minimize blade failures of metal propellers.

20-38A Measurement of Cabin Interior Emergency Illumination in Transport Airplanes (2-8-66).

Outlines acceptable methods, but not the only methods, for measuring the cabin interior emergency illumination on transport airplanes, and provides information as to suitable measuring instruments.

20-39 Installation Approval of Entertainment Type Television Equipment in Aircraft (7-15-65).

Presents an acceptable method (but not the only method) by which compliance may be shown with Federal Aviation Regulations 23.1431, FAR 25.1309(b), FAR 27.1309(b), or FAR 29.1309(b), as applicable.

20-40 Placards for Battery-Excited Alternators Installed in Light Aircraft (8-11-65).

Sets forth an acceptable means of complying with placarding rules in Fed-

eral Aviation Regulations 23 and 27 with respect to battery-excited alternator installations.

20-41 Replacement TSO Radio Equipment in Transport Aircraft (8-30-65).

Sets forth an acceptable means for complying with rules governing transport category aircraft installations in cases involving the substitution of technical standard order radio equipment for functionally similar radio equipment.

20-42 Hand Fire Extinguishers in Transport Category Airplanes and Rotorcraft (9-1-65).

Sets forth acceptable means (but not the sole means) of compliance with certain hand fire extinguisher regulations in FAR 25 and FAR 29, and provides related general information.

20-43B Aircraft Fuel Control (6-8-71).

Alerts the aviation community to the potential hazards of inadvertent mixing or contamination of turbine and piston fuels, and provides recommended fuel control and servicing procedures.

20-44 Glass Fiber Fabric for Aircraft Covering (9-3-65).

Provides a means, but not the sole means, for acceptance of glass fiber fabric for external covering of aircraft structure.

20-45 Safelying of Turnbuckles on Civil Aircraft (9-17-65).

Provides information on turnbuckle safelying methods that have been found acceptable by the FAA during past aircraft type certification programs.

20-46 Suggested Equipment for Gliders Operating Under IFR (9-23-65).

Provides guidance to glider operators on how to equip their gliders for operation under instrument flight rules (IFR), including flight through clouds.

20-47 Exterior Colored Band Around Exits on Transport Airplanes (2-8-66).

Sets forth an acceptable means, but not the only means, of complying with the requirement for a 2-inch colored band outlining exits required to be openable from the outside on transport airplanes.

20-48 Practice Guide for Decontaminating Aircraft (5-5-66).

The title is self-explanatory.

20-51 Procedures for Obtaining FAA Approval of Major Alterations to Type Certificated Products (4-12-67).

Provides assistance to persons who desire to obtain FAA approval of major alterations to type certificate products.

20-52 Maintenance Inspection Notes for Douglas DC-6/7 Series Aircraft (8-24-67). (Consolidated Reprint—January 1974, includes Change 1.)

Describes maintenance inspection notes which can be used for the maintenance

nance support of certain structural parts of DC-6 6/7 series aircraft.

20-53 Protection of Aircraft Fuel System Against Lightning (10-6-67).

Sets forth acceptable means, not the sole means, by which compliance may be shown with fuel system lightning protection airworthiness regulations.

20-54 Hazards of Radium-Activated Luminous Compounds Used on Aircraft Instruments (10-24-67).

Provides information concerning health hazards associated with the repair and maintenance of instruments containing luminous markings activated with radium-226 or radium-228 (mesothorium).

20-55 Turbine Engine Overhaul Standard Practices Manual—Maintenance of Fluorescent Penetrant Inspection Equipment (1-22-68).

Advises operators of the necessity for periodic checking of black light lamps and filters used during fluorescent penetrant inspection of engine parts.

20-56A Marking of TSO-C72b Individual Flotation Devices (4-1-75).

Outlines acceptable methods for marking individual flotation devices which also serve as seat cushions.

20-57A Automatic Landing Systems (ALS) (1-12-71).

Sets forth an acceptable means of compliance, but not the only means, for the installation approval of automatic landing systems in transport category aircraft which may be used initially in Category II operations. Approval of these aircraft for use under such conditions will permit the accumulation of data for systems which may be approved for Category IIIa in the future.

20-59 Maintenance Inspection Notes for Convair 240, 340/440, 240T, and 340T Series Aircraft (2-19-68).

Describes maintenance inspection notes which can be used for the maintenance support of certain structural parts of Convair 240, 340/440, 240T, and 340T series aircraft.

20-59 CH 1 (8-24-72).

Provides additional material for Convair Models 240 and 600/240D; Models 340/440 and 640/340D/440D series aircraft Maintenance inspection programs.

20-60 Accessibility to Excess Emergency Exits (7-18-68).

Sets forth acceptable means of compliance with the "readily accessible" provisions in the Federal Aviation Regulations dealing with excess emergency exits.

20-62B Eligibility, Quality, and Identification of Approved Aeronautical Replacement Parts (9-13-74).

Provides information relative to the determination of the eligibility of aeronautical parts and materials for installation on certificated aircraft.

20-63 Airborne Automatic Direction Finder Installations (Low and Medium Frequency) (7-7-69).

Sets forth one means, but not the only means, of demonstrating compliance with the airworthiness rules governing the functioning of airborne automatic direction finders. It does not pertain to installations previously approved.

20-64 Maintenance Inspection Notes for Lockheed L-188 Series Aircraft (8-1-69).

Describes maintenance inspection notes which can be used for the maintenance support of certain structural parts of Lockheed L-188 series aircraft.

20-64 CH 1 (10-26-73).

20-65 U.S. Airworthiness Certificates and Authorizations for Operation of Domestic and Foreign Aircraft (8-11-69).

Provides general information and guidance concerning issuance of airworthiness certificates for U.S. registered aircraft, and issuance of special flight authorizations for operation in the United States of foreign aircraft not having standard airworthiness certificates issued by the country of registry.

20-66 Vibration Evaluation of Aircraft Propellers (1-29-70).

Outlines acceptable means, but not the sole means, for showing compliance with the requirements of the FARs concerning propeller vibration.

20-67A Airborne VHF Communication System Installations (10-17-72).

Sets forth one means, but not the only means, of demonstrating compliance with the airworthiness rules governing the functioning of airborne VHF communication systems.

20-68A Recommended Radiation Safety Precautions for Airborne Weather Radar (4-11-75).

Sets forth recommended radiation safety precautions for ground operation of airborne weather radar.

20-69 Conspicuity of Aircraft Instrument Malfunction Indicators (5-14-70).

Provides design guidance information on methods of improving conspicuity of malfunction indication devices.

20-71 Dual Locking Devices on Fasteners (12-8-70).

Provides guidance and acceptable means, not the sole means, by which compliance may be shown with the requirements for dual locking devices on removable fasteners installed in rotorcraft and transport category airplanes.

20-72 Restricted Category Helicopter Maximum Weight Increases (3-11-71).

Provides assistance to persons who desire to obtain FAA approval of overmaximum certificated takeoff weight condition for restricted category helicopter operations.

20-73 Aircraft Ice Protection (4-21-71).

Provides information relating to the substantiation of ice protection systems on aircraft.

20-74 Aircraft Position and Anticollision Light Measurements (7-29-71).

Contains useful information concerning measurements for intensity, covering, and color of aircraft position and anticollision lights.

20-76 Maintenance Inspection Notes for Boeing B-707/720 Series Aircraft (10-21-71).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the B-707/720 series aircraft.

20-77 Use of Manufacturers' Maintenance Manuals (3-22-72).

Inform owners and operators about the usefulness of manufacturers' manuals, and maintaining aircraft, engines, maintenance manuals for servicing, repair, and propellers.

20-78 Maintenance Inspection Notes for McDonnell Douglas DC-8 Series Aircraft (7-11-72).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the DC-8 series aircraft.

20-81 Accidental or Unauthorized Activation of Emergency Locator Transmitters (ELT) (10-10-72).

Alerts the general aviation community to the harmful effects of accidental or unauthorized activation of emergency locator transmitters.

20-82 Maintenance Inspection Notes for Fairchild Hiller F-27/FH-227 Series Aircraft (12-5-72).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of Fairchild Hiller F-27/FH-227 series aircraft.

20-82 CH 1 (7-12-73).

Provides additional material for subject advisory circular.

20-83 Maintenance Inspection Notes for Boeing B-737 Series Aircraft (1-17-73).

Provides maintenance inspection notes which can be used for the maintenance support program for certain structural parts of the B-737 series aircraft.

20-83 CH 1 (8-8-74).

Provides updating of material for the B-737 series aircraft maintenance inspection program. Inspection of selected areas of the wing, fuselage, empennage and landing gear of B-737 series aircraft are presented supplementing information currently in AC 20-83.

20-83 CH 2 (1-31-75).

20-84 Maintenance Inspection Notes for Boeing B-727 Series Aircraft (1-22-73).

Provides inspection notes which can be used for the maintenance support program for certain structural parts of the B-727 series aircraft.

20-84 CH 1 (8-8-74).

Updates material for the B-727 series aircraft maintenance inspection program. Inspection of selected areas of the wing, fuselage, empennage and landing gear of the B-727 series aircraft are presented supplementing information currently available in AC 20-84.

20-84 CH 2 (1-31-75).

20-85 Emergency Locator Transmitters and Receivers (3-16-73).

Provides information concerning the design, installation, and utilization of emergency locator transmitters.

20-86 Aviation Education through Building an Airplane (5-11-73).

Provides information to high schools about the available assistance, resources, methods, and opportunities for attaining basic educational goals by building an airplane.

20-87 Airborne Homing and Alerting Equipment for use with Emergency Locator Transmitters (5-7-23).

Sets forth the availability of recommended basic characteristics for airborne homing and alerting equipment for use with emergency locator transmitters (ELT).

20-88 Guidelines on the Marking of Power-Plant Instruments (12-11-73).

Provides guidelines on the marking of aircraft powerplant instruments.

20-89 Communication Interference Caused by Unintentional Radio Transmissions (3-22-74).

Alerts the aviation community to the potential hazards created by unintentional radio transmissions from airborne, mobile, and ground based radio transmitters and gives guidance on alleviating ensuing hazards.

20-90A Address List for Engineering and Manufacturing District Offices (3-5-75).

Transmits the address list for all Engineering and Manufacturing District Offices.

20-91 Lithium Batteries Used in Emergency Locator Transmitters (4-11-75).

Warns of potential hazards associated with accidental release of sulfur-dioxide gas from lithium-sulfur batteries.

21-1A Production Certificates (7-9-71).

Provides information concerning Subpart G of Federal Aviation Regulations (FAR) Part 21, and sets forth acceptable means of compliance with its requirements.

21-2B Export Airworthiness Approval Procedures (10-2-69).

Announces the adoption of new regulations and provides guidance to the public regarding the issuance of export airworthiness approvals for aeronautical products to be exported from the United States.

21-2B CH 1 (11-13-70).

21-2B CH 2 (2-8-71).

21-3 Basic Glider Criteria Handbook (1962).

Provides individual glider designers, the glider industry, and glider operating organizations with guidance material that augments the glider airworthiness certification requirements of the Federal Aviation Regulations. Reprinted 1973. (\$2.05 GPO.) FAA 5.8/2:G49/962. SN 050-011-00004-6.

21-4B Special Flight Permits for Operation of Overweight Aircraft (7-30-69).

Furnishes guidance concerning special flight permits necessary to operate an aircraft in excess of its usual maximum certificated takeoff weight.

21-5C Summary of Supplemental Type Certificates (Announcement of Availability) (1-19-73).

Announces the availability to the public of the new price of the Summary of Supplemental Type Certificates (SSTC), dated January 1971.

21-6 Production Under Type Certificate Only (5-26-67).

Provides information concerning Subpart F of FAR Part 21, and sets forth examples, when necessary, of acceptable means of compliance with its requirements.

21-7A Certification and Approval of Import Products (11-24-69).

Provides guidance and information relative to U.S. certification and approval of import aircraft, aircraft engines and propellers that are manufactured in a foreign country with which the United States has an agreement for the acceptance of those products for export and import.

21-8 Aircraft Airworthiness; Restricted Category: Certification of Aircraft With Uncertificated or Altered Engines or Propellers (5-21-69).

Sets forth acceptable means of substantiating that uncertificated or altered engines and propellers have no unsafe features for type certification of aircraft in the restricted category.

21-9 Manufacturers Reporting Failures, Malfunctions, or Defects (12-30-70).

Provides information to assist manufacturers of aeronautical products (aircraft, aircraft engines, propellers, appliances, and parts) in notifying the Federal Aviation Administration of certain failures, malfunctions, or defects, re-

sulting from design or quality control problems, in the products which they manufacture.

21-10 Flight Recorder Underwater Locating Device (5-20-71).

Provides one acceptable means (not the only means) of showing compliance with the underwater locating device requirements of FAR 25.1459 and FAR 121.343.

21-11 Quality Assurance Systems Analysis Review (QASAR) Program Manufacturers/Suppliers (5-26-72).

Explains the objectives and concept of the FAA's subject program.

21-12 Application for U.S. Airworthiness Certificate, FAA Form 8130-6 (OMB 04-R0058) (1-17-73).

Provides instructions on the preparation and submittal of subject form.

21-13 Standard Airworthiness Certification of Surplus Military Aircraft and Aircraft Built from Spare and Surplus Parts (4-5-73).

Provides guidance and instructions on establishing eligibility and submitting application for civil airworthiness certification of surplus military aircraft and aircraft assembled from spare and surplus parts, under FAR 21.183(d) when an FAA Type Certificate has been issued under FAR 21.21 or FAR 21.27.

21-14 The Role of Simulation in the Aircraft Certification Process (6-12-75).

Informs the aviation industry that the FAA intends to conduct an exploratory program to determine the degree to which simulation can support the aircraft certification process.

21.25-1 Use of Restricted Category Airplanes for Glider Towing (4-20-65).

Announces that glider towing is now considered to be a special purpose for type and airworthiness certification in the restricted category.

21.303-1A Certification Procedures for Products and Parts (8-10-72).

Provides information concerning section 21.303 of Federal Aviation Regulations, Part 21, and to set forth examples, as necessary, of acceptable means of compliance with its requirements.

23.1329-1 Automatic Pilot Systems Approval (Non-Transport) (12-23-65).

Sets forth an acceptable means by which compliance with the automatic pilot installation requirements of FAR 23.1329 may be shown.

25-2 Extrapolation of Takeoff and Landing Distance Data Over a Range of Altitude for Turbine-Powered Transport Aircraft (7-9-64).

Sets forth acceptable means by which compliance may be shown with the requirements in CAR 4b and SR-422B.

25-4 Inertial Navigation Systems (INS) (2-18-66).

Sets forth an acceptable means for complying with rules governing the installation of inertial navigation systems in transport category aircraft.

25-5 Installation Approval on Transport Category Airplanes of Cargo Unit Load Devices Approved as Meeting the Criteria in NAS 3610 (6-3-70).

Sets forth an acceptable means, but not the sole means, of complying with the requirements of the Federal Aviation Regulations (FAR's) applicable to the installation on transport category airplanes of cargo unit load devices approved as meeting the criteria in NAS 3610.

25-6 Ground Proximity Warning Systems (GPWS) (12-31-74).

Outlines acceptable ground proximity warning system performance. System performance, other than that described, may also be acceptable when adequately substantiated.

25.253-1 High-Speed Characteristics (11-24-65).

Sets forth an acceptable means by which compliance may be shown with FAR 25.253 during certification flight tests.

25.253-1 CH 1 (1-10-66).

Provides amended information for the basic advisory circular.

25.981-1A Guidelines for Substantiating Compliance With the Fuel Tank Temperature Requirements (1-20-71).

Sets forth some general guidelines for substantiating compliance with fuel tank temperature airworthiness standards, section 25.981.

25.1329-1A Automatic Pilot System Approval (7-8-68).

Sets forth an acceptable means by which compliance with the automatic pilot installation requirements of FAR 25.1329 may be shown.

25.1457-1A Cockpit Voice Recorder Installations (11-3-69).

Sets forth one acceptable means of compliance with provisions of FAR 25.1457 (b), (e), and (f) pertaining to area microphones, cockpit voice recorder location, and erasure features.

29-1 Approval Basis for Automatic Stabilization Equipment (ASE) Installations in Rotorcraft (12-26-63).

Gives means for compliance with flight requirements in various CAR's.

29-1 CH 1 (3-26-64).

Transmits revised information about the time delay of automatic stabilization equipment.

29.773-1 Pilot Compartment View (1-19-66).

Sets forth acceptable means, not the sole means, by which compliance with FAR 29.773(a) (1), may be shown.

33-1B Turbine-Engine Foreign Object Ingestion and Rotor Blade Containment Type Certification Procedures (4-22-70).

Provides guidance and acceptable means, not the sole means, by which compliance may be shown with the design and construction requirements, of Part 33 of the Federal Aviation Regulations.

33-2A Aircraft Engine Type Certification Handbook (6-5-72).

Contains guidance relating to type certification of aircraft engines which will constitute acceptable means, although not the sole means, of compliance with the Federal Aviation Regulations.

33-3 Turbine and Compressor Rotors Type Certification Substantiation Procedures (9-9-68).

Sets forth guidance and acceptable means, not the sole means, by which compliance may be shown with the turbine and compressor rotor substantiation requirements in FAR Part 33.

36-1A Certificated Airplane Noise Levels (7-21-75).

Provides noise level data for airplanes certificated under FAR Part 36 since its publication on Nov. 18, 1969.

37-2A Test Procedures for Maximum Allowable Airspeed Indicators (10-22-74).

Provides guidance concerning test procedures which may be used in showing compliance with the standards in FAR 37.145 (TSO-C46a).

37-3A Radio Technical Commission for Aeronautics Document DO-160 (3-20-75).

This circular announces RTCA Document DO-160 and discusses how it may be used in connection with technical standard order authorizations.

39-1A Jig Fixtures; Replacement of Wing Attach Angles and Doublers on Douglas Model DC-3 Series Aircraft Airworthiness Directive 66-18-2 (3-5-70).

Describes methods of determining that jig fixtures used in the replacement of the subject attached angles and doublers meet the requirements of Airworthiness Directive 66-18-2.

39-6D Summary of Airworthiness Directives (2-11-74).

Announces the availability of Summary of Airworthiness Directives dated January 1, 1974 from the FAA in Oklahoma City and how to obtain them.

43-1 Matching VHF Navigation Receiver Outputs With Display Indicators (8-2-65).

Alerts industry to the possibility of mismatching outputs, both guidance and flag alarm, of certain VHF navigation receivers when used with some types of display indicators causing the receiver to fail without providing a flag alarm.

43-2A Minimum Barometry for Calibration and Test of Atmospheric Pressure Instruments (8-22-74).

Sets forth guidance material which may be used to determine the adequacy of barometers used in the calibration of aircraft static instruments and presents information concerning the general operation, calibration, and maintenance of such barometers.

43-3 Nondestructive Testing in Aircraft (5-11-73).

Reviews the basic principles underlying nondestructive testing. (\$0.75 GPO.) TD 4.8:T28/973. SN 5007-00208.

43-4 Corrosion Control for Aircraft (5-15-73).

Summarizes current available data regarding identification and treatment of corrosive attack on aircraft structure and engine materials.

43-4 CH 1 (3-1-74).

Provides additional information on identification and treatment of corrosion attack on aircraft structures. Adds a new Chapter 14—Corrosion control of aircraft used in agricultural cropdusting operations.

43-4 CH 2 (10-8-74).

Clarifies the discussion on the removal of corrosion and treatment of corroded areas.

43-5 Airworthiness Directives for General Aviation Aircraft (8-13-74).

Points areas of misunderstanding regarding: (1) Aircraft owners and operators' responsibility for complying with AD's; (2) maintenance personnel responsibilities with regards to performance of AD's; and (3) maintenance records entries for AD's required by FAR 91.173(a) (2) (v) and FAR 43.9.

43-6 Automatic Pressure Altitude Encoding Systems and Transponder Maintenance and Inspection Practices (9-19-74).

Provides information on the installation of encoding altimeters based upon recently acquired operating experience and on the maintenance of ATC transponders.

43-7 Ultrasonic Testing for Aircraft (9-24-74).

Describes methods used in ultrasonic nondestructive testing, discusses the many advantages, and points out the simplicity of the tests. Contains many illustrations. (\$1 GPO.) TD 4.402:UL 8. SN 050-007-00282-3.

43-8 Maintaining Hot Air Balloons in an Airworthy Condition (1-2-75).

Contains information designed to assist balloon owners and operators in maintaining hot air balloons in an airworthy condition. Advises how the maintenance rules of FAR Part 43 apply.

AC 43-9 Maintenance Records: General Aviation Aircraft (2-19-75).

Provides information to assist maintenance personnel in fulfilling their responsibility under FAR Section 43.9.

43.9-1C Instruction for Completion of FAA Form 337 (12-20-73).

Provides instructions for completing revised FAA Form 337, Major Repair and Alteration (Airframe, Powerplant, Propeller, or Appliance).

43.13-1A Acceptable Methods, Techniques and Practices—Aircraft Inspection and Repair (4-17-72).

Contains methods, techniques, and practices acceptable to the Administrator for inspection and repair to civil aircraft. Published in 1973. (\$3.70—GPO.) TD 4.28/2:972. SN 050-011-00058-5.

43.13-1A CHG 1 (5-12-75).

Transmits new and revised material for basic advisory circular. (\$0.65—GPO.) TD 4.28/2:973/Ch. 1. SN 050-007-00294-7.

43.13-2 Acceptable Methods, Techniques, and Practices—Aircraft Alterations (4-19-66).

Contains methods, techniques, and practices acceptable to the Administrator in altering civil aircraft. Published in 1965. (\$3.60—\$4.50 foreign Sub.—GPO.) TD 4.28:973.

Subscription now includes: Changes 1 thru 14 Consolidated Reprint in 1973, Change 15 dated 1-15-74, and Change 16 dated 8-12-74.

43-202 Maintenance of Weather Radar Radomes (6-11-65).

Provides guidance material useful to repair facilities in the maintenance of weather radar radomes.

43-203A Altimeter and Static System Tests and Inspections (6-6-67).

Specifies acceptable methods for testing altimeter and static system. Also, provides general information on test equipment used and precautions to be taken.

45-2 Identification and Registration Marking (7-7-72).

Provides guidance and information concerning the identification and marking requirements of Federal Aviation Regulations (FAR) Parts 21 and 45, and where considered helpful, to provide an acceptable means, but not the sole means, of compliance with the regulations.

47-1A Aircraft Registration, Eligibility, Identification and Activity Report (6-7-73).

Advises owners and operators of U.S. civil aircraft of requirement for annual submission of current information related to aircraft registration eligibility, requests similar submission of information related to identification and activity of aircraft; and to call attention to the availability of the reporting form to be used.

Airmen**SUBJECT NO. 60****60-2M Annual Aviation Mechanic Safety Awards Program (2-6-75).**

Provides the details of the annual Aviation Mechanic Safety Awards Program.

60-4 Pilot's Spatial Disorientation (2-9-65).

Acquaints pilots flying under visual flight rules with the hazards of disorientation caused by the loss of reference with the natural horizon.

60-6 FAA Approved Airplane Flight Manuals, Placards, Listings, Instrument Markings—Small Airplanes (12-13-68).

Alerts pilots to the regulatory requirements relating to the subject and provides information to aid pilots to comply with the provisions of FAR section 91.31.

60-7 Statement of Additional Instruction for Retest (1-27-72).

Announces a new procedure for the use of a computer printed "statement of Additional Instruction" on each Airman Written Test Report that has an unsatisfactory grade for any section. It explains the statement and strongly recommends its use.

60-9 Induction Icing—Pilot Precautions and Procedures (2-28-73).

Provides the pilot with information on the causes and results of induction icing in reciprocating aircraft engines, and the precautions he should take to reduce the likelihood of icing, and the means available to him in controlling icing when it is encountered.

60-10 Recommended Safety Parameters for Operation of Hang Gliders (5-16-74).

Suggests safety parameters for the operation of "hang gliders" and to present the current FAA intent with respect to the regulation and operation of those vehicles.

60-11 Aids Authorized for Use by Airman Written Test Applicants (8-27-74).

Clarifies FAA policy concerning aids that applicants may use when taking airman written tests.

61-1D Aircraft Type Ratings (5-15-72).

Provides designators adopted by the Federal Aviation Administration for aircraft type ratings issued with pilot certificates.

61-2A Private Pilot (Airplane) Flight Training Guide (9-1-64).

Contains a complete private pilot flight training syllabus which consists of 30 lessons. Reprinted in 1972. (\$2.60 GPO.) FAA 5.8/2:P 64/4/964. SN 050-011-0007-1.

61-3B Flight Test Guide—Private Pilot—Airplane—Single Engine (4-2-68).

Assists the private pilot applicant in preparing for his certification flight test. Reprinted in 1969. (\$0.55 GPO.) TD 4.408:P 64/2. SN 050-011-00035-6.

61-4C Multiengine Airplane Class or Type Rating—Flight Test Guide (2-1-71).

Assists the private pilot applicant in preparing for certification or rating

flight tests. Reprinted in 1972. (\$0.55 GPO.) TD 4.408:M 91/971. SN 050-011-00050-0.

61-5A Helicopter Pilot Written Test Guide—Private—Commercial (8-14-67).

Gives guidance to applicants preparing for the aeronautical knowledge requirements for a private or commercial pilot certificate with a helicopter rating.

61-8C—Instrument Rating (Airplane) Written Test Guide (5-31-72).

Reflects the current operating procedures and techniques in a background setting appropriate for applicants preparing for the subject test. (\$1.45 GPO.) TD 4.8:In 7/4/972. SN 050-007-00183-5.

61-9B Pilot Transition Courses for Complex Single-Engine and Light, Twin-engine Airplanes (1-15-74).

A guide to the procedures and standards to be followed for a thorough and comprehensive checkout in modern single- and twin-engine aircraft. (\$0.45 GPO.) TD 4.8:P 64/6/974. SN 050-007-00226-2.

61-10A Private and Commercial Pilots Refresher Courses (9-27-72).

Provides a syllabus of study requirements and describes the areas of training that should be emphasized. (\$0.55 GPO.) TD 4.408:P64/6. SN 050-011-00060-5.

61-11B Airplane Flight Instructor Written Test Guide (9-12-72).

Provides information to prospective airplane flight instructors about certification requirements, application procedures, and reference study materials; a sample examination is presented with explanations of the correct answers. (\$0.95 GPO.) TD 4.408:In 7/972. SN 050-011-00061-5.

61-12C Student Pilot Guide (4-24-75).

Provides guidance for student pilots and those already in primary flight training. Updated to include requirements covered in the revised Part 61. (\$0.65 GPO.) TD 4.8:P64/3/975. SN 050-007-00298-0.

61-13A Basic Helicopter Handbook (4-5-73).

Provides detailed information to applicants preparing for private, commercial, and flight instructor pilot certificates with a helicopter rating about helicopter aerodynamics, performance, and flight maneuvers. It will also be useful to certificated helicopter flight instructors as an aid in training students. (\$1.90 GPO.) TD 4.408:H 36/2. SN 050-011-00064-6.

61-14A Flight Instructor Practical Test Guide (10-23-69).

Provides assistance to the certificated pilot in preparing for the practical demonstration required for the issuance of the flight instructor certificate. Reprinted in 1976. (\$1.00 GPO.) TD 4.408: In 7/4. SN 050-011-00032-1.

61-16A Flight Instructor's Handbook (10-14-69).

Gives guidance and information to pilots preparing to apply for flight instructor certificate. Used as a reference by flight instructors. (\$2 GPO.) Reprinted in 1972. TD 4408:In 7/3. SN 050-011-00031-3.

61-17B Flight Test Guide—Instrument Pilot Airplane (1-12-72).

Provides assistance for the instrument pilot applicant in preparing for his instrument rating flight test. Reprinted in 1973. (\$0.40 GPO.) TD 4408:In 7/2/972. SN 050-011-00055-1.

61-18D Airline Transport Pilot (Airplane) Written Test Guide (2-14-75).

Reflects current operating procedures and techniques in a background setting appropriate for applicants preparing for the Airline Transport Pilot (Airplane) Written Test. (\$2.05 GPO.) TD 4.8:P64/5/975. SN 050-007-00301-3.

61-19 Safety Hazard Associated With Simulated Instrument Flights (12-4-64).

Emphasizes the need for care in the use of any device restricting visibility while conducting simulated instrument flights that may also restrict the view of the safety pilot.

61-21 Flight Training Handbook (1-11-66).

Provide information and direction in the introduction and performance of training maneuvers for student pilots, pilots regualifying or preparing for additional ratings, and flight instructors. Reprinted in 1969. (\$2.10 GPO.) FAA 1.8:F 64/4. SN 050-037-0008-1.

61-23A Pilot's Handbook of Aeronautical Knowledge (7-10-70).

Contains essential, authoritative information used in training and guiding applicants for private pilot certification, flight instructors, and flying school staffs. (\$5.30 GPO.) TD 4.408:P 64/5. SN 050-011-00051-3.

61-25 Flight Test Guide—Helicopter Private and Commercial Pilot (12-7-65).

Assists the helicopter pilot applicant in preparing for the certification flight tests; provides information concerning applicable procedures and standards. Published in 1965. (\$0.35 GPO.) FAA 1.8:H 36/2. SN 050-007-00010-3.

61-27B Instrument Flying Handbook (9-22-70).

Provides the pilot with basic information needed to acquire an FAA instrument rating. It is designed for the reader who holds at least a private pilot certificate and is knowledgeable in all areas covered in the "Pilot's Handbook of Aeronautical Knowledge." (\$3.35 GPO.) TD 4.8:In 7/2/971. SN 050-007-00067-7.

61-28A Commercial Pilot Written Test Guide (4-28-70).

Reflects current operating procedures and techniques for the use of applicants

in preparing for the Commercial Pilot-Airplane Written Test. (\$2.00 GPO.) TD 4.408:P 64/4. SN 050-011-00053-4.

61-29A Instrument Flight Instructor Written Test Guide (10-16-70).

Reflects current operating procedures, regulations, and techniques for the use of applicants in preparing for the Flight Instructor Instrument Written Test (\$1.00 GPO.) TD 4.8:In 7/5. SN 050-007-00165-7.

61-30A Flight Test Guide—Gyroplane, Private and Commercial (3-23-72).

Assist the commercial and private pilot applicant in preparing for his gyroplane test (\$0.75 GPO.) TD 4.408:G99. SN 050-011-00059-3.

61-31A Gyroplane Pilot Written Test Guide, Private and Commercial (6-9-72).

Provides guidance and assistance to applicants who are preparing for the Private or Commercial Pilot Gyroplane Written Test. Covers the basic aeronautical knowledge that the prospective gyroplane pilot must know.

61-32A Private Pilot Written Test Guide (12-1-71).

Provides information, guidelines, and sample test items to assist applicants for the Private Pilot Certificate in attaining necessary aeronautical knowledge (\$2.50 GPO.) TD 4.408:P 64/971. SN 050-011-00056-9.

61-33 Gyroplane Flight Instructor Examination Guide (3-25-66).

Assists applicants who are preparing for the Flight Instructor Rotorcraft Gyroplane Written Examination. Revised in 1966.

61-34B Federal Aviation Regulations Written Test Guide for Private, Commercial and Military Pilots (2-10-75).

Outlines the scope of the basic knowledge required of civilian or military pilots who are studying FARs as they pertain to the Regulations terminology; to the certification of private and commercial pilots; to the operation of aircraft in the national airspace; and to the requirements of the National Transportation Safety Board. For use as a guide in preparing for the FAR Written Test. (\$0.70 GPO.) TD 4.8:P64/975. SN 050-007-00288-2.

61-38 Rotorcraft Helicopter Written Test Guide (8-16-67).

Gives guidance to applicants preparing for the aeronautical knowledge requirement for a flight instructor certificate with a helicopter rating.

61-39A Flight Test Guide, Private and Commercial Pilot—Glider (10-19-72).

Assists applicants for private and commercial pilot flight tests in gliders.

61-41A Glider Flight Instructor Written Test Guide (1-12-72).

Provides information, guidelines, and sample test items, to assist applicants for the Glider Flight Instructor rating

in attaining necessary aeronautical knowledge.

61-42A Airline Transport Pilot (Helicopter) Written Test Guide (1-20-72).

Describes the type and scope of required aeronautical knowledge covered in the written tests, lists reference materials available from GPO bookstores, and presents sample test items with answers and explanations. (\$0.70 GPO.) TD 4.408:H 36/972. SN 050-011-00057-7.

61-43A Glider Pilot Written Test Guide—Private and Commercial (1-12-72).

Provides information, guidelines, and sample test items, to assist applicants for the Glider Pilot certificate in attaining necessary aeronautical knowledge.

61-45 Instrument Rating (Helicopter) Written Test Guide (1-24-68).

Assists applicants who are preparing for the helicopter instrument rating. Presents a study outline, study materials and a sample test with answers.

61-46 Flight Instructor Procedures (6-4-69).

Informs flight instructors of the procedures involved in the renewal of reinstatement of Flight Instructor Certificates, qualification for "Gold Seal" certificates, and endorsing student pilot logbooks for various operations.

61-47 Use of Approach Slope Indicators for Pilot Training (9-16-70).

Informs pilot schools, flight instructors and student pilots of the recommendation of the Federal Aviation Administration on the use of approach slope indicator systems for pilot training.

61-49 Airline Transport Pilot—Airplane Practical Test Guide (8-9-71).

Describes the practical test requirements for Airline Transport Pilot Certificates (Airplane) and associated class and type ratings. (\$0.45 GPO.) TD 4.408: Ai 7/4. SN 050-011-00054-2.

61-50 Aerial Applicator Aerodynamics Review of "Region of Reversed Command" (2-7-72).

Provided for the purpose of increasing pilot awareness of the aerodynamic limitations pertinent to aerial applicator operations.

61-51 Reporting Flight Time on Pilot Applications, FAA Form 8420-3 (6-26-72).

Advises applicants of the importance of entering their pilot flight time on subject form. (OBM No. 04-R0064.)

61-52B Flight Instructor of the Year Award Program (1-5-74).

Provides the details of the Flight Instructor of the Year Award Program.

61-54A Private Pilot Airplane... Flight Test Guide (4-18-75).

Contains information and guidance concerning the pilot operations, procedures, and maneuvers relevant to the

airplane category with a single-engine land/sea or multiengine land/sea rating. (\$1.35 GPO.) TD 4.408:P64/2/975. SN 050-007-00300-5.

61-55A Commercial Pilot Airplane . . . Flight Test Guide (4-25-75).

Assists the applicant and the instructor in preparing for the flight test for certification as a commercial pilot with single engine land or sea rating and for multiengine land or sea ratings. (\$1.10 GPO.) TD 4.408:AI7/7. SN 050-007-00295-5.

61-56 Flight Test Guide (Part 61 revised) Instrument Pilot Airplane (5-1-73).

Assists the applicant and his instructor in preparing for the flight test for the Instrument Pilot Airplane Rating under Part 61 (revised). (\$0.65 GPO.) TD 4.408:IN/7/2/973. SN 050-011-00065-8.

61-57A Type Rating, Airplane, Flight Test Guide (5-1-75).

Contains information and guidance concerning the pilot operations, procedures, and maneuvers relevant to the flight test required for an Airplane Type Rating. (\$0.70 GPO.) TD 4.408:M91/975. SN 050-007-00299-8.

61-58 Flight Instructor Practical Test Guide (5-1-73).

Outlines new requirements based on changes to FAR Part 61, Certification of Pilots and Flight Instructors. (\$0.50 GPO.) TD 4.408:IN 7/5. SN 050-011-00067-4.

61-59 Private and Commercial Pilot, Flight Test Guide (5-24-73).

Assist the applicant and his instructor in preparing for the flight test for the Private or Commercial Pilot Rotorcraft Certificate with Helicopter Rating under Part 61 (revised). (\$0.75 GPO.) TD 4.408:H36/3. SN 050-007-00209-2.

61-60 Private and Commercial Pilot Gyroplane, Flight Test Guide (May 1973).

Outlines appropriate pilot operations and the minimum standards for the performance of each procedure or maneuver which will be accepted by the examiner as evidence of the pilot's competency, under Part 61 (revised). (\$0.65 GPO.) TD 4.408:G99/973. SN 050-011-00066-6.

61-61 Private and Commercial Pilot Glider, Flight Test Guide (4-27-73).

Assist the applicant and his instructor in preparing for the flight test for the Private and the Commercial Pilot Certificate with Glider Rating under Part 61 (revised). (\$0.70 GPO.) TD 4.408:G49. SN 050-011-00068-2.

61-62 Private and Commercial Pilot Free Balloon . . . , Flight Test Guide (June 1973).

Assists the applicant and his instructor in preparing for the flight test for the Private Pilot or Commercial Pilot Certificate with a lighter-than-air category and free balloon class rating under Part 61 (revised).

61-63 Flight Test Guide, Private and Commercial Pilot—Lighter-Than-Air Airship (5-23-74).

Establishes a new concept of pilot training and certification requirements. To provide a transition to these revised requirements, Part 61 (revised) permits the applicant, for a period of 1 year after the effective date, to meet either the previous requirements for the Private Pilot Certificate as outlined in Part 61, prior to November 1, 1973.

61-64 Flight Test Guide—Instrument Pilot Helicopter (7-23-73).

Assists the applicant and his instructor in preparing for the flight test for the instrument Pilot Helicopter Rating under the revised Part 61 (\$0.55 GPO.) TD 4.408:H36/4. SN 050-007-00215-7.

61-65 Part 61 (Revised) Certification: Pilot and Flight Instructors (9-5-73).

Inform pilots and flight instructors of the changes in Part 61, revised January 23, 1973, their effects, and the standards and procedures which will be used in implementing them.

61-66 Annual Pilot in Command Proficiency Checks (11-2-73).

Presents material relating to annual proficiency checks required for pilots-in-command of civil aircraft type certificated for more than one required pilot crewmember, other than those operating under Parts 121, 123, 127, 133, 135, and 137.

61-67 Hazards Associated with Spins in Airplanes Prohibited from Intentional Spinning (2-1-74).

Inform pilots of the airworthiness standards for the type certification of small airplanes prescribed in Section 23.221 of the Federal Aviation Regulations concerning spin maneuvers

61-68 Flight Instructor Refresher Clinics—Scheduling, Attendance, Facilities, and Equipment (2-27-74).

Provides guidance to sponsors regarding scheduling, required facilities and equipment, and attendance control at Flight Instructor Refresher Clinics in which the Flight Instructor Refresher Unit (FIRU) participates.

61-70 Flight Instructor Instrument—Airplane—Written Test Guide (3-29-74).

Provides guidance for the applicant by outlining the scope of knowledge required for the Flight Instructor Certificate with an Instrument Airplane Rating. (\$1.65 GPO.) TD 4.8:IN 7/6. SN 050-007-00252-1.

61-71 Commercial Pilot—Airplane—Written Test Guide (4-9-74).

Assist applicants who are preparing for the Commercial Pilot—Airplane—Written Test based on the requirements of FAR Part 61 (revised) which became effective Nov. 1, 1973. (\$1.00 GPO.) TD 4.408:P64/4/974. SN 050-011-00070-4.

61-72 Flight Instructor—Airplane—Written Test Guide (4-9-74).

Assists applicants who are preparing for the Flight Instructor certificate with Airplane Rating based on the revised provisions of FAR Part 61 which became effective Nov. 1, 1973. (\$1.45 GPO.) TD 4.408:IN 7/974. SN 050-007-00251-3.

61-73 Private and Commercial Pilot Rotorcraft—Helicopter Written Test Guide (8-8-74).

Assists applicants who are preparing for the Private or Commercial Pilot certificate with a Rotorcraft—Helicopter rating under the provisions of FAR Part 61 (revised). (\$1.20 GPO.) TD 4.408:P64/7. SN 050-007-00265-3.

AC 61-74 Flight Instructor Rotorcraft—Helicopter Written Test Guide (5-8-74).

Assists applicants who are preparing for the Flight Instructor Certificate with a Rotorcraft—Helicopter Rating. (\$1.45 GPO.) TD 4.408:R74. SN 050-007-00272-6.

AC 61-75 Flight Instructor—Glider—Written Test Guide (9-18-74).

Assists applicants who are preparing for the Flight Instructor—Glider Written Test. (\$1.10 GPO.) TD 4.408:G 49/2. SN 050-007-00271-8.

61-77 Airline Transport Pilot Airplane Practical Test Guide (Part 61 Revised) (4-23-74).

Designed to assist the applicant and his instructor in preparing for the Airline Transport Pilot Certificate with an Airplane Rating under FAR Part 61 (revised). (\$0.50 GPO.) TD 4.408:AI7/4/974. SN 050-007-00257-2.

61.117-1D Flight Test Guide—Commercial Pilot, Airplane (2-14-72).

Assists the commercial applicant in preparing for his certification flight test. Reprinted in 1973 (\$0.60 GPO.) TD 4.8:P 64/2/972. SN 050-007-00180-1.

63-1B Flight Engineer Written Test Guide (10-22-70).

Provides information to prospective flight engineers and others interested in this certification area. Contains information about certification requirements and describes the type and scope of the written test. Lists appropriate study and reference material and presents sample questions similar to those found in the official written tests. (\$0.85 GPO.) TD 4.8:EN 3/971. SN 050-007-00164-9.

63-2A Flight Navigator Written Test Guide (4-4-69).

Defines the scope and narrows the field of study to the basic knowledge required for the Flight Navigator Certificate. Published in 1969. (\$0.70 GPO.) TD 4.8:F 64/2. SN 050-007-00064-2.

65-2C Airframe and Powerplant Mechanics Certification Guide (3-15-73).

Provides information to prospective airframe and powerplant mechanics and other persons interested in FAA certification of aviation mechanics. (\$1.10

GPO.) TD 4.8A1 7/6/973, SN 050-007-00192-4.

65-4B Aircraft Dispatcher Written Test Guide (7-25-72).

Describes the type and scope of aeronautical knowledge covered by the aircraft dispatcher written examination, lists reference materials, and presents sample questions. (\$1.40 GPO.) TD 408:AI 7/6. SN 050-007-00190-8.

65-5A Parachute Rigger—Senior/Master—Certification Guide (12-20-74).

Provides information on how to apply for a parachute rigger certificate or rating and assists the applicant in preparing for the written, oral, and practical tests. (\$0.75 GPO.) TD 4.408:P21. SN 050-007-00287-4.

65-9 Airframe and Powerplant Mechanics—General Handbook (8-26-70).

Designed as a study manual for persons preparing for a mechanic certificate with airframe or powerplant ratings. Emphasis in this volume is on theory and methods of application, and is intended to provide basic information on principles, fundamentals, and airframe and powerplant ratings. Reprinted in 1973. (\$6 GPO.) TD 4.408:AI 7/2. SN 050-011-0052-6.

65-11A Airframe and Powerplant Mechanics Certification Information (4-21-71).

Provides answers to questions most frequently asked about Federal Aviation Administration certification of aviation mechanics. (\$0.40 GPO.) TD 4.8:AI 7/21/971. SN 050-007-00171-1.

65-12 Airframe and Powerplant Mechanics Powerplant Handbook (9-25-70).

Designed to familiarize student mechanics with the construction, theory of operation, and maintenance of aircraft powerplants. Reprinted in 1973. (\$6.05 GPO.) TD 4.408:AI 7/3. SN 050-007-00157-6.

65-13A FAA Inspection Authorization Directory (4-18-74).

Provides a new directory of all FAA certificated mechanics who hold an inspection authorization as of March 1, 1974.

65-15 Airframe and Powerplant Mechanics Airframe Handbook (9-18-72).

Designed to familiarize student mechanics with airframe construction, repair, and the operating theory of airframe systems. Reprinted in 1973. (\$5.05 GPO.) TD 4.408:AI 7/5. SN 050-007-00174-6.

65-17 Annual Renewal Meeting of Holders of the Inspection Authorization (1-15-73).

Initiates an annual renewal meeting for the holders of the inspection authorization.

65-18 Report Availability on a Survey of the Aviation Mechanics Occupation (9-4-74).

Announces the public availability of the 1974 report on a Survey of the Aviation Mechanics Occupation.

65-95-2B Handbook and Study Guide for Aviation Mechanics Inspection Authorization (10-9-70).

This handbook gives guidance to persons conducting annual and progressive inspections and approving major repairs or alterations of aircraft. While the handbook is primarily intended for mechanics holding or preparing for an Inspection Authorization, it may be useful to aircraft manufacturers and certified repair stations who have these privileges.

67-1 Medical Information for Air Ambulance Operators (3-4-74).

Provides persons or groups interested or involved in civil air ambulance activities with information governing the transport of patients by air.

67-2 Medical Handbook for Pilots (5-15-74).

An aviation medicine handbook written in pilots language that provides guidance on when, and when not, to fly. Emphasizes the fact that, to be a good pilot, you must be physically fit, psychologically sound, and well trained. Designed to complement the Pilots Handbook of Aeronautical Knowledge. (\$1.45 GPO.) TD 4.8:M46/3. SN 050-007-00254-8.

Airspace

SUBJECT NO. 70

70-2 Airspace Utilization Considerations in the Proposed Construction, Alteration, Activation and Deactivation of Airports (7-23-73).

Advises those persons proposing to construct, alter, activate or deactivate a civil or joint-use (civil/military) airport, for which Federal aid has not been requested of the Federal Aviation Administration.

70/7460-1D Obstruction Marking and Lighting (4-18-75).

Describes FAA standards on obstruction marking and lighting and establishes the methods, procedures, and equipment types for both aviation red and high-intensity white obstruction lights.

70/7460-2E Proposed Construction or Alteration of Objects that may Affect the Navigable Airspace (7-5-73).

Advises those persons proposing to erect or alter an object that may affect the navigable airspace of the requirement to submit a notice to the Administrator of the Federal Aviation Administration (FAA).

70/7460-3 Petitioning the Administrator for Discretionary Review; Section 77.37, FAR (8-8-68).

Revises and updates information concerning the submission of petitions to the

Administrator for review, extension, or revision of determinations issued by regional directors or their designees.

73-1 Establishment of Alert Areas (3-11-68).

Announces the establishment of alert areas and sets forth the procedures which FAA will follow in establishing such areas.

Air Traffic Control and General Operations

SUBJECT NO. 90

90-1A Civil Use of U.S. Government Produced Instrument Approach Charts (4-10-68).

Clarifies landing minimums requirements and revises instrument approach charts.

90-5 Coordination of Air Traffic Control Procedures and Criteria (6-13-63).

States Air Traffic Service policy respecting coordination of air traffic procedures and criteria with outside agencies and/or organizations.

90-12A Severe Weather Avoidance (2-21-73).

Warns all pilots concerning flight in the vicinity of known or forecasted severe weather, severe turbulence and hail and advises them that air traffic control facilities, even though equipped with radar, might not always have the capability nor be in a position to provide assistance for circumnavigation of areas of severe weather.

90-14A Altitude—Temperature Effect on Aircraft Performance (1-26-68).

Introduces the Denalt Performance Computer and reemphasizes the hazardous effects density altitude can have on aircraft.

90-20 Weather Radar Radomes (11-12-64).

Highlights some important points to consider in the selection and maintenance of weather radar radomes.

90-23D Wake Turbulence (12-15-72).

Alerts pilots to the hazards of aircraft trailing vortex wake turbulence and recommends related operational procedures.

90-34 Accidents Resulting from Wheelbarrowing in Tricycle Gear Equipped Aircraft (2-27-68).

Explains "wheelbarrowing", the circumstances under which it is likely to occur, and recommended corrective action.

90-38A Use of Preferred IFR Routes (12-29-69).

Outlines the background, intent, and requested actions pertaining to the use of preferred IFR routes.

90-42A Traffic Advisory Practices at Nontower Airports (8-16-72).

Establishes, as good operating practices, procedures for pilots to be apprised of or exchange traffic information, when approaching or departing uncontrolled airports.

90-43C Operations Reservations for High-Density Traffic Airports (11-14-71).

Advises the aviation community of the means for all aircraft operators, except helicopters, scheduled and supplemental air carriers and scheduled air taxis, to obtain a reservation to operate to and/or from designated high-density traffic airports.

AC 90-45A Approval of Area Navigation Systems for Use in the U.S. National Airspace System (2-21-75).

Provides guidelines for implementation of two-dimensional area navigation (2D RNAV) within the U.S. National Airspace System (NAS). Provides for both VOR/DME dependent systems and self-contained systems such as Inertial Navigation Systems (INS).

90-45A Ch 1 (9-15-75).

90-48 Pilots' Role in Collision Avoidance (3-20-70).

Alerts all pilots to the midair collision and near midair collision hazard and to emphasize those basic problem areas of concern, as related to the human casual factors, where improvements in pilot education, operating practices, procedures, and techniques are needed to reduce midair conflicts.

AC 90-50A VHF Radio Frequency Assignment Plan for Aeronautical Operations (2-7-75).

Describes the civil air traffic control assignment of frequencies in the very high frequency (118-136 MHz) band.

90-51 FAA Motion Picture—"Caution—Wake Turbulence" (11-17-70).

Announces the availability of a new wake turbulence film and encourages its viewing.

90-54A Cruise Clearances (11-27-73).

Provides the aviation community guidance when operating under a "cruise" clearance.

90-58B VOR Course Errors Resulting from 50kHz Channel Selection (9-12-74).

Provides information concerning a potentially hazardous situation when a 200 channel receiver is inadvertently mistuned 50kHz from the frequency of a 100kHz ground station.

90-59 Arrival and Departure Handling of High-Performance Aircraft (2-28-72).

Describes ATC handling of high-performance aircraft in terminal areas.

90-60 Weather Observation Reporting Obscured or Partially Obscured Sky Condition (3-31-72).

Provides pilots with information concerning weather conditions reported by weather observers as obscuration or partial obscuration.

90-62 Flying DME Arcs (1-23-73).

Describes the procedures and techniques for intercepting DME arcs from radials, maintaining DME arcs, and in-

tercepting radials and localizers from DME arcs.

90-63 ATC Procedures for Random Area Navigation Routes (5-8-73).

Provides guidelines and procedures for obtaining approval of random IFR area navigation routes in the U.S. National Airspace System.

90-64 Automated Radar Terminal System (ARTS) III (6-22-73).

Advises the aviation community of the capabilities of the Automated Radar Terminal System and the associated services provided by ARTS III equipped air traffic control facilities.

90-65 Air Traffic Fuel Economy Program (1-18-74).

Advises the aviation community of flow control procedures that will be utilized to conserve aviation fuel during periods when the normal movement of aircraft is disrupted. Also describes actions required of user groups to ensure efficient flow control planning.

AC 90-66 Recommended Standard Traffic Patterns for Airplane Operations at Uncontrolled Airports (2-27-75).

Calls attention to regulatory requirements for the operations of airplanes at uncontrolled airports. Recommends voluntary use of standard traffic pattern flight procedures.

90-67 Light Signals from the Control Tower for Ground Vehicles, Equipment, and Personnel (8-15-75).

Provides the aviation community with the meaning of the light signals used when communicating with ground vehicles, equipment, and personnel on the airport movement area from the control tower.

90-68 Minimum Vectoring Altitudes (MVA) (10-29-75).

Explains why and how Minimum Vectoring Altitudes are established.

90-69 National Beacon Code Allocation Plan (11-5-75).

Provides advance information on the implementation of the National Beacon Code Allocation Plan.

91-5B Waivers of Subpart B, Part 91 of the Federal Aviation Regulations (FARs) (1-28-72).

Provides information concerning the submission of applications for and the issuance of waivers of Subpart B, FAR Part 91.

91-6 Water, Slush, and Snow on the Runway (1-21-65).

Provides background and guidelines concerning the operation of turbojet aircraft with water, slush, and/or snow on the runway.

91-8A Use of Oxygen by General Aviation Pilots/Passengers (8-11-70).

Provides general aviation personnel with information concerning the use of oxygen.

91-9 Potential Hazards Associated With Turbojet Ground Operations (6-19-65).

Alerts turbojet operators and flight crews to potential hazards involving turbojet operations at airports.

91-10A Suggestions for Use of ILS Minima by General Aviation Operators of Turbojet Airplanes (10-8-65).

Provides general aviation operators of turbojet airplanes with information on practices and procedures to be considered before utilizing the lowest published IFR minima prescribed by FAR Part 97 and provides information on pilot-in-command experience, initial and recurrent pilot proficiency, and airborne airplane equipment.

91-11A Annual Inspection Reminder (12-3-69).

Provides the aviation community with a uniform visual reminder of the date an annual inspection becomes due. (Reference section 91.169(a) (1) of the FAR's.)

91.11-1 Guide to Drug Hazards in Aviation Medicine (7-19-63).

Lists all commonly used drugs by pharmacological effect on airmen with side effects and recommendations. Reprinted 1970. (\$1.15 GPO.) FAA 7.9:D 84. SN 050-009-00001-7.

91-12B Required Inspection for Aircraft Operating Under FAR Parts 121, 123, 127, or 135 and Reverting to General Operation Under FAR Part 91 (12-9-70).

Describes acceptable methods for complying with the required inspections set forth in FAR Part 91.

91-13A Cold weather Operation of Aircraft (1-2-70).

Provides background and guidelines relating to operation of aircraft in the colder climates where wide temperature changes may occur.

91-14B Altimeter Setting Sources (10-1-71).

Provides the aviation public, industry, and FAA field personnel with guidelines for setting up reliable altimeter setting sources.

91-15 Terrain Flying (2-2-67).

A pocket-size booklet designed as a tool for the average private pilot. Contains a composite picture of the observations, opinions, warnings, and advice from veteran pilots who have flown this vast land of ours that can help to make flying more pleasant and safer. Tips on flying into Mexico, Canada, and Alaska. (\$1.40 GPO.) TD 4.2:T27. SN 050-007-00147-9.

91-16 Category II Operations—General Aviation Airplanes (8-7-67).

Sets forth acceptable means by which Category II operations may be approved in accordance with FAR Parts 23, 25, 61, 91, 97, and 135.

91-17 The Use of View Limiting Devices on Aircraft (2-20-68).

Alerts pilots to the continuing need to make judicious and cautious use of all view limiting devices on aircraft.

91-21 Inspection Schedule—for Handley-Page Model HP-137 (4-24-69).

Provides information for use by persons planning to develop an inspection schedule for the Handley-Page Model HP-137 aircraft.

91-22A Altitude Alerting Devices/Systems (12-23-71).

Provides guidelines for designing, installing, and evaluating altitude alerting systems.

91-23 Pilot's Weight and Balance Handbook (5-6-69).

Provides an easily understood text on aircraft weight and balance for pilots who need to appreciate the importance of weight and balance control for safety of flight. Progresses from an explanation of basic fundamentals to the complete application of weight and balance principles in large aircraft operations. Reprinted in 1972 (\$1.25 GPO.) TD 4408:P 64/3. SN 050-011-00049-6.

91-24 Aircraft Hydroplaning or Aquaplaning on Wet Runways (9-4-69).

Provides information to the problem of aircraft tires hydroplaning on wet runways.

91-25A Loss of Visual Cues During Low Visibility Landings (6-22-72).

Provides information concerning the importance of maintaining adequate visual cues during the descent below MDA or DA.

91-26 Maintenance and Handling of Air-Driven Gyroscopic Instruments (10-29-69).

Advises operators of general aviation aircraft of the need for proper maintenance of air-driven gyroscopic instruments and associated air filters.

91-27A Systems Worthiness Analysis Program—General Aviation (12-16-70).

Explains the purpose and applicability of the Systems Worthiness Analysis Program (SWAP) to certificated air taxis, repair stations, pilot and aviation maintenance technician schools that are operated under the privileges of certificates issued by the Federal Aviation Administration.

91-28 Unexpected Opening of Cabin Doors (12-23-69).

Outlines the importance of assuring that cabin doors are properly closed prior to takeoff.

91-32 Safety in and Around Helicopters (5-7-71).

Provides suggestions to improve helicopter safety by means of acquainting nonflight crew personnel and passengers with the precautions and procedures necessary to avoid undue hazards.

91-33 Use of Alternate Grades of Aviation Gasoline for Grade 80/87 (10-6-71).

Provides information relating to the use of alternate grades of aviation gasoline when grade 80/87 is not available, and the resultant effects of the use of the alternate fuels which may have higher TEL (tetraethyl lead) content.

91-34 Model Aircraft Operating Standards (7-1-72).

Outlines safety standards for operators of model aircraft, and encourages voluntary compliance with these standards.

91-35 Noise, Hearing Damage, and Fatigue in General Aviation Pilots (3-28-72).

Acquaints pilots with the hazards of regular exposure to cockpit noise. Especially pertinent are piston-engine, fixed-wing, and rotary-wing aircraft.

91-36A VFR Flight Near Noise-Sensitive Areas (7-9-74).

Encourages pilots making VFR flights near noise-sensitive areas to fly at altitudes higher than the minimum permitted by regulation. National Park areas now included.

91-37 Truth in Leasing (11-9-72).

Provides information and guidance for leasees and conditional buyers of U.S. registered large civil aircraft.

91-38 Large and Turbine-Powered Multiengine Airplanes, Part 91, Subpart D (12-13-72).

Sets forth guidelines and procedures to assist operators of large and turbine-powered multiengine airplanes in meeting the safety requirements of FAR, Part 91, Subpart D.

91-39 Recommended Noise Abatement Takeoff and Departure Procedure for Civil Turbojet Powered Airplanes (1-18-74).

Illustrates the recommended noise abatement takeoff and departure procedure for civil turbojet powered airplanes.

91-40 Terminal Control Area (TCA) Radar Outage (1-17-74).

Explains the service that will be provided by Air Traffic Control to aircraft in a terminal control area when a radar outage occurs.

91-41 Ground Operational Procedures for Aircraft Engine Emission Reduction and Fuel Conservation (3-12-74).

Recommends ground operational procedures that will minimize air pollution from aircraft ground operations and conserve fuel.

AC 91-42 Hazards of Rotating Propellers (6-17-75).

Provides information on propeller accidents and offers suggestions to reduce the frequency of their occurrence.

AC 91-43 Unreliable Airspeed Indications (6-26-75).

Alerts pilots to the possibility of erroneous airspeed/Mach indications that may be caused by blocking or freezing of the pitot system and advises of corrective action that can be taken.

91.29-1 Special Structural Inspections (1-8-68).

Discusses occurrences which may cause structural damage affecting the airworthiness of aircraft.

91.83-1A Canceling or Closing Flight Plans (3-25-75).

Outlines the need for canceling or closing flight plans promptly to avoid costly search and rescue operations.

91.83-2 IFR Flight Plan Route Information (2-16-66).

Clarifies the air traffic control needs for the filing of route information in an IFR (Instrument Flight Rules) flight plan.

95-1 Airway and Route Obstruction Clearance (6-17-65).

Advises all interested persons of the airspace areas within which obstruction clearance is considered in the establishment of Minimum En Route Instrument Altitudes (MEA's) for publication in FAR Part 95.

99-1 Security Control of Air Traffic (1-12-72).

Provides civil aviation with recommended practices for operating aircraft within or penetrating an Air Defense Identification Zone (ADIZ).

101-1 Waivers of Part 101, Federal Aviation Regulations (1-13-64).

Provides information on submission of applications and issuances of waivers to FAR Part 101.

103-2 Information Guide for Air Carrier Handling of Radioactive Materials (7-23-70).

Acquaints air carrier industry and in particular, air freight handling personnel, with the essential requirements and practical application of the various regulations pertaining to the handling and transportation of radioactive materials.

103-3 Information Guide for Training Programs and Manual Requirements in the Air Transportation of Dangerous Articles and Magnetized Materials (10-10-73).

Provides air carriers and air taxi/commercial operators with information concerning recent revisions to FAR Parts 103, 121, and 135 requiring the establishment of manuals and training of personnel in the air transportation of dangerous articles and magnetized materials.

103-4 Hazard Associated with Sublimation of Solid Carbon Dioxide (Dry Ice) Aboard Aircraft (5-1-74).

Discusses the potential hazard associated with the sublimation of dry ice aboard aircraft. Precautionary measures

and simple rules of thumb are indicated in order to preclude environmentally hazardous conditions affecting crews and passengers aboard aircraft.

103-5 Preparation and Loading of Magnetron Tubes and Magnetic Materials for Air Shipments (7-16-74).

Provides information relevant to the preparation and loading of magnetron tubes and magnetic materials for shipment in civil aircraft.

105-2 Sport Parachute Jumping (9-6-68).

Provides suggestions to improve sport parachuting safety; information to assist parachutists in complying with FAR Part 105; and a list of aircraft which may be operated with one cabin door removed, including the procedures for obtaining FAA authorization for door removal.

107-1 Aviation Security—Airports (5-19-72).

Furnishes guidance to those individuals and organizations having responsibilities under Part 107 of the Federal Aviation Regulations. It also provides recommendations for establishing and improving security for restricted or critical facilities and areas the security of which is not dealt with in Part 107.

Air Carrier and Commercial Operators and Helicopters

SUBJECT NO. 120

120-2A Precautionary Propeller Feathering To Prevent Runaway Propellers (8-20-63).

Emphasizes the need for prompt feathering when there is an indication of internal engine failure.

120-5 High Altitude Operations in Areas of Turbulence (8-26-63).

Recommends procedures for use by jet pilots when penetrating areas of severe turbulence.

120-7A Minimum Altitudes for Conducting Certain Emergency Flight Training Maneuvers and Procedures (7-27-70).

Issued to emphasize to all air carriers and other operators of large aircraft the necessity for establishing minimum altitudes above the terrain or water when conducting certain simulated emergency flight training maneuvers.

120-12 Private Carriage Versus Common Carriage by Commercial Operators Using Large Aircraft (6-24-64).

Provides guidelines for determining whether current or proposed transportation operations by air constitute private or common carriage.

120-13 Jet Transport Aircraft Altitude Instrument Systems (6-26-64).

Provides information about the characteristics of some attitude instrument systems presently installed in some jet transport aircraft.

120-16A Continuous Airworthiness Program (9-11-69).

Provides air carriers and commercial operators with guidance and information pertinent to certain provisions of Federal Aviation Regulations Parts 121 and 127.

120-17 Handbook for Maintenance Control by Reliability Methods (12-31-64).

Provides information and guidance materials which may be used to design or develop maintenance reliability programs which include a standard for determining the time limitations.

120-17 CH1 (6-24-66).

120-17 CH2 (5-6-68).

120-26C Civil Aircraft Operator Designators (9-28-72).

Revises the criteria and states the procedures for the assignment of a designator and a corresponding air/ground call sign to civil aircraft operators engaged in domestic services on a repetitive basis.

120-27 Aircraft Weight and Balance Control (10-15-68).

Provides a method and procedures for weight and balance control.

120-27 CH1 (11-20-73).

Adds Part 123 to subject circular.

120-28A Criteria for Approval of Category IIIa Landing Weather Minima (12-14-71).

States an acceptable means, not the only means, for obtaining approval of Category IIIa minima and the installation approval of the associated airborne systems.

120-28A CH1 (1-18-73).

Revises the CAT IIIa Landing Weather Minima maintenance requirements of paragraph 8 to make them consistent with the requirements for CAT IIa.

120-29 Criteria for Approving Category I and Category II Landing Minima for FAR 121 Operators (9-25-70).

Sets forth criteria used by FAA in approving turbojet landing minima of less than 300-3/4 or RVR 4,000 (Category I) and Category II minima for all aircraft.

120-29 CH1 (12-15-71).

Revises Appendix 1 and deletes statement in Appendix 2 regarding 19-foot criteria (does not apply when using an approved automatic landing system).

120-29 CH2 (7-26-72).

Clarifies the airborne system evaluation by stressing the necessity for meeting maintenance program requirements.

120-29 CH3 (12-3-74).

Outlines the recent change in FAR Part 121 wherein both initial and recurrent pilot qualification for both Category I and II proficiency checks may be performed in a visual simulator.

121-1A Standard Operations Specifications—Aircraft Maintenance Handbook (6-26-73).

Provides procedures acceptable to the Federal Aviation Administration which may be used by operators when establishing inspection intervals and overhaul times.

121-1A CH1 (1-23-75).

Updates the overhaul and inspection/check period of selected airframes, powerplants, propellers, and appliances in relation to current industry standards.

121-3N Maintenance Review Board Reports (6-7-73).

Revises the list of Maintenance Review Board Reports that are currently in effect.

121-6 Portable Battery-Powered Megaphones (1-5-66).

Sets forth an acceptable means for complying with rules (applicable to various persons operating under Part 121 of the Federal Aviation Regulations) that prescribe the installation of approved megaphones.

121-12 Wet or Slippery Runways (8-17-67).

Provides uniform guidelines in the application of the "wet runway" rule by certificate holders operating under FAR 121.

121-13 Self-Contained Navigation Systems (Long Range) (10-14-69).

States an acceptable means, not the only means, of compliance with the referenced sections of the FAR as they apply to persons operating under Parts 121 or 123 who desire approval of Doppler RADAR navigation systems or Inertial Navigation Systems (INS) for use in their operations.

121-13 CH1 (7-31-70).

Assures standardization of the Minimum Equipment List (MEL) with respect to Inertial Navigation Systems (INS) through the appropriate Flight Operations Evaluation Board (FOEB).

121-13 CH2 (12-21-70).

Permits all flight training for Doppler and INS qualification, to be completed in a simulator or training device approved for conducting the required pilot training and qualifications in the use of these systems.

121-14 Aircraft Simulator Evaluation and Approval (12-19-69).

Sets forth one means that would be acceptable to the Administrator for approval of aircraft simulators or other training devices requiring approval under section 121.407.

121-16 Maintenance Certification Procedures (11-9-70).

Provides guidance for the preparation of an Operations Specification—Preface Page which will afford nominal and

reasonable relief from approved service and overhaul time limits when a part is borrowed from another operator.

121-17 Aviation Security: Certain Air Carriers and Commercial Operators—Security Programs and Other Requirements (3-14-72).

Provides general information regarding the requirements of FAR Amdt. 121-85.

121-18 Aviation Security—Carriage of Weapons and Escorted Persons (7-15-75).

Provides information and guidance for the implementation of amendments to FAR Part 121 regarding the carriage of weapons on aircraft and for the carriage of persons in the custody of law enforcement officers.

121.195(d)-1 Alternate Operational Landing Distances for Wet Runways; Turbojet Powered Transport Category Airplanes (11-19-65).

Sets forth an acceptable means, but not the only means, by which the alternate provision of section 121.195(d) may be met.

123-1 Air Travel Clubs (10-17-68).

Sets forth guidelines and procedures to assist air travel clubs using large aircraft in meeting safety requirements of FAR Part 123.

129-1 Foreign Air Carriers—Security Programs and Other Requirements—FAR Part 129 (9-25-75).

Provides guidance to foreign air carriers concerning the requirements of FAR Part 129, Sections 129.25 and 129.27.

135.144-1 Small Propeller-Driven Air Taxi Airplanes That Meet Section 135.144 (4-13-72).

Provides a summary of and information on small propeller-driven air taxi airplanes that comply with section 135.144 and may continue operations under FAR Part 135 after May 31, 1972, with 10 or more passenger seats.

135.155-1 Alternate Static Source for Altimeters and Airspeed and Vertical Speed Indicators (2-16-65).

Sets forth an acceptable means of compliance with provision in FAR Part 135 and Part 23 dealing with alternate static sources.

135-1A Air Taxi Aircraft Weight and Balance Control (9-26-69).

Provides a method and procedures for developing a weight and balance control system for small aircraft operating in the air taxi fleet under FAR Part 135.

135-2A Air Taxi Operators of Large Aircraft (11-16-73).

Provides guidelines for use by air taxi operators or applicants who desire to obtain authorization to operate large aircraft (more than 12,500 pounds maximum certificated takeoff weight) in air taxi operations.

135-3A Air Taxi Operators and Commercial Operators of Small Aircraft (1-16-75).

Sets forth guidelines and procedures to assist persons in complying with the requirements of Federal Aviation Regulations, Part 135.

135-4 Security Measures and Passenger Screening for Scheduled Air Taxi Commercial Operators (1-22-75).

Advises interested ATCOs of the availability of operations specifications whereby they may implement security procedures to improve their security and facilitate passenger operation.

135-5 Maintenance Program Approval for Carry-On Oxygen Equipment for Medical Purposes (8-19-75).

Provides a means whereby air taxi operators may submit a maintenance program to comply with FAR Part 135, Section 135.114.

135.60-1 Aircraft Inspection Programs (5-1-70).

Provides information for use by air taxi operators and commercial operators of small aircraft developing an aircraft inspection program for FAA approval.

137-1 Agricultural Aircraft Operations (11-29-65).

Explains and clarifies the requirements of FAR Part 137 and provides additional information, not regulatory in nature, which will assist interested persons in understanding the operating privileges and limitations of this Part.

139.12-1 Airport Operations Specifications (2-3-75).

Presents guidelines to assist airport operators in developing airport operations specifications in compliance with the requirements of amended FAR Part 139.

139.49-1 Programs for Training of Fire Fighting and Rescue Personnel (11-12-74).

Outlines suggested training programs for airport fire fighting and rescue personnel involved in operating airport fire fighting and rescue equipment and the principles of aircraft fire fighting and rescue techniques.

Schools and Other Certificated Agencies

SUBJECT NO. 140

140-1G Consolidated Listing of FAA Certificated Repair Stations (2-27-74).

Provides a revised directory of all FAA certificated repair stations as of November 1973.

140-2J List of Certificated Pilot Schools (6-27-75).

Provides a list of FAA certificated pilot flight and ground schools as of July 1975.

140-3B Approval of Pilot Training Courses Under Subpart D of Part 141 of the FAR (1-8-70).

The title is self-explanatory.

140-5 Radio Maintenance Technician School Curriculum (8-11-71).

Provides information on curriculum subjects for persons desiring to establish radio maintenance technician training courses.

141-1 Pilot School Certification (8-29-74).

Sets forth guidelines to assist persons in obtaining a pilot school certificate and associated ratings under FAR Part 141 (revised).

141-2A Written Tests Prepared by Pilot Schools With Examining Authority Under Part 141 (Revised) of the Federal Aviation Regulations (10-3-75).

Provides guidance to FAR Part 141 Pilot Schools with examining authority in developing final written tests for FAA certificates and ratings which are equal in scope, depth, and difficulty to comparable written tests prescribed by the Administrator. Also prescribes procedures for administering, maintaining security of, and replacing those tests.

143-1D Ground Instructor Written Test Guide—Basic & Advanced (4-18-74).

Outlines the scope of basic knowledge requirements for a ground instructor; outlines source material to obtain this knowledge; presents a sample test with answers and explanations. (\$2.25 GPO.) TD 4408:G91/974. SN 050-007-00284-0.

143-2B Ground Instructor—Instrument—Written Test Guide (6-25-70).

Provides information to applicants for the instrument ground instructor rating about the subject areas covered in the examination and illustrated by a study outline, a list of study materials, and a sample examination with answers. (\$1.30 GPO.) TD 4.8:G 91/971. SN 050-007-00066-9.

145.101-1A Application for Air Agency Certificate—Manufacturer's Maintenance Facility (3-10-69).

Explains how to obtain a repair station certificate.

147-2N Directory of FAA Certificated Aviation Maintenance Technician Schools (11-4-74).

Provides a revised directory of all FAA certificated aviation maintenance technician schools as of September 30, 1974.

147-3 Phase III, A National Study of the Aviation Mechanics Occupation (3-22-71).

Announces the availability for purchase by the public of a reprint of a report of Phase III, A National Study of the Aviation Mechanics Occupation.

147-4 Reports Availability of a Survey of Test Materials Used in Aviation Maintenance Technician Schools (9-3-74).

Announces the public availability of the 1974 report on A Survey of Test Ma-

terials Used in Aviation Maintenance Technician Schools.

149-2G Listing of Federal Aviation Administration Certificated Parachute Lofts (4-2-74).

Provides a revised listing of all FAA certificated parachute lofts as of March 1, 1974.

Airports

SUBJECT NO. 150

AIRPORT PLANNING

150/5000-1 Cancellation of Obsolete Publications Issued by Standards Division, Airports Service (4-17-70).

Cancels outstanding airport engineering data sheets, technical standard orders, airport engineering bulletins, and miscellaneous publications that are no longer current and to direct the reader to a new source of information, where applicable.

150/5000-3C Address List for Regional Airports Divisions and Airport District Offices (12-9-75).

Transmits the address list for all regional Airports Divisions and Airport District Offices.

150/5050-2 Compatible Land Use Planning in the Vicinity of Airports (4-13-67).

Advises Federal Aviation Administration personnel, local government officials and the public of the availability of the following two reports prepared under the auspices of the FAA by the firm of Transportation Consultants, Inc. *Compatible Land Use Planning On and Around Airports*, and *Aids Available for Compatible Land Use Planning Around Airports*.

150/5050-3A Planning the State Airport System (June 1972).

Provides general guidance in preparing a State airport system plan. (\$2.50 GPO.) TD 4.8:AI 7/29. SN 050-007-00184-3.

150/5050-4 Citizen Participation in Airport Planning (9-26-75).

Provides guidance for citizen involvement in airport planning. Although not mandatory for airport grant programs, it demonstrates the need for early citizen participation.

150/5060-1A Airport Capacity Criteria Used in Preparing the National Airport Plan (7-8-68).

Presents the method used by the Federal Aviation Administration for determining when additional runways, taxiways, and aprons should be recommended in the National Airport Plan. The material is also useful to sponsors and engineers in developing Airport Layout Plans and for determining when additional airport pavement facilities should be provided to increase aircraft accommodation capacity at airports.

150/5060-3A Airport Capacity Criteria Used in Long-Range Planning (12-24-69).

Describes the method used by the Federal Aviation Administration for deter-

mining the approximate practical hourly and practical annual capacities of various airport runway configurations and is used in long-range (10 years or more) planning for expansion of existing airports and construction of new airports to accommodate forecast demand.

150/5070-3 Planning the Airport Industrial Park (9-30-65).

Provides guidance to communities, airport boards, and industrial developers for the planning and development of Airport Industrial Parks.

150/5070-5 Planning the Metropolitan Airport System (5-22-70).

Gives guidance in developing airport-system plans for large metropolitan areas. It may be used by metropolitan planning agencies and their consultants in preparing such system plans and by the FAA in reviewing same. (\$1.65 GPO.) TD 4.108:M56. SN 050-008-00003-7.

150/5070-6 Airport Master Plans (2-5-71).

Provides guidance for the preparation of individual airport master plans as provided for under the Airport Airway Development Act of 1970. (\$3.00 GPO.) TD 4.108:P69. SN 050-008-00004-5.

150/5090-2 National Airport Classification System (Airport System Planning) (6-25-71).

Sets forth the new national airport classification system. The system is designed for use in the identification and classification of airports within the National System of Airports and for use as a planning tool in long-range airport system planning.

FEDERAL-AID AIRPORT PROGRAMS

150/5100-3A Federal-aid Airport Program-Procedures Guide for Sponsors (9-20-68).

Provides guidance to public agencies that sponsor or propose to sponsor projects under the Federal-aid Airport Program (FAAP) authorized by the Federal Airport Act.

150/5100-3A CH 1 (11-28-69).

Transmits revised pages to subject advisory circular.

150/5100-5 Land Acquisition in the Federal-aid Airport Program (1-30-69).

Provides general information to sponsors of airport development projects under the Federal-aid Airport Program on the eligibility of land acquisition and extent of Federal participation in land acquisition costs.

150/5100-6A Labor Requirements for Airport Development Aid Program (ADAP) Contracts (1-31-73).

Covers the basic labor requirements for the Airport Development Aid Program.

150/5100-6A CH 1 (3-16-73).

Transmits a revision to delete page 3-1 from subject Advisory Circular.

150/5100-7A Requirement for Public Hearing in the Airport Development Aid Program (2-25-72).

Provides guidance to sponsors of airport development projects under the Airport Development Aid Program (ADAP) on the necessity for and conduct of public hearings.

150/5100-8 Request for Aid; Displaced Persons; Public Hearings; Environmental Considerations; Opposition to the Project (1-19-71).

Provides general guidance on the information and coordination required in support of a request for aid for an airport development project under the Airport and Airway Development Act of 1970.

150/5100-9 Engineering Services Under the Airport Development Aid Program (ADAP) (7-1-72).

Provides guidance for airport sponsors and Federal Aviation Administration offices in the definition, selection, review, and approval of engineering services used under subject program.

150/5100-10 Accounting Records Guide for Airport Development Aid Program Sponsors (5-15-72).

Assists sponsors of Airport Development Aid Program (ADAP) projects in maintaining accounting records that will satisfy the recordkeeping and auditing requirements which are necessary to support claims for progress and final payments under the Airport and Airway Development Act of 1970 (Public Law 91-258).

150/5100-11 Land Acquisition and Relocation Assistance Under the Airport Development Aid Program (2-10-75).

Provides guidance to sponsors of airport development projects under the Airport Development Aid Program to meet the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Public Law 91-646).

SURPLUS AIRPORT PROPERTY CONVEYANCE PROGRAMS

150/5150-2A Federal Surplus Personal Property for Public Airport Purposes (8-3-73).

Acquaints public airport owners and other interested parties with the Federal Surplus Personal Property Program for public airports and to outline procedures to be used in applying for and acquiring surplus personal property for this purpose.

150/5150-2A CH 1 (2-21-74).

Adds material to paragraph 24, Chapter 6, which was inadvertently omitted in the Advisory Circular during preparation.

AIRPORT COMPLIANCE PROGRAM

150/5190-1 Minimum Standards for Commercial Aeronautical Activities on Public Airports (8-18-66).

Gives to owners of public airports information helpful in the development and application of minimum standards for commercial aeronautical activities.

150/5190-2A Exclusive Rights at Airports (4-4-72).

Makes available to public airport owners, and to other interested persons, basic information and guidance on FAA's policy regarding exclusive rights at public airports on which Federal funds, administered by FAA, have been expended.

150/5190-2A CH 1 (10-2-72).

Deletes the reference to the sale of aeronautical charts by the National Ocean Survey (formerly the U.S. Coast and Geodetic Survey) and to encourage airport owners to obtain UNICOM license in their own names and make these facilities available to all fixed base operators.

150/5190-3A Model Airport Hazard Zoning Ordinance (9-19-72).

Provides a model airport hazard zoning ordinance for airports. The model ordinance is intended merely as a guide to control manmade and natural hazards to aircraft and will require modifications and revisions to meet the varying circumstances and the state and local laws.

AIRPORT SAFETY—GENERAL**150/5200-3A Bird Hazards to Aircraft (3-2-72).**

Transmits to the aviation public the latest published information concerning the reduction of bird strike hazards to aircraft in flight and in the vicinity of airports.

150/5200-4 Foaming of Runways (12-21-66).

Discusses runway foaming and suggests procedures for providing this service.

150/5200-5 Considerations for the Improvement of Airport Safety (2-2-67).

Emphasizes that, in the interest of accident/incident prevention, airport management should conduct self-evaluations and operational safety inspections. An exchange of information and suggestions for the improvement of airport safety is also suggested.

150/5200-6A Security of Aircraft at Airports (6-28-68).

Directs attention to the problem of pilferage from aircraft on airports and suggests action to reduce pilferage and the hazards that may result therefrom.

150/5200-7 Safety on Airports During Maintenance of Runway Lighting (1-24-68).

Points out the possibility of an accident occurring to airport employees caused by electrocution.

150/5200-8 Use of Chemical Controls to Repel Flocks of Birds at Airports (5-2-68).

Acquaints airport operators with new recommendations on the use of chemical methods for dispersing flocks of birds.

150/5200-9 Bird Reactions and Scaring Devices (6-26-68).

Transmits a report on bird species and their responses and reactions to scaring devices.

150/5200-11 Airport Terminals and the Physically Handicapped (11-27-68).

Discusses the problems of the physically handicapped air traveler and suggests features that can be incorporated in modification or new construction of airport terminal buildings.

150/5200-12 Fire Department Responsibility in Protecting Evidence at the Scene of an Aircraft Accident (8-7-69).

Furnishes general guidance for employees of airport management and other personnel responsible for firefighting and rescue operations, at the scene of an aircraft accident, on the proper presentation of evidence.

150/5200-13 Removal of Disabled Aircraft (8-27-70).

Discusses the responsibility for disabled aircraft removal and emphasizes the need for prearranged agreements, plans, equipment, and improved coordination for the expeditious removal of disabled aircraft from airport operating areas. It also illustrates some of the various methods used, equipment employed, equipment available, and concepts for aircraft recovery.

150/5200-14 Results of 90-Day Trial Exercise on Fire Department Activity (9-8-70).

Transmits statistical data collected during a 90-day trial exercise conducted to determine the relationship between aircraft fire and rescue service activities and airport aeronautical operations.

150/5200-15 Availability of the International Fire Service Training Association's (IFSTA) Aircraft Fire Protection and Rescue Procedures Manual (9-11-70).

Announces the availability of the subject manual.

150/5200-16 Announcement of Report AS-71-1 "Minimum Needs for Airport Fire Fighting and Rescue Services" Dated January 1971 (4-13-71).

Announces the availability of the subject report and describes how to get it.

150/5200-17 Emergency Plan (2-5-72).

Contains guidance material for airport management to use in developing an emergency plan at civil airports.

150/5200-17 CH-1 (6-28-74).

Provides additional guidance on care and services for uninjured aircraft passengers.

150/5200-18 Airport Safety Self-Inspection (2-5-72).

Suggests functional responsibility, procedures, a checklist, and schedule for an airport safety self-inspection.

150/5200-19 Availability of Report No. FAA-RD-71-20 "An Analysis of Airport Snow Removal and Ice Control" dated March 1971 (11-23-71).

Announces the availability of subject report.

150/5200-21 Announcing the Availability of U.S. Air Force Technical Order (T.O. 00-105-9) Aircraft Emergency Rescue Information (5-23-73).

Explains the nature of the Technical Order and tells how it can be obtained by airport fire departments which are under the Airport Certification Program.

150/5210-2 Airport Emergency Medical Facilities and Services (9-3-64).

Provides information and advice so that airports may take specific voluntary preplanning actions to assure at least minimum first-aid and medical readiness appropriate to the size of the airport in terms of permanent and transient personnel.

150/5210-4 FAA Aircraft Fire and Rescue Training Film, "Blanket for Survival" (10-27-65).

Provides information on the purpose, content, and availability of the subject training film.

150/5210-5 Painting, Marking, and Lighting of Vehicles Used on an Airport (8-31-66).

Makes recommendations concerning safety, efficiency, and uniformity in the interest of vehicles used on the aircraft operational area of an airport.

150/5210-6B Aircraft Fire and Rescue Facilities and Extinguishing Agents (1-26-73).

Outlines scales of protection considered as the recommended level compared with the minimum level in Federal Aviation Regulation Part 139.49 and tells how these levels were established from test and experience data.

150/5210-6B CH 1 (8-22-73).

Issues new guidance under paragraph 9, and paragraph 12 of subject advisory circular.

150/5210-6B CH 2 (5-21-74).

Includes details on the basic purpose, care, and cleaning of proximity suits. Adds a new chapter 5—contains criteria intended for use in purchasing off-the-shelf design proximity suits.

150/5210-7A Aircraft Fire and Rescue Communications (3-16-72).

Provides guidance information for use by airport management in establishing communication and alarm facilities by which personnel required to respond to and function at aircraft ground emergencies may be alerted and supplied with necessary information.

150/5210-8 Aircraft Firefighting and Rescue Personnel and Personnel Clothing (1-13-67).

Provides guidance concerning the manning of aircraft fire and rescue

trucks, the physical qualifications that personnel assigned to these trucks should meet, and the protective clothing with which they should be equipped.

150/5210-9 Airport Fire Department Operating Procedures During Periods of Low Visibility (10-27-67).

Suggests training criteria which airport management may use in developing minimum response times for aircraft fire and rescue trucks during periods of low visibility.

150/5210-10 Airport Fire and Rescue Equipment Building Guide (12-7-67).

This title is self-explanatory.

150/5210-11 Response to Aircraft Emergencies (4-15-69).

Informs airport operators and others of an existing need for reducing aircraft firefighting response time, and outlines a uniform response time goal of 2 minutes within aircraft operational areas on airports.

150/5210-12 Fire and Rescue Service for Certificated Airports (3-2-72).

Furnishes guidance and explains to Federal Aviation Administration (FAA) airport inspectors and airport management the minimum criteria to be applied when evaluating the aircraft fire and rescue service required at an airport for its compliance with the requirements of FAR Part 139.

150/5210-13 Water Rescue Plans, Facilities, and Equipment (5-4-72).

Suggests planning procedures, facilities, and equipment to effectively perform rescue operations when an aircraft lands in a body of water, swamp, or tidal area where normal aircraft firefighting and rescue service vehicles are unable to reach the accident scene.

150/5220-1 Guide Specification for a Light-Weight Airport Fire and Rescue Truck (7-24-64).

Describes a vehicle with performance capabilities considered as minimum for an acceptable light rescue truck.

150/5220-4 Water Supply Systems for Aircraft Fire and Rescue Protection (12-7-67).

The title is self-explanatory.

150/5220-6 Guide Specification for 1,000-Gallon Tank Truck (4-10-68).

Assists airport management in the development of local procurement specifications.

150/5220-9 Aircraft Arresting System for Joint Civil/Military Airports (4-6-70).

Updates existing policy and describes and illustrates the various types of military aircraft emergency arresting systems that are now installed at various joint civil/military airports. It also informs users of criteria concerning installations of such systems at joint civil/military airports.

150/5220-10 Guide Specification for Water/Foam Type Aircraft Fire and Rescue Trucks (5-26-72).

Assists airport management in the development of local procurement specifications.

150/5220-10 CH 1 (12-4-72).

Replaces information on weight distribution and fire pump engines which was omitted when the subject circular was developed, consolidating information from four other circulars.

150/5220-10 CH 2 (8-22-73).

Expands the guidance under paragraph 14 of subject AC to permit the design of engine systems to operate in freezing temperatures for prolonged periods and to provide devices insulation materials, etc., to prevent the truck fire fighting system from freezing.

150/5230-3 Fire Prevention During Aircraft Fueling Operations (4-8-69).

This advisory circular provides information on fire preventive measures which aircraft servicing personnel should observe during fueling operations.

150/5240-7 A Fuel/Energy Conservation Guide for Airport Operators (2-19-74).

Identifies potential areas where fuel and energy usage can be conserved to assist airport operators in their voluntary actions in reducing fuel and energy consumption.

150/5280-1 Airport Operations Manual (6-16-72).

Sets forth guidelines to assist airport operators in developing an Airport Operations Manual in compliance with the requirements of FAR Part 139.

150/5280-2 Guidance for Airport Operators—Use of Notices to Airmen as Related to FAR Part 139 (2-12-74).

Provides the airport operator with guidance on Notices to Airmen and assists him in understanding the system in relation to the requirements of FAR Part 139.

DESIGN, CONSTRUCTION, AND MAINTENANCE—GENERAL

150/5300-2C Airport Designs Standards—Site Requirements for Terminal Navigational Facilities (9-21-73).

Provides information regarding the relative location and siting requirements for the terminal navigation facilities located on or close to an airport.

150/5300-2C CH 1 (3-1-74).

Transmits a revised Fig. 2-12 correcting the guidance for the location of the ILS Middle Marker Beacon.

150/5300-4B Utility Airports—Air Access to National Transportation (6-24-75).

Establishes design standards for utility airports which are constructed for and intended to be used by propeller-

driven aircraft of 12,500 pounds maximum gross weight or less.

150/5300-5 Airport Reference Point (9-26-68).

Defines and presents the method for calculating an airport reference point.

150/5300-6 Airport Design Standards, General Aviation Airports, Basic and General Transport (7-14-69); Consolidated Reprint August 1975 Incorporates Changes 1 and 2.

Provides recommended design criteria for the development of larger than general utility airports.

150/5300-7B FAA Policy on Facility Relocations Occasioned by Airport Improvements or Changes (11-8-72).

Reaffirms the aviation community of the FAA policy governing responsibility for funding relocation, replacement and modification to air traffic control and air navigation facilities that are made necessary by improvements or changes to the airport.

150/5300-8 Planning and Design Criteria for Metropolitan STOL Ports (11-5-70).

Provides the criteria recommended for the planning and design of STOL ports in metropolitan areas.

150/5300-8 CH 1 (4-3-75).

Transmits revised requirements for color coding of threshold and runway end lights on STOL runways.

150/5300-9 Predesign and Preconstruction Conferences (ADAP) Projects (9-10-73).

Emphasizes the need for, and encourages the use of, predesign and preconstruction conferences as valuable tools in the administration of construction contracts funded under the ADAP.

150/5300-10 Federal Aviation Administration Funded Study—Analysis of General Aviation Airports Developed With and Without Federal Financial Assistance (7-21-75).

Transmits the recommendations and conclusions of a study conducted for the FAA. Advises the public as to how they may obtain the reports.

150/5320-5B Airport Drainage (7-1-70).

Provides guidance for engineers, airport managers, and the public in the design and maintenance of airport drainage systems. (\$1.30 GPO.) TD 4.8:D78/970. SN 050-007-00149-5.

150/5320-6B Airport Pavement Design and Evaluation (5-28-74).

Provides guidance to the public for the design and evaluation of pavements at civil airports.

150/5320-6B CH 1 (11-18-74).

Transmits several changes to the basic advisory circular.

150/5320-10 Environmental Enhancement at Airports—Industrial Waste Treatment (4-16-73).

Provides basic information on the nature and treatment of industrial wastes produced at airports.

150/5320-10 CH 1 (11-18-74).

150/5320-11 Runway Categorization—Aeronautical Studies—Airport Owners' Responsibilities (9-21-73).

Emphasizes the need for airport owners to maintain runway and approach zone categories and locations on file with FAA so they may be given consideration under the regulations of FAR Part 77.

150/5320-12 Methods for the Design, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces (7-30-75).

Provides guidance on methods that can be used to provide and maintain airport pavement surface friction characteristics.

150/5325-2C Airport Design Standards—Air Carrier Airports—Surface Gradient and Line-of-Sight (2-6-75).

Establishes design standards for airports served by certificated air carriers to assist engineers in (1) designing the gradients of airports surface areas used to accommodate the landing, takeoff, and other ground movement requirements of airplanes while (2) providing adequate line of sight between airplanes operating on airports.

150/5325-2C CH 1 (4-21-75).

Transmits revised criteria for unobstructed line-of-sight along individual runways and between intersecting runways.

150/5325-3 Background Information on the Aircraft Performance Curves for Large Airplanes (1-26-65). Consolidated Reprint May 1974. Includes Change 1.

Provides airport designers with information on aircraft performance curves for design which will assist them in an objective interpretation of the data used for runway length determination.

150/5325-4 Runway Length Requirements for Airport Design (4-5-65). Consolidated Reprint August 1974. Includes Changes 1 through 8.

Presents aircraft performance curves and sets forth standards for the determination of runway lengths to be provided at airports. The use of these standards is required for project activity under the Federal-Aid Airport Program when a specific critical aircraft is considered as the basis for the design of a runway.

150/5325-4 CHG 9 (8-15-75).

150/5325-5B Aircraft data (7-30-75).

Presents a listing of principal dimensions of aircraft affecting airport design for guidance in airport development.

150/5325-6A Airport Design Standards—Effects and Treatment of Jet Blast (7-13-72).

Presents criteria on the jet engine blast velocities associated with aircraft

in common use in air carrier service, the effects of these blast velocities during ground operations, and suggested means to counteract or minimize these effects.

150/5325-8 Compass Calibration Pad (5-8-69).

Provides guidelines for the design, location on the airport, and construction of a compass calibration pad, and basic information concerning its use in determining the deviation error in an aircraft magnetic compass.

150/5335-1A Airport Design Standards—Airports Served by Air Carriers—Taxiways (5-15-70).

Provides criteria on taxiway design for airports served by certificated route air carriers with present airplanes and those anticipated in the near future.

150/5335-1A CH 1 (10-4-73).

Transmits revised pages to the subject advisory circular.

150/5335-2 Airport Aprons (1-27-65).

Provides the criteria for airport aprons which are acceptable in accomplishing a project meeting the eligibility requirements of the Federal-aid Airport Program.

150/5335-3 Airport Design Standards—Airports Served by Air Carriers—Bridges and Tunnels on Airports (4-19-71).

Provides general guidance to those contemplating the construction of a bridge-type structure to allow aircraft to cross over an essential surface transportation mode.

150/5335-3 CH 1 (3-30-73).

Transmits revised pages.

150/5335-4 Airport Design Standards—Airports Served by Air Carriers—Runway Geometrics (7-21-75).

Provides criteria on runway geometric design for airports served by certificated route air carriers.

150/5340-1D Marking of Paved Areas on Airports (1-19-73).

Describes standards for marking serviceable runways and taxiways as well as deceptive, closed, and hazardous areas on airports.

150/5340-4C Installation Details for Runway Centerline and Touchdown Zone Lighting Systems (5-6-75).

Describes standards for the design and installation of runway centerline and touchdown zone lighting systems.

150/5340-4C Ch 1 (11-14-75).

150/5340-5A Segmented Circle Airport Marker System (9-10-71).

Sets forth standards for a system of airport marking consisting of certain pilot aids and traffic control devices.

150/5340-8 Airport 51-foot Tubular Beacon Tower (6-11-64).

Provides design and installation details on the subject tower.

150/5340-14B Economy Approach Lighting Aids (6-19-70).

Describes standards for the design, selection, siting, and maintenance of economy approach lighting aids.

150/5340-14B CH 1 (6-24-73).

Transmits equipment specifications for an omnidirectional lead in approach light system.

150/5340-14B CH 2 (2-11-75).

Provides equipment specifications for an omnidirectional runway end identifier light system (REIL).

150/5340-17A Standby Power for Non-FAA Airport Lighting Systems (3-19-71).

Describes standards for the design, installation, and maintenance of standby power for nonagency owned airport visual aids associated with the National Airspace System (NAS).

150/5340-18 Taxiway Guidance System (9-27-68).

Describes the recommended standards for design, installation, and maintenance of a taxiway guidance sign system.

150/5340-19 Taxiway Centerline Lighting System (11-14-68).

Describes the recommended standards for design, installation, and maintenance of a taxiway centerline lighting system.

150/5340-20 Installation Details and Maintenance Standards for Reflective Markers for Airport Runway and Taxiway Centerlines (2-17-69).

Describes standards for the installation and maintenance of reflective markers for airport runway and taxiway centerlines.

150/5340-21 Airport Miscellaneous Lighting Visual Aids (3-25-71).

Describes standards for the system design, installation, inspection, testing, and maintenance of airport miscellaneous visual aids; i.e., airport beacons, beacon towers, wind cones, wind tees, and obstruction lights.

150/5340-22 Maintenance Guide for Determining Degradation and Cleaning of Centerline and Touchdown Zone Lights (4-20-71).

Contains maintenance recommendations for determining degradation and cleaning of centerline and touchdown zone lights installed in airport pavement.

150/5340-22 CH 1 (6-23-71).

Transmits a page change to subject advisory circular.

150/5340-23 Guide for Location of Supplemental Wind Cones (8-24-71).

Describes standards for the performance and location of supplemental wind cones.

150/5340-24 Runway and Taxiway Edge Lighting System (9-3-75).

Describes standards for the design, installation, and maintenance of runway and taxiway edge lighting.

150/5345-1D Approved Airport Lighting Equipment (4-11-73).

Contains lists of approved airport lighting equipment and manufacturers qualified to supply their product in accordance with the indicated specification requirements.

150/5345-1D CH 1 (11-1-73).

Transmits additions and revisions to the lists of approved equipment and manufacturers.

150/5345-2 Specification for L-810 Obstruction Light (11-4-63).

Required for FAAP project activity.

150/5345-2 CH 1 (10-28-66).

Transmits page changes to the subject advisory circular. This change provides for a new Alloy 360 in the die casting process.

150/5345-3B Specification for L-821 Airport Lighting Panel for Remote Control of Airport Lighting (4-21-72).

Describes the specification requirements for an airport lighting control panel for the remote control of airport lighting circuits and is published by the Federal Aviation Administration for the guidance of the public.

150/5345-4 Specification for L-892 Internally Lighted Airport Taxi Guidance Sign (10-15-63).

Required for FAAP project activity.

150/5345-4 CH 1 (10-28-66).

Transmits page changes to the subject advisory circular. This change provides for a new Alloy 360 in the die casting process.

150/5345-5 Specification for L-847 Circuit Selector Switch, 5,000 Volt 20 Ampere (9-3-63).

Required for FAAP project activity.

150/5345-7B Specification for L-824 Underground Electrical Cables for Airport Lighting Circuits (3-18-71).

Describes the specification requirements for underground electrical cables for airport lighting circuits. Published by the FAA for the guidance of the public.

150/5345-10C Specification for L-828 Constant Current Regulators (10-22-71).

Describes the subject specification requirements and is published by the Federal Aviation Administration for the guidance of the public.

150/5345-11 Specification for L-812 Static Indoor Type Constant Current Regulator Assembly, 4 Kw and 7½ Kw, With Brightness Control for Remote Operations (3-2-64).

Required for FAAP project activity.

150/5345-12A Specification for L-801 Beacon (5-12-67). Consolidated Reprint November 1974. Includes Change 1.

Describes the subject specification requirements.

150/5345-13 Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits (1-6-64).

Required for FAAP project activity.

150/5345-18 Specification for L-811 Static Indoor Type Constant Current Regulator Assembly, 4 Kw; With Brightness Control and Runway Selection for Direct Operation (3-3-64).

Required for FAAP project activity.

150/5345-18 CH 1 (5-28-64).

Advises that a detail requirement is not applicable to the circular.

150/5345-21 Specification for L813 Static Indoor Type Constant Current Regulator Assembly; 4 Kw and 7½ Kw; for Remote Operation of Taxiway Lights (7-28-64).

Describes the subject specification requirements.

150/5345-26A Specification for L-823 Plug and Receptacle, Cable Connectors (5-4-71).

Describes the subject specification requirements.

150/5345-26A CH 1 (9-11-75).**150/5345-27A Specification for L-807 Eight-foot and Twelve-foot Unlighted or Externally Lighted Wind Cone Assemblies (6-16-69).**

Describes the subject specification requirement for a hinged steel pole support, an anodized tapered aluminum hinged base pole support, and an "A" frame fixed support with a pivoted center pipe support.

150/5345-28B Specification for L-851 Visual Approach Slope Indicators and Accessories (2-16-72).

Describes the specification requirements for visual approach slope indicator (VASI) and simple abbreviated visual approach slope indicator (SAVASI) equipment and accessories.

150/5345-30A Specification for L-846 Electrical Wire for Lighting Circuits To Be Installed in Airport Pavements (2-3-67).

Describes, for the guidance of the public, subject specification requirements for electrical wire.

150/5345-36 Specification for L-808 Lighted Wind Tee (2-3-65).

Describes the subject specification requirements.

150/5345-39A FAA Specification L-853, Runway and Taxiway Centerline Retroreflective Markers (9-17-71).

Describes specification requirements for L-853 Runway and Taxiway Retroreflective markers, for the guidance of the public.

150/5345-42A FAA Specification L-857, Airport Light Bases, Transformer Housing and Junction Boxes (10-4-73).

Describes specification requirements for airport light bases, transformer

housing and junction boxes for the guidance of the public.

150/5345-42A CH 1 (11-14-75).**150/5345-43B FAA/DOD Specification L-856, High Intensity Obstruction Lighting Systems (11-1-73).**

Contains equipment specifications for high intensity obstruction lighting systems.

150/5345-44A Specification for L-858 Retroreflective Taxiway Guidance Signs (7-20-71).

Describes the specification for retroreflective taxiway guidance signs.

150/5345-45 Lightweight Approach Light Structure (5-10-73).

Presents the specifications for lightweight structures for supporting lights as used in visual navigational aid systems.

150/5345-46 Specification for Semi-flush Airport Lights (7-11-75).

Establishes the performance requirements and pertinent construction details for omnidirectional, unidirectional, and bidirectional semi-flush inset light assemblies to be used for lighting airport runways and taxiways.

150/5345-46 CH 1 (9-9-75).**150/5345-47 Isolation Transformers for Airport Lighting Systems (7-28-75).**

Contains the specifications requirements for series-to-series isolation transformers for use in airport lighting systems.

150/5345-48 Specification for Runway and Taxiway Edge Lights (8-1-75).

Contains the specification requirements for airport runway and taxiway edge lights for the guidance of the public.

150/5355-1A International Signs to Facilitate Passengers Using Airports (11-3-71).

Informs airport authorities of the desirability to provide international signs and diagrammatic maps within terminal buildings and of the need for clearly marked road signs for airports.

150/5355-2 Fallout Shelters in Terminal Buildings (4-1-69).

Furnishes guidance for the planning and design of fallout shelters in airport terminal buildings.

150/5360-2 Airport Cargo Facilities (4-6-64).

Provides guidance material on air cargo facilities.

150/5360-3 Federal Inspection Service Facilities at International Airports (4-1-66).

Describes and illustrates recommended facilities for inspection of passengers, baggage, and cargo entering the United States through international airport terminals. The material is for the guidance of architect-engineers and others interested in the planning and design of these airport facilities.

150/5370-2A Operational Safety on Airports With Emphasis on Safety During Construction (6-20-75).

Presents guidelines concerning operational safety on airports with special emphasis on safety during periods of construction activity.

150/5370-4 Procedures Guide for Using the Standard Specifications for Construction of Airports (5-29-69).

Provides guidance to the public in the use and application of the Standard Specifications for Construction of Airports.

150/5370-5A Offshore Airports (2-21-75).

Announces to the public the availability of a two-volume report on offshore airport planning and construction methods and how to obtain the report.

150/5370-6 Construction Progress and Inspection Report—Federal-Aid Airport Program (3-16-70).

Provides for a report on construction progress and inspection of Federal-aid Airport Program (FAAP) projects, suggests a form for the report, and recommends use of the form unless other arrangements exist to obtain the type of information provided by the form.

150/5370-7 Airport Construction Controls To Prevent Air and Water Pollution (4-26-71).

Supplies guidance material on compliance with air and water standards during construction of airports developed under the Airport and Airway Development Act of 1970.

150/5370-9 Slip-Form Paving—Portland Cement Concrete (6-7-73).

Transmits guidance for the construction of Portland Cement Concrete pavements by the slip-form method.

150/5370-10 Standards for Specifying Construction of Airports (10-24-74).

Provides construction standards usually used to specify grading, drainage, paving, lighting, fencing, and turfing items of work on civil airports. (\$7.25 GPO) TD 4.24:974. SN 050-007-00264-5.

150/5380-2A Snow Removal Techniques Where In-Pavement Lighting Systems Are Installed (12-24-64).

Provides information on damage to in-pavement lighting fixtures by snow removal equipment and recommends procedures to avoid such damage.

150/5380-4 Ramp Operations During Periods of Snow and Ice Accumulation (9-11-68).

Directs attention to an increased accident potential when snow or ice accumulates on the surfaces of ramps and aircraft parking and holding areas and suggests some measures to reduce this potential.

150/5380-5 Debris Hazards at Civil Airports (3-8-71).

Discusses problems of debris at airports, gives information on foreign objects, and tells how to eliminate such objects from operational areas.

150/5390-1A Heliport Design Guide (11-5-69).

Contains design guidance material for the development of heliports, both surface and elevated. (\$1.50 GPO.) TD 4.108:H36. SN 050-008-00002-9.

PLANNING GRANT PROGRAM

150/5900-1A The Planning Grant Program for Airports (9-26-74).

Offers guidance to the sponsors of airport system plans and airport master plans on how to participate in the FAA's Planning Grant Program. It describes the application process and the administrative procedures to be followed in performing planning projects.

Air Navigational Facilities

SUBJECT NO. 170

170-3B Distance Measuring Equipment (DME) (11-8-65).

Presents information on DME and some of its uses to pilots unfamiliar with this navigational aid.

170-6A Use of Radio Navigation Test Generators (3-30-66).

Gives information received from the Federal Communications Commission as to the frequencies on which the FCC will license test generators (used to radiate a radio navigation signal) within the scope of its regulations and gives additional information to assist the user when checking aircraft navigation receivers.

170-8 Use of Common Frequencies for Instrument Landing Systems Located on Opposite Ends of the Same Runway (11-7-66).

In the future, common frequencies may be assigned to like components of two instrument landing systems serving opposite ends of the same runway. This will include the localizers, glide slopes, and associated outer and middle marker compass locators (LOM and LMM).

170-9 Criteria for Acceptance of Ownership and Servicing of Civil Aviation Interest(s) Navigational and Air Traffic Control Systems and Equipment (11-26-68).

Contains a revised FAA policy under which the FAA accepts conditional ownership of equipment and systems from civil aviation interests, without the use of Federal funds, and operates, maintains, and provides the logistic support of such equipment.

170-10 FAA Recommendations to FCC on Licensing of Non-Federal Radio Navigation Aids (10-17-69).

Gives background information and describes the basis for recommendations to be made by the FAA to the Federal Communications Commission (FCC) regarding licensing of radio navigation aids.

170-11 Amendment of Federal Aviation Regulation Part 171 (FAR-171)—Cost of Flight and Ground Inspections (9-17-70).

Alerts the public to the amendment to FAR Part 171 pertaining to the payment of ground and flight inspection charges prior to the issuance of an approved IFR procedure.

170-12 Implementation of 50 KHz/Y Channels for ILS/VOR/DME (10-7-70).

Advises aircraft owners, operators and radio equipment manufacturers of plans for future implementation of split channel assignments in the aeronautical radio navigation bands.

Administrative

SUBJECT NO. 180

183-30A FAA Designated Mechanic Examiners Directory (4-10-74).

Provides a revised directory of all FAA designated mechanic examiners as of March 1, 1974.

183-31B FAA Designated Parachute Rigger Examiner Directory (4-2-74).

Provides a new directory of all FAA designated parachute rigger examiners as of March 1, 1974.

183.29-1H Designated Engineering Representatives (7-1-75).

Lists FAA-approved Designated Engineering Representatives who are available for consulting work.

Flight Information

SUBJECT NO. 210

210-1A National Notice to Airmen System (12-10-75).

Announces FAA policy for the preparation and issuance of essential flight information to pilots and other aviation interests.

210-3 National Notice to Airmen System—Elimination of NOTAM Code (5-22-70).

Announces changes in criteria and procedures for the Notice to Airmen System required to accommodate the transmission of all domestic Notice to Airmen data in clear contracted language and eliminate use of the NOTAM code on the domestic service A circuits.

211-2 Recommended Standards for IFR Aeronautical Charts (3-20-67).

Sets forth standards recommended by the Federal Aviation Administration for the guidance of the public in the issuance of IFR aeronautical charts for use in the National Airspace System (NAS).

Advisory Circulars For Sale

This List contains those circulars that are sold by the Superintendent of Documents. (See numerical index for appropriate price, sequential lettering, if any, and date, etc.)

Acceptable Methods, Techniques, and Practices—Aircraft Alterations, AC 43.13-2.

Acceptable Methods, Techniques, and Practices—Aircraft Inspection and Repair, AC 43.13-1.

Aircraft Dispatcher Written Test Guide, AC 65-4.

Airframe and Powerplant Mechanics Airframe Handbook, AC 65-15.

Airframe and Powerplant Mechanics Certification Guide, AC 65-2.

Airframe and Powerplant Mechanics Certification Information, AC 65-11.

Airframe and Powerplant Mechanics—General Handbook, AC 65-9.

Airframe and Powerplant Mechanics Powerplant Handbook, AC 65-12.

Airline Transport Pilot—Airplane Practical Test Guide, AC 61-49.
 Airline Transport Pilot—Airplane—Practical Test Guide (Part 61 Revised), AC 61-77.
 Airline Transport Pilot (Airplane) Written Test Guide, AC 61-18.
 Airline Transport Pilot (Helicopter) Written Test Guide, AC 61-42.
 Airplane Flight Instructor Written Test Guide, AC 61-11.
 Airport Drainage, AC 150/5320-5.
 Airport Master Plans, AC 150/5070-6.
 Aviation Weather, AC 00-6.
 Aviation Weather Services, AC 00-45.
 Basic Glider Criteria Handbook, AC 21-3.
 Basic Helicopter Handbook, AC 61-13.
 Commercial Pilot Airplane Flight Test Guide, AC 61-55.
 Commercial Pilot Written Test Guide, AC 61-28.
 Commercial Pilot Airplane Written Test Guide, AC 61-71.
 Federal Aviation Regulations Written Test Guide for Private, Commercial, and Military Pilots, AC 61-34.
 Flight Engineer Written Test Guide, AC 63-1.
 Flight Instructor Instrument—Airplane—Written Test Guide, AC 61-70.
 Flight Instructor Practical Test Guide, AC 61-14.
 Flight Instructor Practical Test Guide, AC 61-58.
 Flight Instructor Airplane Written Test Guide, AC 61-72.
 Flight Instructor's Handbook, AC 61-16.
 Flight Test Guide—Commercial Pilot, Airplane, AC 61-117-1.
 Flight Test Guide—Gyroplane, Private and Commercial, AC 61-30.
 Flight Test Guide—Helicopter, Private and Commercial Pilot, AC 61-25.
 Flight Test Guide—Instrument Pilot Airplane, AC 61-17.
 Flight Test Guide (Part 61 revised)—Instrument Pilot Airplane, AC 61-56.
 Flight Test Guide—Instrument Pilot Helicopter, AC 61-64.
 Flight Test Guide (Part 61 revised)—Private Airplane, AC 61-54.
 Flight Test Guide—Private Pilot—Airplane—Single Engine, AC 61-3.
 Flight Navigator Written Test Guide, AC 63-2.
 Flight Training Handbook, AC 61-21.
 Forming and Operating a Flying Club, AC 00-25.
 General Aviation Inspection Aids, Summary, AC 20-7.
 Ground Instructor—Instrument—Written Test Guide, AC 143-2.
 Ground Instructor Written Test Guide—Basic and Advanced, AC 143-1.
 Guide to Drug Hazards in Aviation Medicine, AC 91-11-1.
 Helicopter Design Guide, AC 150/5390-1.
 Instrument Flight Instructor Written Test Guide, AC 61-29.
 Instrument Flying Handbook, AC 61-27.
 Instrument Rating (Airplane) Written Test Guide, AC 61-8.
 Medical Handbook for Pilots, AC 67-2.
 Multiengine Airplane Class and Type Rating, AC 61-57.
 Multiengine Airplane Class and Type Rating—Flight Test Guide, AC 61-4.
 Nondestructive Testing in Aircraft, AC 43-3.
 Parachute Rigger Certification Guide, AC 65-5.
 Personal Aircraft Inspection Handbook, AC 20-9.
 Pilot Transition Courses for Complex Single-engine and Light, Twin-engine Airplanes, AC 61-9.
 Pilot's Handbook of Aeronautical Knowledge, AC 61-23.
 Pilot's Weight and Balance Handbook, AC 91-23.

Planning the Metropolitan Airport System, AC 150/5070-5.
 Planning the State Airport System, AC 150/5050-3.
 Private and Commercial Pilot, Flight Test Guide, AC 61-59.
 Private and Commercial Pilot Glider, Flight Test Guide, AC 61-61.
 Private and Commercial Pilot Gyroplane, Flight Test Guide, AC 61-60.
 Private and Commercial Pilots Refresher Courses, AC 61-10.
 Private Pilot (Airplane) Flight Training Guide, AC 61-2.
 Private Pilot Written Test Guide, AC 61-32.
 Standards for Specifying Construction of Airports, AC 150/5370-10.
 Student Pilot Guide, AC 61-12.
 Terrain Flying, AC 91-15.
 Ultrasonic Nondestructive Testing for Aircraft, AC 43-7.
 U.S. Civil Aircraft Register, AC 20-6.
 Written Test Guide, Flight Instructor—Glider, AC 61-75.
 Written Test Guide, Flight Instructor—Rotorcraft-Helicopter, AC 61-74.

Internal Publications

Contractions Handbook, 7340.1E (10-1-75).

Gives approved word and phrase contractions used by personnel connected with air traffic control, communications, weather, charting, and associated services. (\$11.15—\$13.95 foreign Sub.—GPO.) TD 4.308:C76/97.

Location Identifiers, 7350.4F (1-1-76).

Incorporates all authorized 3-letter location identifiers for special use in United States, worldwide, and Canadian assignments. (\$11.70—\$14.65 foreign Sub.—GPO.) TD 4.310.

Notice

The effective date of this publication has been delayed from Jan. 1, 1976 to on or about April 1, 1976. Notification of the exact effective date will be made to the aviation public via GENOT, NOTAMS, AIM, International NOTAMS, and in the next issue of this checklist.

Air Traffic Control Handbook, 7110.65 (1-1-76).

Prescribes air traffic control procedures and phraseology for use by personnel providing air traffic control services. Controllers are required to be familiar with the provisions of this handbook which pertain to their operational responsibility and to exercise their best judgment if they encounter situations not covered by it. This handbook cancels 7111.9D and 7110.8D. (\$14.75—\$18.45 foreign Sub.—GPO.) TD 4.308:AI 7/3.

Flight Services, 7110.10C (1-1-75).

This handbook consists of two parts. Part I, the basic, prescribes procedures and phraseology for use by personnel providing flight assistance and communications services. Part II, the teletypewriter portion, includes Services A and B teletypewriter operating procedures, pertinent International Teletypewriter Procedures, and the conterminous U.S. Service A Weather Schedules. (\$18.30—\$22.90 foreign Sub.—GPO.) TD 4.308:F 64/97.

International Flight Information Manual, Vol. 23 (April 1975).

This Manual is primarily designed as a preflight and planning guide for use by U.S. nonscheduled operators, business and private aviators contemplating flights outside of the United States.

The Manual, which is complemented by the International Notams publication, contains foreign entry requirements, a directory of aerodromes of entry including operational data, and pertinent regulations, and restrictions. It also contains passport, visa, and health requirements for each country. Published annually with quarterly amendments. \$5.45; \$6.85 foreign—Annual Sub. GPO.) TD 4.309:21.

International Notams.

Covers notices on navigational facilities and information on associated aeronautical data generally classified as "Special Notices." Acts as a notice-to-airmen service only. Published weekly. (\$28.10 domestic—\$35.15 foreign—Annual Sub. GPO.) TD 4.11.

Airman's Information Manual:

Part 1—Basic Flight Manual and ATC Procedures.

This part is issued quarterly and contains basic fundamentals required to fly in the National Airspace System; adverse factors affecting Safety of Flight; Health and Medical Facts of interest to pilots; ATC information affecting rules, regulations, and procedures; a Glossary of Aeronautical Terms; U.S. Entry and Departure Procedures, including Airports of Entry and Landing Rights Airports; Air Defense Identification Zones (ADIZ); Designated Mountainous Areas, Scatana, and Emergency Procedures. (Annual Sub. \$7.60, Foreign mailing—\$1.90 additional. GPO.) TD 4.12: pt. 1/.

Part 2—Airport Directory.

This part is issued semiannually and contains a Directory of all Airports, Seaplane Bases, and Heliports in the conterminous United States, Puerto Rico, and the Virgin Islands which are available for transient civil use. It includes all of their facilities and services, except communications, in codified form. Those airports with communications are also listed in Part 3 which reflects their radio facilities. A list of new and permanently closed airports which updates this part is contained in Part 3.

Included, also, is a list of selected Commercial Broadcast Stations of 100 watts or more of power and Flight Service Stations and National Weather Service telephone numbers. (Annual Sub. \$7, Foreign mailing—\$1.75 additional. GPO.) TD 4.12: pt. 2/.

SPECIAL NOTICE

Parts 3 and 3A are now sold as separate subscriptions to enable the public to purchase only the information they require.

Part 3—Operational Data.

Part 3 is issued every 56 days and contains an Airport-Facility Directory of all major airports with control towers and/or instrument landing systems; a tabulation of Air Navigation Radio Aids; Special, General, Area Notices; a tabulation of New and Permanently Closed Airports (which updates Part 2); and supplemental data to Part 4. (Annual subscription \$30.50; \$38.15 foreign mailing. GPO.) TD 4.12: pt. 3.

Part 3A—Notices to Airmen.

Part 3 is issued every 56 days and contains current Notices to Airmen considered essential to the safety of flight as well as supplemental data to Parts 3 and 4. (Annual subscription \$20.55; \$25.70 foreign mailing. GPO.) TD 4.12: pt. 3A.

Part 4—Graphic Notices—Supplemental Data.

Part 4 is issued quarterly and contains abbreviations used in all parts of AIM; Parachute Jump Areas; VOR Receiver Check Points; Special Notice Area Graphics; and Heavy Wagon and Oil Burner Routes.

Future editions will be expanded to include Special Terminal Area Charts and data not subject to frequent change. (Annual Sub. \$14.40, Foreign Mailing—\$3.60 additional. GPO.) TD 4.12: pt. 4.

Aircraft Type Certificate Data Sheets and Specifications (January 1974).

Contains all current aircraft specifications and type certificate data sheets. Subscription service includes the reprint which incorporates effective material previously issued by the FAA through December 1973, and monthly supplements for an indefinite period. (\$84.55—Sub., Foreign mailing—\$21.15 additional. GPO.) TD 4.15: 974.

Aircraft Engine and Propeller Type Certificate Data Sheets and Specifications (January 1974).

Contains all current aircraft engine and propeller type certificate data sheets and specifications. Subscription service includes the reprint which incorporates effective material previously issued by the FAA through December 1973, and monthly supplements for an indefinite period. (\$35.10—Sub., Foreign mailing—\$8.80 additional. GPO.) TD 4.15/2: 974.

Summary of Supplemental Type Certificates.

Contains all supplemental type certificates issued by FAA regarding design changes in aircraft, engines, or propellers. List includes description of change, the model and type certificate number, the supplemental type certificate number, and the holder of the change. Quarterly supplements provided. (\$41.75—Sub., Foreign mailing—\$10.45 additional. GPO.) TD 4.36: 974.

NOTICE

The January 1976 issues of the Summary of Airworthiness Directives—Volumes I and II, will be sold and distributed for the Superintendent of Documents by the Federal Aviation Administration from Oklahoma City, Oklahoma. Requests for subscriptions to either of these publications should be sent to:

U.S. Department of Transportation, Federal Aviation Administration, P.O. Box 25461, Attn: AAC-23, Oklahoma City, Okla. 73125.

Subscription service will consist of the summary and automatic biweekly updates to each summary for a 2-year period. Make certified checks or money orders payable to Federal Aviation Administration.

Summary of Airworthiness Directives for Small Aircraft (1-1-76) Volume I.

Presents, in volume form, all the Airworthiness Directives for small aircraft issued through December 31, 1975. AD's for engines, propeller, and equipment are included in each volume. Each volume is arranged alphabetically by product manufacturer. (\$14.00 plus \$3.50 additional for foreign mailing.) SN 050-007-00306-4.

Summary of Airworthiness Directives for Large Aircraft (1-1-76) Volume II.

Presents, in volume form, all the Airworthiness Directives for large aircraft (over 12,500 pounds maximum certificated takeoff weight) issued through December 31, 1975. AD's for engines, propellers, and equipment are included

in each volume. (\$13.00 plus \$3.25 additional for foreign mailing). SN 050-007-00307-2.

STATUS OF THE FEDERAL AVIATION REGULATIONS AS OF JANUARY 15, 1976.

The FAA publishes the Federal Aviation Regulations to make readily available to the aviation community the regulatory requirements placed upon them. These Regulations are sold as individual Parts by the Superintendent of Documents.

The more frequently amended Parts are sold on subscription service (that is, subscribers will receive Changes automatically as issued), while the less active Parts are sold on a single-sale basis. Changes to single-sale Parts will be sold separately as issued. Information concerning these Changes will be furnished by FAA through its "Status of the Federal Aviation Regulations, AC 00-44." Instructions for ordering this free status list are given in the front of each single-sale Part.

The following list indicates the breakdown of the single-sale Parts and the subscription Parts. Check or money order made payable to the Superintendent of Documents should be included with each order. Submit orders for single-sales and subscription Parts on different order forms. No COD orders are accepted. All FAR Parts should be ordered from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

PARTS SOLD ON SUBSCRIPTION SERVICE

Part	Title	Catalog number	Publication date	Price		
				Domes- tic	Additional for foreign mailing	Changes issued to date
1	Definitions and abbreviations.	TD 4.6:1	June 1974	\$3.00	\$0.75	2
21	Certification procedures for products and parts.	TD 4.6:21	May 1974	3.75	.95	4
23	Airworthiness standards: Normal, utility, and aerobatic category airplanes.	TD 4.6:23	June 1974	3.55	.90	2
25	Airworthiness standards: Transport category airplanes.	TD 4.6:25	do	6.00	1.65	2
33	Airworthiness standards: Aircraft engines.	TD 4.6:33	August 1974	3.00	.75	1
36	Noise standards: Aircraft type and airworthiness certification.	TD 4.6:36	June 1974	3.00	.75	3
37	Technical standard order authorizations.	TD 4.6:37	May 1974	5.65	1.45	2
63	Certification: Flight crewmembers other than pilots.	TD 4.6:63	Sept. 1974	3.00	.75	1
61	General operating and flight rules.	TD 4.6:61	March 1974	11.30	2.85	7
93	Special air traffic rules and airport traffic patterns.	TD 4.6:93	do	2.45	.65	3
103	Transportation of dangerous articles and magnetized materials.	TD 4.6:103	do	2.20	.55	5
121	Certification and Operations: Domestic, flag, and supplemental air carriers and commercial operators of large aircraft.	TD 4.6:121	April 1974	9.20	2.30	13
123	Certification and operations: Air travel clubs using large airplanes.	TD 4.6:123	do	2.00	.50	1
139	Certification and operations: Land airports serving CAB-certificated scheduled air carriers operating large aircraft (other than helicopters).	TD 4.6:139	December 1974	3.60	.75	2

NOTE: Because of the lack of activity in the issuance of changes, the following FAR Parts have been taken off subscription service and are now sold as single-sales publications: Parts 43, 47, 61, 65, 105, 127, 133, 135, 141, and 152.

PARTS SOLD ON SINGLE-SALE BASIS

Part	Title	Catalog No.	Publication date	Price ¹
11	General rulemaking procedures.....	TD 4.6:11	May 1974.....	\$0.55
	Change 1.....	TD 4.6:11/Ch 1	Feb. 1, 1974 and Jan. 1, 1975.....	.45
13	Enforcement procedures.....	TD 4.6:13	do.....	.70
27	Airworthiness standards: Normal category rotorcraft.....	TD 4.6:27	August 1974.....	1.40
	Change 1.....	TD 4.6:27/Ch 1	Oct. 31, 1974.....	.75
29	Airworthiness standards: Transport category rotorcraft.....	TD 4.6:29	August 1974.....	1.70
	Change 1.....	TD 4.6:29/Ch 1	Oct. 31, 1974.....	.70
31	Airworthiness standards: Manned free balloons.....	TD 4.6:31	August 1974.....	.40
35	Airworthiness standards: Propellers.....	TD 4.6:35	do.....	.35
39	Airworthiness directives.....	TD 4.6:39	May 1974.....	.35
43	Maintenance, preventive maintenance, rebuilding, and alteration.....	TD 4.6:43	January 1974.....	1.80
45	Identification and registration marking.....	TD 4.6:45	do.....	.65
47	Aircraft registration.....	TD 4.6:47	do.....	.85
49	Recording of aircraft titles and security documents.....	TD 4.6:49	do.....	.45
61	Certification: Pilots and flight instructors.....	TD 4.6:61	November 1974.....	2.90
65	Certification: Airmen other than flight crewmembers.....	TD 4.6:65	September 1974.....	1.25
67	Medical standards and certification.....	TD 4.6:67	September 1974.....	\$0.50
71	Designation of Federal airways, area low routes, controlled airspace, and reporting points.....	TD 4.6:71	January 1975.....	.85
	Change 1.....	TD 4.6:71/Ch 1	July 23, 1975.....	.30
73	Special use airspace.....	TD 4.6:73	January 1975.....	.40
	Change 1.....	TD 4.6:73/Ch 1	July 23, 1975.....	.30
75	Establishment of jet routes and high area routes.....	TD 4.6:75	January 1975.....	.40
77	Objects affecting navigable airspace.....	TD 4.6:77	do.....	1.10
85	IFR altitudes.....	TD 4.6:85	do.....	.50
	Change 1.....	TD 4.6:85/Ch 1	Feb. 13, 1975.....	.35
97	Standard instrument approach procedures.....	TD 4.6:97	January 1975.....	.45
99	Security control of air traffic.....	TD 4.6:99	March 1974.....	.70
101	Moored balloons, kites, unmanned rockets, and unmanned free balloons.....	TD 4.6:101	do.....	.65
	Change 1.....	TD 4.6:101/Ch 1	Aug. 30, 1974.....	.30
105	Parachute jumping.....	TD 4.6:105	March 1974.....	.55
107	Airport security.....	TD 4.6:107	March 1974.....	.40
127	Certification and operations of scheduled air carriers with helicopters.....	TD 4.6:127	April 1974.....	1.80
	Change 1.....	TD 4.6:127/Ch 1	September 1974.....	.35
129	Operations of foreign air carriers.....	TD 4.6:129	April 1974.....	.45
	Change 1.....	TD 4.6:129/Ch 1	Oct. 9, 1975.....	.35
133	Rotorcraft external-load operations.....	TD 4.6:133	November 1974.....	.55
135	Air taxi operators and commercial operators of small aircraft.....	TD 4.6:135	do.....	2.50
	Change 1.....	TD 4.6:135/Ch 1	do.....	.35
	Change 2.....	TD 4.6:135/Ch 2	May 1975.....	1.35
137	Agricultural aircraft operations.....	TD 4.6:137	November 1974.....	.50
141	Pilot schools.....	TD 4.6:141	do.....	1.15
143	Ground instructors.....	TD 4.6:143	September 1974.....	.45
145	Repair stations.....	TD 4.6:145	January 1974.....	.75
147	Aviation maintenance technician schools.....	TD 4.6:147	September 1974.....	.65
149	Parachute lifts.....	TD 4.6:149	January 1974.....	.35
151	Federal aid to airports.....	TD 4.6:151	December 1974.....	1.55
152	Airport aid program.....	TD 4.6:152	do.....	1.35
153	Acquisition of U.S. land for public airports.....	TD 4.6:153	do.....	.50
154	Acquisition of U.S. land for public airports under the Airports and Airway Act of 1970.....	TD 4.6:154	do.....	.40
155	Release of Airport property from surplus property disposal.....	TD 4.6:155	do.....	.40
157	Notice of construction, alteration, activation, and deactivation of airports.....	TD 4.6:157	January 1975.....	.40
159	National Capital airports.....	TD 4.6:159	December 1974.....	1.00
169	Expenditure of Federal funds for nonmilitary airports or air navigational facilities thereon.....	TD 4.6:169	January 1975.....	.35
171	Non-Federal navigation facilities.....	TD 4.6:171	do.....	1.10
	Change 1.....	TD 4.6:171/Ch 1	Aug. 19, 1975.....	.65
183	Representatives of the Administrator.....	TD 4.6:183	May 1974.....	.45
185	Testimony by employees and production of records in legal proceedings and service of legal process and pleadings.....	TD 4.6:185	do.....	.30
187	Fees.....	TD 4.6:187	do.....	.40
189	Use of Federal Aviation Administration communication system.....	TD 4.6:189	do.....	.40

¹ Add 25% for foreign mailing.

² Due to their length, complexity, and frequency of issuance, individual Airworthiness Directives are published separately in the FEDERAL REGISTER. Copies of Airworthiness Directives that have been issued are for sale in summary form by DOT, FAA Aeronautical Center (Consigned agent for Superintendent of Documents), P.O. Box 25461, Oklahoma City, Okla. 73125, Attn: AAC-23.

³ Due to their length, complexity, and frequency of issuance, individual airspace designations, airways descriptions, restricted areas, jet route descriptions, and en route IFR altitudes are not included in the publication of these basic parts. Such descriptions are published in the FEDERAL REGISTER and depicted on appropriate aeronautical charts. Aeronautical charts can be obtained from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Distribution Division (C-44), National Ocean Survey, Riverdale, Md. 20840.

⁴ Standard instrument approach procedures are published in the FEDERAL REGISTER by reference to FAA documents which are available for examination in the Rules Docket (AGC-24) and the National Flight Data Center, FAA Headquarters, Washington, D.C., and at the appropriate FAA Regional Offices and Flight Inspection District Offices. These approach procedures can be obtained from the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Distribution Division (C-44), National Ocean Survey, Riverdale, Md. 20840.

ELDEN P. NOOTENBOOM,
Acting Director of Management Systems.

[FR Doc.76-6605 Filed 3-10-76; 8:45 am]

federal register

THURSDAY, MARCH 11, 1976



PART IV:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**Office of Assistant Secretary
for Community Planning
and Development**

**Office of Policy Development
and Research**



COMMUNITY BLOCK GRANTS

Innovative Projects Program For FY 1976

Title 24—Housing and Urban Development

CHAPTER V—OFFICE OF ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-76-292]

PART 570—COMMUNITY DEVELOPMENT BLOCK GRANTS

Applications and Criteria for Discretionary Grants, and Interim Rule

On February 7, 1975, the Department of Housing and Urban Development (HUD) published in the FEDERAL REGISTER regulations setting forth application requests and criteria for discretionary grants under Title I of the Housing and Community Development Act of 1974. These appear as 24 CFR Part 570, Subpart E, included in complete publication at 40 FR 24692, June 9, 1975.

On October 30, 1975, the Department published an interim rule to be utilized in making discretionary grants during Fiscal Year 1976 (40 FR 50664). That interim rule was adopted as final on February 27, 1976 (41 FR 8612).

Notice is hereby given that HUD is revising § 570.406 of Subpart E to incorporate the procedures to be utilized in reviewing and selecting applications for the award of grants for innovative community development projects provided in section 107(a)(4) of the Housing and Community Development Act of 1974 under subsections (b) and (c) of § 570.406 which were reserved in the interim rule.

This revision describes the application requirements and the general criteria and review factors used to determine the innovative nature and the relative merit of project applications received.

The regulation contains a provision under which HUD may, in announcing the opening of each fiscal year competition, advise all eligible applicants by notice that it will give priority consideration to specified innovative community development areas. In addition, due to the limited scope of priority programs, applicants are also advised that HUD may in its notification set forth evaluation criteria to be considered in the review of applications and the award of grants, in lieu of, or in addition to the criteria in this section.

The revision also describes the application requirements for consideration of projects for funding.

These revisions are needed so that applicants for discretionary grants will be able to submit applications to HUD after the announcement of the FY76 program. This process of submission and HUD review must begin very quickly if the Department is to meet it overall, responsibilities for reviewing and approving all Title I fiscal year 1976 applications in

a timely fashion. Because of this schedule, and the necessity for adhering to it, the Assistant Secretary for Community Planning and Development has determined that it is impracticable to follow a notice of proposed rulemaking procedure and that good cause exists for making these regulations effective on publication. However, interested persons are invited to participate in the making of this rule by furnishing written comments, data and suggestions. All such materials should refer to the Docket No. and should be filed with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410. All comments received on or before April 12, 1976, will be considered before adoption of a final rule in this matter. Copies of all comments will be available for public inspection at the above address during regular business hours both before and after the close of the comment period. No final action will be taken with respect to any application under this Section until a final rule has been adopted.

In connection with the environmental review of this revision to the regulations, a Finding of Inapplicability has been made under HUD Handbook 1390.1, 38 FR 19182. A copy of the Finding is available for inspection in the Office of the Rules Docket Clerk at the above address.

It is hereby certified that the economic and inflation impacts of these amendments have been carefully evaluated in accordance with OMB Circular No. A-107.

In consideration of the foregoing, 24 CFR 570.406 (b) and (c) are revised to read as follows:

§ 570.406 Innovative projects.

(b) *Criteria for selection.*—(1) *General.* An innovative community development project may take any of several forms. It may be a product, a process, an organizational arrangement or a technique. The innovation should encompass a concept that is untried, unique, and/or advances the state of the community development art. Proposed projects which have been demonstrated before or are in use elsewhere at the present may be considered for demonstration if the application identifies and addresses the question of the special nature or circumstances surrounding the proposed project which would warrant its consideration for funding under Innovative Projects.

(2) *Review Factors.* Applications for funding will be evaluated by such criteria as:

(i) The overall technical merit of the proposed project including the specific impact of the innovation.

(ii) The unique capabilities, related experiences, facilities or techniques and the commitment which the applicant possesses and offers for achieving the objectives of the project.

(iii) The extent to which the identified problem is common to a substantial number of communities and the proposed approach can be adopted and replicated in a significant number of other community environments.

(iv) The availability of discretionary grant funding for innovative projects in light of competing needs.

(3) *Priority Programs.* In view of the national scope of Innovative Projects and limitations on the amount of funds for projects, HUD in announcing each annual program, shall establish areas of national significance which will be given priority consideration in the review of applications in the Innovative Projects and may utilize specific selection criteria enumerated in the announcement of the annual program in the review of applications and the award of grants in lieu of, or in addition to, the above criteria.

(c) *Application Requirements.* Applications shall be submitted to HUD's Office of Policy Development and Research in accordance with the directions provided in the annual program announcement. Applications shall be in a format approved by HUD and shall include the following:

(1) A brief letter of transmittal containing the signatures of the Chief Executive(s) of the Applicant and designated project leader who will be primarily responsible for execution of the project.

(2) A one page abstract of the project summarizing the proposal.

(3) A project narrative statement describing the nature of the problem, the goals and objectives of the project, the proposed solution, the resources to be used, the management plan, the tasks to be carried out, the plan for evaluation and such other elements as are necessary to describe applicant activities for other elements which may be required in priority programs.

(4) A proposed budget clearly showing the proposed expenditure of HUD funds.

(5) The certifications required by § 570.303(e) except for (4) and (6). In addition, the applicant must certify that citizens likely to be affected by the project, particularly low and moderate income persons, have been provided an opportunity to comment on the application.

Effective date. This amendment is effective March 11, 1976.

ROOSEVELT JONES,
Executive Assistant to
Assistant Secretary for C.P.D.

[FR Doc. 76-6939 Filed 3-10-76; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Policy Development and Research

[Docket No. N-76-504]

INNOVATIVE PROJECTS PROGRAM—FY 76

Request for Proposals and Instructions for Applicants

The Department of Housing and Urban Development is hereby announcing the commencement of a competition for grant funds available for the demonstration of innovative community development projects in the fields of (a) Housing and Neighborhood Preservation and (b) Government Productivity Improvement.

These grant funds are made available under the authority of Section 107(a) (4) of the Housing and Community Development Act of 1974 and Section 501 of the Housing and Urban Development Act of 1970.

This grant program is designed to strengthen the capability of local governments by developing, through individual demonstration projects, innovative approaches to the solution of longstanding or widespread urban area problems. The specific objectives are:

1. to provide a national focus for individual urban problem solutions.
2. to encourage States and units of local government to experiment with new or relatively untried techniques, technologies, methods, products or processes which, if successful, can provide a significant input for the improvement of local government programs or administration; and
3. to compile, evaluate, and disseminate information useful to local governments in strengthening urban program management.

For the Fiscal 1975 Program, funding priority was given to project proposals which addressed one or more of the following areas: (1) Public Services Productivity; (2) Community Development Energy Conservation; and (3) Neighborhood Preservation. The overall funding level was set at two million dollars.

More than 200 jurisdictions responded to the 1975 initiative with specific project proposals. With the assistance of a panel of recognized experts and practitioners, twelve projects—10 cities and 2 States—were selected for HUD funding assistance. Grant awards ranged from \$27,600 to \$355,000; the grant was a negotiated figure, reduced from the amounts contained in original applications.

This notice sets forth the application requirements and selection criteria which will be used in the receipt and review of applications and the award of grants in the Fiscal Year 1976 Innovative Projects Program.

HUD is informing eligible applicants that an amount not to exceed \$4,000,000 has been set aside under Title I of the Housing and Community Development Act of 1974. These funds will be awarded to approximately 15 projects. Priority

consideration of applications under this segment of the program will be given to projects which address Housing and Neighborhood Preservation . . . projects which maximize the use of existing housing stock and the investment of public and private resources for neighborhood preservation and regeneration.

Further, although not a part of this competition, the Secretary reserves the right to make innovative grants for purposes other than the priority category identified immediately above, should the need or opportunity arise to do so under the general provisions of the Act.

In addition, in conjunction with the consideration and award of grants under Title I, the Department also is making available to the same category of eligible applicants grant funds not to exceed \$1,000,000 pursuant to Title V of the Housing and Urban Development Act of 1970 for innovative demonstration projects which address Government Productivity Improvement . . . projects which lead to greater productivity in the delivery of public services.

I. Eligible Applicants. Eligible applicants are States, and units of general local government as defined by HUD regulations at 24 CFR 570.406.

II. Criteria for Selection
A. Housing and Neighborhood Preservation Grants Under Title I of the Housing and Community Development Act of 1974—It has become clear that diminishing natural resources (e.g., land, energy, building materials) and growing demands for suitable housing, have rendered more urgent the need to preserve the housing in our cities. In order to encourage more widespread State and local government-based initiatives to address this demand, HUD will, through the Innovative Projects Program, make grants to demonstrate innovative methods which address problems of neighborhood decline. For FY 76, an amount not to exceed \$4,000,000 has been set aside for distribution nationally for this purpose.

Housing and Neighborhood Preservation encompasses several potential approaches. It includes rehabilitation of housing of all types from single family to multiple family, re-use of structures for purposes other than their originally intended use, changes in existing patterns of use and development for land and structures, and leveraging public funds to secure greater private investment in rehabilitation. No single solution is applicable to all neighborhoods. There are, however, a number of approaches to such problems which are applicable to particular types of neighborhoods.

For projects submitted under the category Housing and Neighborhood Preservation, assistance may be provided only for eligible activities as identified at 24 CFR 570.200, "Eligible Activities".

Examples of the kinds of priority areas projects which will be considered for funding are:

1. **Housing Regulations**—Development and demonstration of innovative governmental incentives in such areas as building codes, housing and property codes, zoning laws, development regulations,

etc. Such a project could address the substance of the codes themselves, more flexible imaginative techniques or methods of administration or enforcement, or a combination of the two toward the end of promoting rehabilitation and preventing neighborhood decline and blight.

2. **Public-Private Interactions**—Development and demonstration of innovative approaches to public-private cooperation in neighborhood preservation and rehabilitation. Such projects could include:

(i) methods for joint public-private financing;

(ii) methods to encourage resident investment in neighborhood improvements;

(iii) leveraging of private investment through various forms of public investment (cash matches, loan guarantees, and/or subsidies, infusion of public services, design assistance, capital improvements, etc.);

(iv) State or local sales, income or property tax incentives;

(v) joint planning and execution with financial institutions, and/or the real estate and development sectors;

(vi) techniques to assist in the development of local rehabilitation industries.

3. **Acquisition and Disposition of Abandoned Property**—Development and demonstration of innovative techniques at the State and/or local level for the expeditious acquisition and disposition of abandoned properties and properties acquired in tax or mortgage foreclosure proceedings.

4. **Training and Manpower Development**—Development and demonstration of innovative use of education and vocational training in structural preservation through coordinating manpower and training funds and programs as part of an effort to eliminate blight and promote neighborhood preservation and rehabilitation. Self-help training for neighborhood residents, special high school rehabilitation skills training, and use of subsidized manpower for public rehabilitation efforts are but few examples of the kinds of projects which might be initiated.

5. **Neighborhood Commercial Rehabilitation and Revitalization**—Development and demonstration of innovative approaches to the problems of small businesses in residential neighborhoods where the presence of deteriorated commercial structures has a blighting influence on the neighborhood or where the encouragement of neighborhood commercial facilities could be a supportive factor in a neighborhood preservation effort. Such projects could include tax incentives, special code or ordinance provisions, innovative approaches to such problems as parking, security, vacant store fronts, and harmonious interrelationships with nearby residences; or the re-use of all or parts of existing commercial and other nonresidential structures for residential purposes.

6. **Historic Preservation**—Development and demonstration of innovative ways in which historic preservation can

act as a catalyst for the inducement of private efforts towards rehabilitation. Approaches could encompass legislative, administrative, design, public investment and other techniques.

7. *Other*—Any innovative approach not specifically referenced or alluded to above which addresses the basic goal of the elimination of blight and the preservation and/or rehabilitation of neighborhoods. This could include projects covering an entire jurisdiction. It could also include a *Comprehensive* approach which utilizes all or several of the possible approaches specifically enumerated, or others which may be locally developed, on either an individual neighborhood or community wide basis.

B. *Government Productivity Improvement Grants Under Title V of the Housing and Urban Development Act of 1970*—To encourage productivity improvement in State and local jurisdictions, the Department has set aside an amount not to exceed \$1,000,000 provided for under research authority contained in Title V of the Housing and Urban Development Act of 1970, 12 U.S.C. 1701-1. These funds will be awarded for approximately 10 projects which demonstrate innovative methods for improved productivity in the delivery of public services.

State and local units of government are facing increasing pressure to improve the efficiency and effectiveness of the services they provide. Rising costs of providing public services, the resultant fiscal problems faced by many jurisdictions, increased employee demands and concern for job security have in combination made State and local government productivity improvement an urgent concern of both citizens and public officials.

Innovative approaches, and variations of those approaches to productivity improvement are being applied in both the private and public sectors of the economy. However, even though managerial and analytical techniques for productivity improvement have been developed, they are not generally applied. The major purpose of this section of the Innovative Projects Program is to demonstrate and develop innovative approaches to productivity improvement which show potential for widespread applicability by State and other units of local government.

In order to qualify as a productivity project under the Innovative Projects Program, a project must show how to maintain the same quantity and/or quality of service at a lower cost; increase the quantity and/or quality of service at the same or lower cost; or improve the quality of the work environment or working conditions without diminishing services and without increasing cost. Projects are required to demonstrate significant potential for such measurable changes, supported by an adequate data base.

Among the techniques and approaches which have been applied in the past to generate productivity improvements are the following:

(1) management and supervisory practices and methods—developing and demonstrating management methods and practices to plan and schedule work force, equipment, and materials to the work load; supervisory practices which increase effective and efficient operations of individual work units.

(2) incentives for managers and employees—applying and demonstrating methods to motivate public sector managers and employees to improve performance. Such methods include tangible and intangible incentives, training and career opportunities, system of accountability and recognition, and labor management cooperation.

(3) program analysis and evaluation—developing and demonstrating new techniques for program analysis and evaluation to improve the decision making process in the allocation of scarce resources by elected and appointed policy-level officials.

(4) efficiency and effectiveness measures—developing, refining, and demonstrating accurate and reliable efficiency (cost per unit, etc.) and effectiveness (quality of service, consumer satisfaction, etc.) measures of productivity performance improvement.

(5) information and technology sharing—develop and demonstrate information sharing techniques which result in the use of innovative technology throughout a jurisdiction. Included within this category would be the development of comparative performance data to stimulate and demonstrate productivity improvement and techniques to finance the start-up costs of productivity improvement programs and projects.

Projects which will be considered for funding under Government Productivity Improvement may address one or more of the following three issues:

1. *Specific Service Delivery Areas*, e.g., street and park maintenance, emergency services, building inspection, traffic control;

2. *Internal Support Functions*, e.g., financial and personnel management, building or vehicle maintenance;

3. *Comprehensive Approaches* (across services) e.g., multidepartmental, jurisdiction-wide productivity improvement, including consolidation of similar activities.

C. *Evaluation Criteria*—HUD will utilize the same evaluation guidelines in reviewing applications for grant funds in its Fiscal Year 1976 Innovative Projects Program for Housing and Neighborhood Preservation projects receiving funds under Title I of the Housing and Community Development Act of 1974 and Government Productivity Improvement projects receiving funds under Title V of the Housing and Urban Development Act of 1970.

Eligible applicants shall identify the innovative features of their project proposal and how the project, if successful, will assist in translating those innovative features into practice in the test jurisdiction and elsewhere.

Eligible applicants should address themselves to the following specific criteria:

1. *Substantive and Management Criteria*. The major categories of criteria are listed in the order of relative importance for evaluation purposes of these programs.

a. *Quality of the Proposal and Its Effectiveness in the Accomplishment of Project Objectives*.

The degree to which: (1) the proposal demonstrates an understanding of and provides a clear statement of the specific problems and needs to be addressed by the project.

(2) the project clearly delineates the approach and the expected impact of the approach on the identified problems and needs.

(3) the specific innovative aspects of the project are identified and explained.

(4) a complete work plan to achieve project objectives has been developed, itemizing specific tasks, their phasing and interrelationship.

(5) a systematic evaluation process measuring the project's effectiveness and efficiency in achieving its specific objectives, has been developed. (Such a process envisions adequate baseline data and periodic planning process).

b. *Applicant Capability and Commitment*—Assessed by the following factors:

(1) the competence of the project leader, in terms of experience, training, relative capabilities in the substantive area of the project and the extent of his/her time commitment to the project.

(2) the competence of key personnel, both public and non-public in terms of the above factors and the degree of their involvement (time) in the project.

(3) special capabilities, experiences in the subject area and/or in projects of comparable scope, facilities or techniques which the applicant possesses and offers for achieving project objectives.

(4) level of commitment by the applicant as indicated by: (i) the amount of local public or non-public resources (money, manpower, etc.) committed to the project. (ii) the degree of community support, as evidenced by the endorsement and participation of such groups as business, industrial, labor, civic and community organizations. (iii) applicant commitment to continue successful aspects of the project from local resources and integrate them into the existing institutional framework upon completion of Innovative Project funding.

c. *Transferability*. As measured by the extent to which: (1) the identified problem is common to a significant number of communities.

(2) the proposed approach can be adapted and replicated in a significant number of other community environments.

d. *Organization and Management Plan*. The degree to which a project and management plan has been developed which provides a clear trail of accountability and responsibility at task and

overall project levels, which balances time commitment of key staff with assigned project responsibilities, and which identified means to coordinate functional tasks and maintain financial and scheduler control.

2. *Cost Factor.* In addition to the factors stated in Number 1 above, each application will be evaluated within the context of the availability of funds for Innovative Projects in light of competing needs.

III. *Application Requirements.* There are basic application requirements for all projects submitted to HUD within the Innovative Projects Program for Fiscal Year 1976. There are additional application requirements for grant applications requested under Housing and Neighborhood Preservation (Title I of the Housing and Community Development Act of 1974).

a. *General.* An original and four (4) copies of the application shall be submitted directly to HUD's Office of Policy Development and Research in accordance with the directions set forth herein. An additional copy shall be sent to the appropriate HUD Area Office. An application shall include the following:

(1) A brief letter of transmittal containing the signatures of the Chief Executive(s) of the Applicant and designated project leader who will be primarily responsible for execution of the project. The letter shall specify a title and shall identify the program area in which the application is requesting consideration, i.e., Government Productivity Improvement or Housing and Neighborhood Preservation.

(2) A one page abstract of the project identifying the title and amount requested and summarizing the proposal.

(3) A project narrative statement describing the nature of the problem, the goals and objectives of the project, the proposed solution, the resources to be used, the management plan, the tasks to be carried out, the plan for evaluation and such other elements mentioned in the Evaluation Criteria. Specific project boundaries and demographic characteristics should also be included. The narrative statement shall not exceed (15) fifteen single-spaced or (30) thirty double-spaced pages in length.

(4) A proposed budget clearly showing the proposed expenditure of HUD funds and local funds, public and non-public, if any, in a tabular form showing expected expenditures by month.

b. *Grants for Projects Under Title I of the Housing and Community Development Act of 1974.* Applicants for grants in the Title I Innovative Projects segment of the FY 76 program must include in addition to the above:

(1) *Certifications.* Submit an executed copy of "Assurances", Form 7015.12, with respect to the proposed project activities. Pencil out Items 4 (i), (ii) and (iii) and Item 6 and complete the form according to the instructions.

In addition, the applicant must certify that citizens likely to be affected by the project, particularly low and moderate-income persons, have been provided an opportunity to comment on the application.

(2) *A-95 Review.* All Title I applications must be processed for review and comments as required by OMB Circular A-95.

IV. *Additional Requirements.* (a) *Duration of Grants.* Applicants are advised that no project will be approved for a period in excess of 18 months duration.

(b) *Reporting Requirements.* The reporting requirements contained in 24 CFR 570.406(d) will apply to both categories of Innovative Community Development Projects which will be funded in the HUD Fiscal Year 1976 program. In addition, successful applicants will be required to submit periodic financial and program progress reports according to a standard format which will be provided by HUD.

(c) *Assessment and Packaging.* After assessing the results of similar innovative projects, HUD may package its findings in a report suitable for dissemination to the public. As a condition for receiving funds, grantees must commit themselves to full cooperation with such an effort.

(d) *Other Requirements.* While multiple proposals may be made for funding under either statutory authority, no more than one application will be approved for funding to any single eligible applicant under either portion of the competition. Consortium or joint proposals from more than one unit of local government are encouraged; however, one unit must be designated as the lead applicant for each project.

Applicants are further advised that grants in this Fiscal Year Innovative Projects Program under Title I of the Housing and Community Development Act of 1974 will be governed by the gen-

eral provisions contained at 24 CFR 507.400 and the provisions of 570.406.

(e) *Submission Deadlines.* A Letter-of-Intent to file an application under either the Housing and Neighborhood Preservation section or the Government Productivity Improvement section of the FY 76 Innovative Projects Program should be filed no later than April 1, 1976. The Letter-of-Intent to file an application, while not mandatory, will activate the Clearinghouse review timetable under OMB Circular A-95 and will notify HUD for review purposes to expect an application from the jurisdiction. The letter need only be a simple two or three page summary, and should be sent to:

The U.S. Department of Housing and Urban Development, Office of Policy Development and Research, Room 8162, Division of Community Development and Management Research, 451 7th St. S.W., Washington, D.C. 20410. Attn: Innovative Projects Program.

In addition, Letters-of-Intent for applications under the Housing and Neighborhood Preservation section must also be sent to the HUD Area Office serving the jurisdiction and the applicable A-95 Review Clearinghouse by the same date. A copy of the Letter-of-Intent for Government Productivity Improvement shall also be sent to the appropriate Area Office.

All applications must be submitted to the address shown above, and an additional copy shall be sent to the appropriate HUD area office. Applications under the section "Housing and Neighborhood Preservation" must be submitted by June 3, 1976. (Postmarked no later than June 1, 1976). Applications under the section "Government Productivity Improvement", because A-95 Clearinghouse review is not required, must be submitted by April 30, 1976. (Postmarked no later than April 28, 1976). Copies of all Letters-of-Intent, final applications and A-95 review materials as well as any questions relative to the Innovative Projects Program should be addressed to the appropriate HUD Area Office. You are encouraged to maintain close contact with your HUD Area Office during development of your proposal.

Dated: February 14, 1976.

CHARLES J. ORLEBEKE,
Assistant Secretary for Policy
Development and Research.

[FR Doc. 76-6938 Filed 3-10-76; 8:45 am]

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