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highlights

AMERICAN HEART MONTH
Presidential proclamation 3457

CIVIL SERVICE EMPLOYMENT RIGHTS
Executive order providing for protection of certain rights of former Federal workers employed by Indian tribal organizations 3459

INCOME, ESTATE, AND GIFT TAX RETURNS
Executive order authorizing inspection by House Committee on Government Operations 3461

MISSING IN ACTION IN SOUTHEAST ASIA
Proclamation designating a national day of prayer for missing Americans 3455

MORTGAGE INSURANCE
HUD proposes amendments to assure completion of multifamily housing projects, nursing homes, hospitals and group practice facilities; comments by 3–1–76 3481

NURSE TRAINING
HEW/PHS proposes grants for Nurse Practitioner Training Programs; comments by 2–23–76 3551

PRIVACY ACT
The following agencies issue documents on implementation and/or systems of records:
Labor Department 3703
Agriculture Department 3495

MOTOR VEHICLE SAFETY
DOT/NHTSA establishes standards for tire selection and rims for vehicles other than passenger cars; effective 8–1–76 and 9–1–76 3478

FREEDOM OF INFORMATION
Commerce/Census amends procedures to obtain data; effective 2–15–76 3466

FEDERAL ELECTIONS
FEC publishes four 1976 calendars of pre-election and post-election filing deadlines for Presidential and Congressional primaries and 1976 general election 3707

CONTINUED INSIDE

reminders

(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

NOTE: No acts approved by the President were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

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MEETINGS—
Administrative Conference of the United States: Judicial Review Committee, 2–13–76 ... 3502
Commerce/DIBA: Computer Systems Advisory Committee, 3–9–76 ... 3496
Management-Labor Textile Advisory Committee, 2–24 and 3–16–73 ... 3496
Commodity Futures Trading Commission: Definition and Regulation of Market Instruments Advisory Committee, 2–9 thru 2–11–76 ... 3502
DOT/NHTSA: National Motor Vehicle Safety Advisory Council, 1–27 thru 1–29–76 ... 3501
FEA: Appliance Labeling and Energy Efficiency, 2–6–76 ... 3506
FPC: Supply-Technical Advisory Committee, 2–17 thru 2–19–76 (3 documents) ... 3506
HEW: National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, 2–13 thru 2–16 and 3–12 thru 3–14–76 ... 3499
Interior/BLM: Casper District Advisory Board, 3–4 and 3–5–76 ... 3490
Outer Continental Shelf Environmental Studies Advisory Committee, 2–18 and 2–9–76 ... 3491
NSF: Contributions of Technology to Economic Strength Advisory Group, 2–9–76 ... 3514
Energy-Related Graduate Traineeships Evaluation Subpanel, 2–9 and 2–10–76 ... 3515
SBA: Denver District Advisory Council, 2–13–76 ... 3505
USDA/FS: Rock Creek Advisory Committee, 2–17–76 ... 3494

CANCELLED MEETINGS—
Commerce/DIBA: Computer Systems Advisory Committee, 3–9–76 ... 3496
Defense: Defense Science Board Task Force on Surface Naval Warfare, 1–21 and 1–22–76 ... 3490

contents

THE PRESIDENT

Executive Orders

Federal personnel, former; employment by Indian tribal organizations; provision for protection of certain employment rights ... 3459
Tax returns; income, estate, and gift; inspection by House Committee on Government Operations ... 3461

Proclamations

Missing in Action in Southeast Asia, National Day of Prayer for Americans ... 3455
American Heart Month ... 3457

EXECUTIVE AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Notices

Meetings:
Committee on Judicial Review ... 3502

AGRICULTURAL MARKETING SERVICE

Rules

Lemons grown in Ariz. and Calif ... 3463

AGRICULTURE DEPARTMENT

See also Agricultural Marketing Service; Farmers Home Administration; Forest Service; Rural Electrification Administration.

Rules

Authority delegations:
Assistant Secretary for Administration ... 3463
Assistant Secretary for Marketing and Consumer Services ... 3463

Notices

Privacy Act of 1974; systems of records ... 3495

ALCOHOL, TOBACCO, AND FIREARMS BUREAU

Notices

Granting of relief ... 3487

CENSUS BUREAU

Rules

Public information ... 3466

CIVIL AERONAUTICS BOARD

Notices

Miscellaneous corrections ... 3502
Hearings, etc.:
Air Midwest Certification Proceeding ... 3502
American Safe System, Inc ... 3502

COMMERCE DEPARTMENT

See Census Bureau; Domestic and International Business Administration; National Oceanic and Atmospheric Administration.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Notices

Procurement list 1976; additions ... 3502

COMMODITY FUTURES TRADING COMMISSION

Notices

Meetings:
Advisory Committee on Definition and Regulation of Market Instruments ... 3502

COUNCIL ON ENVIRONMENTAL QUALITY

Notices

Environmental statements; availability ... 3503

DEFENSE DEPARTMENT

Notices

Meetings:
Defense Science Board Task Force on Surface Naval Warfare ... 3490

DISEASE CONTROL CENTER

Notices

Gas detector tube units; applications for certification ... 3497

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Meetings:
Computer Systems Technical Advisory Committee ... 3496
Management–Labor Textile Advisory Committee ... 3496

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Minimum wages for Federal and federally-assisted construction; general wage determination decisions, modifications, and supersedeas decisions ... 3557

ENVIRONMENTAL PROTECTION AGENCY

Rules

Air quality implementation plans; various States, etc.:
Indiana ... 3475
New Jersey ... 3475

FARMERS HOME ADMINISTRATION

Rules

Emergency loans; policies, procedures, and authorizations ... 3464

Notices

Disaster areas:
Iowa ... 3494

FEDERAL AVIATION ADMINISTRATION

Rules

Jet routes ... 3465
Transition areas (5 documents) ... 3464, 3465

Proposed Rules

Airworthiness directives:
Cessna ... 3483
Control zones ... 3484
Transition areas (2 documents) ... 3484

FEDERAL COMMUNICATIONS COMMISSION

Rules

Cable television:
Relay service; adoption of application for authorization form ... 3717

Notices

Canadian broadcast stations; table notification list ... 3521
Mexican broadcast stations; table notification list ... 3522

FEDERAL ELECTION COMMISSION

Notices

Calendars of filing deadlines ... 3707

CONTENTS

FEDERAL ENERGY ADMINISTRATION

Notices

Crude oil allocation; December 1975 quarter; correction 3505
Meetings:
Appliance Labeling and Energy Efficiency 3506

FEDERAL POWER COMMISSION

Notices

Meetings:
National Gas Survey (3 documents) 3506
Hearings, etc.:
Alaskan advances 3509
Algonquin Gas Transmission Co., et al 3506
Arkansas Power and Light Co 3508
Colorado Interstate Gas Co 3508
Duquesne Light Co 3509
Florida Gas Transmission Co., et al 3509
Indiana and Michigan Electric Co. (4 documents) 3510
Interstate Power Co 3511
Kadane, Edward G 3514
Louisiana Power and Light Co 3511
Michigan Wisconsin Pipe Line Co 3511
Missouri Utilities Co 3511
Montaup Electric Co 3512
Nevada Power Co. (2 documents) 3512
Niagara Mohawk Power Corp 3512
Potomac Electric Power Co 3512
Public Service Company of Oklahoma 3512
Southwestern Electric Power Co 3513
Tucson Gas and Electric Co 3513

FISCAL SERVICE

Notices

Surety companies acceptable on Federal bonds:
Leatherby Insurance Co 3488

FISH AND WILDLIFE SERVICE

Notices

Endangered species permits; applications (2 documents) 3491, 3492

FOOD AND DRUG ADMINISTRATION

Notices

Committees, panels: establishments, renewals, etc.:
Obstetrics and Gynecology Advisory Committee 3497

FOREST SERVICE

Notices

Environmental statements; availability, etc.:
Pacific Northern Timber Company timber sale 3494
Meetings:
Rock Creek Advisory Committee 3494

GEOLOGICAL SURVEY

Proposed Rules

Outer continental shelf oil and gas operations; extension of time 3481

HAZARDOUS MATERIALS OPERATIONS OFFICE

Notices

Hazardous materials regulations exemptions 3501

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See also Disease Control Center; Food and Drug Administration; Public Health Service.

Notices

Meetings:
National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research 3499
Nondiscrimination:
Equal employment noncompliance; Federal assistance, proposed ineligibility; Southern Illinois University 3497
Organization and functions:
Office of the Regional Director, Region X 3499

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

See Housing Production and Mortgage Credit, Office of Assistant Secretary.

HOUSING PRODUCTION AND MORTGAGE CREDIT, OFFICE OF ASSISTANT SECRETARY

Rules

Mortgage insurance and assistance payments for home ownership and project rehabilitation 3470

Proposed Rules

Mortgage and loan insurance programs; assurance of completion requirements 3481

Notices

Committees, panels: establishment, renewals, etc.: National Mobile Home Advisory Council; request for nominations 3500

INTERIOR DEPARTMENT

See also Fish and Wildlife Service; Geological Survey; Land Management Bureau.

Notices

Environmental statements; availability, etc.: Penobscot Wild and Scenic River Study, Maine 3494

INTERSTATE COMMERCE COMMISSION

Notices

Abandonment of railroad services:
Chicago, Rock Island and Pacific Railroad Co. and Fort Worth and Denver Railway Co 3530
Southern Pacific Transportation Co 3530
Car service exemptions, mandatory, (3 documents) 3529, 3530
Fourth section applications for relief 3531
Hearing assignments 3531
Motor carriers:
Transfer proceedings (4 documents) 3531

LABOR DEPARTMENT

See also Employment Standards Administration; Occupational Safety and Health Administration.

Proposed Rules

Farm labor contractors; registration requirements; extension of time 3486

Notices

Adjustment assistance:
Ambassador Clothes, Inc. and Fashion Tailors 3527
Eduardo Bonelli and Company, Inc 3528
Majestic Sweater Mills, Inc 3528
Privacy Act of 1974; systems of records 3703

LAND MANAGEMENT BUREAU

Notices

Meetings:
Casper District Advisory Board 3490
Outer Continental Shelf Environmental Studies Advisory Committee 3491

MATERIALS TRANSPORTATION BUREAU

Rules

Hazardous materials packagings; use auhtorized under exemptions 3477

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Rules

Motor vehicle safety standards:
Tire selection and rims for other than passenger cars 3478

Proposed Rules

Brake fluid level indicators; standards; correction 3485
Motor vehicle safety regulations; extension of time 3485

Notices

Meetings:
National Motor Vehicle Safety Advisory Committee 3501
Motor vehicle safety standards; temporary exemption petitions:
Advance Mixer, Inc 3501

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Notices

Endangered species permits; applications 3497

NATIONAL SCIENCE FOUNDATION

Notices

Meetings:
Ad Hoc Group on Science Court of the Advisory Group on Contributions of Technology to Economic Strength 3514
Energy-Related Graduate Traineeships Evaluation Subpanel 3515

NUCLEAR REGULATORY COMMISSION

Notices

Federal Water Pollution Control Act Amendments of 1972; second memorandum of understanding and policy statement regarding implementation of certain NRC and EPA responsibilities 3515

Applications:

Public Service Company of Oklahoma, et al (2 documents) 3515, 3517

Sacramento Municipal Utility District 3517

Toledo Edison Company, et al 3517

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Proposed Rules

Occupational exposure to sulfur dioxide; extension of time for comments 3485

POSTAL SERVICE

Rules

Postal regions; revisions in regional organization and titles of regional officials 3470

PUBLIC HEALTH SERVICE

Proposed Rules

Nurse practitioner training; grant programs 3551

RURAL ELECTRIFICATION ADMINISTRATION

Notices

Loan guarantees proposed:

North-West Telephone Co 3496

SECURITIES AND EXCHANGE COMMISSION

Rules

Interpretative releases:

Brokers and dealers effecting transactions in municipal securities 3469

Notices

Hearings, etc.:

Ashton, Harris J 3518

Conrac Corp 3518

Edie Special Institutional Fund, Inc. 3518

Inventure Capital Corp 3519

Jersey Central Power and Light Co. and Delmarva Power and Light Co 3520

Tax Exempt Bond Fund 3520

TI Corporation (of California) 3521

SMALL BUSINESS ADMINISTRATION

Notices

Meetings:

Denver District Advisory Council 3505

Applications, etc.:

Opportunity Capital Corp 3505

TRANSPORTATION DEPARTMENT

See Federal Aviation Administration; Materials Transportation Bureau; National Highway Traffic Safety Administration.

TREASURY DEPARTMENT

See also Alcohol, Tobacco and Firearms Bureau; Fiscal Service.

Notices

Antidumping:

Automobiles from Belgium 3490

Automobiles from Canada 3488

Automobiles from France 3488

Automobiles from Italy 3489

Automobiles from Japan 3489

Automobiles from Sweden 3490

Automobiles from the United Kingdom 3488

Automobiles from West Germany 3489

list of cfr parts affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, follows beginning with the second issue of the month.

A Cumulative List of CFR Sections Affected is published separately at the end of each month. The guide lists the parts and sections affected by documents published since the revision date of each title.

3 CFR

EXECUTIVES ORDERS:

11899 3459

11900 3461

PROCLAMATIONS:

4413 3455

4414 3457

7 CFR

2 (2 documents) 3463

910 3463

1832 3464

14 CFR

71 (5 documents) 3464, 3465

75 3465

PROPOSED RULES:

39 3483

71 (3 documents) 3484

15 CFR

60 3466

17 CFR

241 3469

24 CFR

235 3470

PROPOSED RULES:

207 3481

213 3481

221 3481

232 3481

241 3481

242 3481

244 3481

29 CFR

PROPOSED RULES:

40 3486

1910 3485

30 CFR

PROPOSED RULES:

250 3481

39 CFR

225 3470

40 CFR

52 (2 documents) 3475

42 CFR

PROPOSED RULES:

57 3552

47 CFR

78 3720

49 CFR

173 3477

571 3478

PROPOSED RULES:

571 (2 documents) 3485

577 3485

579 3485

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during January.

1 CFR

Ch. 1 ... 1
305 ... 1868

3 CFR

PROCLAMATIONS:

3279 (Amended by Proc. 4412) ... 1047
4210 (See Proc. 4412) ... 1037
4335 (Revoked by Proc. 4410) ... 749
4341 (See Proc. 4412) ... 1037
4382 (See Proc. 4410) ... 749
4410 ... 749
4411 ... 1037
4412 ... 1037
4413 ... 3455
4414 ... 3457

EXECUTIVE ORDERS:

11157 (Amended by EO 11897) ... 2071
11531 (Superseded by EO 11895) ... 1465
11647 (Amended by EO 11892) ... 751
11717 (Superseded in part by EO 11893) ...
11731 (Amended by EO 11892) ... 751
11846 (Amended by EO 11894) ... 1041
11861 (Amended by EO 11898) ... 1040
11867 (Superseded in part by EO 11893) ... 1040
11892 ... 751
11893 ... 1040
11894 ... 1041
11895 ... 1465
11896 ... 2067
11897 ... 2071
11898 ... 2365
11899 ... 3459
11900 ... 3461

MEMORANDUMS:

Memorandum of Nov. 10, 1975 ... 2627

4 CFR

20 ... 2073, 2367

5 CFR

213 ... 1467, 1577, 1737, 2073, 3073
930 ... 2074

PROPOSED RULES:

2402 ... 1400

7 CFR

2 ... 3463
16 ... 2805
52 ... 2367
53 ... 2371
210 ... 3073
226 ... 2074
246 ... 1743
250 ... 1487
271 ... 1268, 1269, 3073
401 ... 1577, 1578
722 ... 1580, 3270
729 ... 1885
730 ... 1043
793 ... 2805
905 ... 3282
907 ... 1489, 2225, 3282
910 ... 1, 1580, 1885, 2371, 3463
915 ... 3283
916 ... 1043
993 ... 2372
999 ... 2074
1823 ... 1490

7 CFR—Continued

1822 ... 2372
1832 ... 3464
1872 ... 1490
2610 ... 1886

PROPOSED RULES:

51 ... 2074
52 ... 3309
210 ... 2249
225 ... 1078, 2650
663 ... 6
662 ... 1774
722 ... 2097
730 ... 1078
905 ... 2091
907 ... 1600
928 ... 1077
959 ... 2091
984 ... 1916
991 ... 3093
1002 ... 2092
1131 ... 2093
1430 ... 775
1701 ... 775
1813 ... 3094

8 CFR

103 ... 1887, 2629

PROPOSED RULES:

243 ... 2647

9 CFR

78 ... 753, 766, 2075
92 ... 3073
97 ... 3074
317 ... 2225, 2630
318 ... 2630
319 ... 2630
350 ... 753
351 ... 753
355 ... 753
381 ... 2225

PROPOSED RULES:

92 ... 2249
303 ... 1289
318 ... 1773
331 ... 2827
381 ... 1289, 1773, 2827

10 CFR

205 ... 2226
210 ... 1486
211 ... 1044, 1487
212 ... 1267
213 ... 2226

PROPOSED RULES:

205 ... 2249
209 ... 1291, 2833
210 ... 1564
211 ... 2830
212 ... 1295, 1564, 1580

11 CFR

PROPOSED RULES:

115 ... 2251

12 CFR

8 ... 3284
208 ... 1269
210 ... 3074

12 CFR—Continued

265 ... 1737
304 ... 2630
333 ... 2374
561 ... 1888
571 ... 2805
613 ... 1269

PROPOSED RULES:

202 ... 1769
210 ... 3097
406 ... 1086

13 CFR

309 ... 1738, 3286

PROPOSED RULES:

115 ... 1608

14 CFR

Ch. I ... 2248
21 ... 1060
29 ... 1060
39 ... 1046–1055, 1270, 1581, 1738, 1888, 1889, 2375–2377, 2631
71 ... 2, 300, 753, 1055, 1467, 1582, 1583, 1739, 1889, 1890, 2075, 2377, 2378, 3074, 3075, 3464, 3465
73 ... 300, 1055, 1583
75 ... 300, 1890, 3465
91 ... 1060, 1890
95 ... 1055
97 ... 1270, 3347, 3075
288 ... 1271
385 ... 1060
1207 ... 2631

PROPOSED RULES:

37 ... 776
39 ... 1762, 3483
71 ... 1605, 1763, 2249, 3311, 3484
121 ... 1085, 2650
129 ... 1085, 2650
253 ... 781
298 ... 1764
399 ... 781, 1500

15 CFR

3 ... 1583
30 ... 2076
60 ... 3466
377 ... 2076
929 ... 2378

16 CFR

13 ... 753, 2078, 2079, 2381, 2633–2635, 3076, 3077
19 ... 2383
20 ... 2383
31 ... 2383
33 ... 2383
37 ... 2383
49 ... 2383
53 ... 2383
65 ... 2383
72 ... 2383
76 ... 2383
84 ... 2383
85 ... 2383

16 CFR—Continued

87 2383
97 2383
99 2383
108 2383
109 2383
110 2383
111 2383
119 2383
120 2383
121 2383
122 2383
124 2383
125 2383
126 2383
127 2383
129 2383
133 2383
134 2383
137 2383
139 2383
140 2383
143 2383
147 2383
148 2383
155 2383
163 2383
164 2383
166 2383
167 2383
168 2383
171 2383
172 2383
173 2383
179 2383
180 2383
183 2383
188 2383
189 2383
190 2383
211 2383
212 2383
213 2383
218 2383
219 2383
225 2383
301 2635
1207 2742
1512 1061
1615 1061
1616 1061
1630 1061

PROPOSED RULES:

Ch. I 3322
18 2398
21 2398
22 2398
25 2398
27 2398
28 2399
30 2389
32 2398
35 2398
39 2398
42 2398
43 2398
47 2398
48 2398
50 2398
51 2398
58 2398
64 2399
66 2398

16 CFR—Continued

PROPOSED RULES—Continued

71 2398
88 2398
92 2398
101 2398
105 2398
132 2398
136 2398
138 2398
144 2398
145 2398
149 2399
161 2398
169 2398
176 2398
177 2398
181 2398
182 2398
185 2398
186 2398
191 2398
193 2399
194 2398
195 2398
196 2398
198 2398
199 2398
201 2398
202 2398
206 2398
207 2398
217 2398
220 2399
222 2389
226 2398
227 2398
450 1501
455 1089, 2100
456 2399

17 CFR

0 2508
1 3194
10 2508
16 3207
17 3207
18 3208
19 3209
20 3210
21 3210
30 3211
140 3211
146 3212
150 3215
200 1739
230 1272
240 1741
241 3469

PROPOSED RULES:

230 10
240 1771
270 2256
274 2256

18 CFR

2 2806, 3092
3 3269, 3270

PROPOSED RULES:

3 3096
154 3096
260 3096
701 1921

19 CFR

153 2820
159 1273–1275, 1467, 1468, 1587, 1588, 1741
161 2383

PROPOSED RULES:

12 1498

20 CFR

10 2
405 1491
617 3079
901 2080
902 2080
903 1493

PROPOSED RULES:

405 1499
410 1762
422 1601
450 1603
602 776
614 2828
620 3095

21 CFR

1 1156, 2636
2 1891, 2383, 2636
8 754
27 1469
102 1156, 2636
121 1061, 1276, 1469, 3286
123 1589
431 2384
520 1276, 1891, 2384, 2821
522 2821
540 1892
558 1061, 1276, 1469, 1892, 3079
561 1589
1308 3287

PROPOSED RULES:

338 1498
339 1498
340 1498
1304 1498

23 CFR

230 3080
820 3080

PROPOSED RULES:

1204 3315, 3317

24 CFR

82 1672
201 3267
203 1277
207 3081
213 1277, 3081
220 3081
221 3081
231 3081
234 1277, 3081
235 1168, 3470
236 3081
275 2821, 3081
300 2084
570 2766
888 2085, 3082, 3440
890 2344
1909 1062
1912 1062
1914 1062, 1470, 1751, 1893
1915 1277, 1472, 1751, 2240, 3085

24 CFR—Continued
1916 1277–1280
1917 ..... 1894–1898, 2645
1920 ..... 2645, 2646
PROPOSED RULES:
207 3481
213 3481
221 3481
232 3481
241 3481
242 3481
244 3481
282 3406
283 3406
570 2348
888 ..... 2098, 3094
1905 1499
1912 1500

25 CFR
232 1898
252 3288
PROPOSED RULES:
252 3309
131 1915

26 CFR
1 ..... 1063, 1280, 2636, 2642
31 1903
PROPOSED RULES:
1 ..... 1289, 1915, 2647
31 2087
41 768
48 768
142 768

27 CFR
4 1063
18 2642
PROPOSED RULES:
5 1077

28 CFR
0 3289

29 CFR
102 1478
1952 1904
2509 ..... 1906, 3289
2555 1906
2556 1906
PROPOSED RULES:
40 3486
1910 3485
1952 1918

30 CFR
PROPOSED RULES:
250 3481

31 CFR
PROPOSED RULES:
223 1077

32 CFR
505 1286
820 1906
PROPOSED RULES:
888f 2089

33 CFR
110 2086
117 2385
127 2086
157 1479
207 3291
PROPOSED RULES:
82 10
117 ..... 10, 754
127 755

34 CFR
235 755
PROPOSED RULES:
Ch. I 779

36 CFR
60 1590
606 1286
703 2229
1002 2385
PROPOSED RULES:
7 ..... 1600, 2826

37 CFR
1 756
2 756

38 CFR
36 1913

39 CFR
225 3470

40 CFR
35 2912
52 ..... 1913, 2231, 3085, 3320, 3475
60 ..... 1913, 2232, 2332
61 1914
142 2916
180 ..... 762, 763, 2822
201 2184
204 2162
247 2356
414 902
418 2386
PROPOSED RULES:
52 ..... 1065, 1921, 2099, 2263
85 2264
86 2022
104 1765
180 ..... 2829, 2830
245 2359
414 914
1510 2396

41 CFR
4–1 1742
7–7 1914
7–15 1914
8–1 3292
8–4 3292
8–16 3293
Ch. 9 3293
9–3 2388
14–2 763
14–18 763
101–26 3293
105–54 2235
114–40 2237
114–50 3086

41 CFR—Continued
PROPOSED RULES:
24–1 3220
24–2 3220
24–3 3220
24–4 3220
24–7 3220
24–11 3220
24–13 3220
24–16 3220
24–30 3220
24–50 3220
51–5 1764

42 CFR
PROPOSED RULES:
57 3552
83 ..... 1757, 2249

43 CFR
2090 1598
2096 1597
2610 1597
2740 1598
4110 3298
PUBLIC LAND ORDERS:
5568 2823
PROPOSED RULES:
2 2826
3520 2648

45 CFR
17 2
100 1395
100b 1395
117 1395
121 1395
130 1395
141 1395
173 1395
180 1876
249 2198
250 2198
PROPOSED RULES:
103 2252
1336 2046

46 CFR
30 3086
42 1470
146 ..... 763, 2086
151 3086
294 3298
536 765

47 CFR
1 ..... 1286, 1372
2 2389
73 2389
76 ..... 1063, 1742
78 3720
83 3299
87 ..... 1598, 2389, 2390
95 3299
97 ..... 1482, 2824

47 CFR—Continued

PROPOSED RULES:

0 2100
1 2100, 2396, 2397
43 1290
68 778
73 1088, 1089, 1291, 1500, 1501
76 1606
81 2398
83 2397, 2398, 3321

49 CFR

1 1288
25 3300
173 3477
255 2524
257 2525
571 4, 765, 1066, 1483, 1598, 2391, 3478
575 1066
1001 2824
1002 1483, 2824

49 CFR—Continued

1007 3087
1033 4, 2644, 3090, 3091
1045 1484
1048 3305
1056 1742
1100 1485
1125 3402
1132 1485
1133 1486
1134 3091
1141 1486
1151 1486

PROPOSED RULES:

173 1919, 2829
178 1919, 2829
395 3311
567 3315
571 1763, 2828, 3485
575 3315
577 3485
579 3485

49 CFR—Continued

PROPOSED RULES—Continued

1003 1923
1048 2254, 3333
1049 2254
1100 1923
1104 1923
1043 779
1056 1607, 1608
1084 779
1204 2100
1260 2100
1261 2100

50 CFR

17 1915
21 2237
28 766, 1743
33 2240, 3305
240 1067
260 2395
501 4
510 3306
520 3307

FEDERAL REGISTER PAGES AND DATES—JANUARY

Pages	*Date*	*Pages*	*Date*
1–747	2	2067–2224	14
749–1034	5	2225–2363	15
1035–1266	6	2365–2626	16
1267–1464	7	2627–2803	19
1465–1575	8	2805–3071	20
1577–1735	9	3073–3267	21
1737–1884	12	3269–3453	22
1885–2065	13	3455–3731	23

presidential documents

Title 3—The President

PROCLAMATION 4413

National Day of Prayer for Americans Missing in Action in Southeast Asia

By the President of the United States of America

A Proclamation

Three years have passed since the signing of the Paris Agreement ending United States combat involvement in the Vietnam War.

That agreement contained specific provisions for the accounting of combatants designated as missing in action, and for the return of the remains of American war dead.

Despite this long passage of time, and despite the fact the war is now over, a satisfactory accounting still has not been completed. A cruel shadow of doubt hangs over hundreds of American families who have no knowledge of the whereabouts of their loved ones.

This Nation continues to explore every avenue of potential progress toward a resolution of this painful and frustrating situation. The recent Presidential visit to the People's Republic of China brought forth some hope for progress in this matter. The efforts of a Select Committee of the Congress to account for missing persons also have met with some success.

As we continue these efforts, it is essential for the Nation to be always mindful of the plight of the men whose circumstances are unknown and of the families whose sorrow we know only too well.

Further, it is important that all of us recall that the watchful eye of our Creator is upon us and upon those we love. We take comfort in the fact that each of us, in our own way, may call upon our God for guidance, for solace, and for strength to endure.

It is thus fitting for the entire country to join in one voice to declare our unalterable commitment to seek the fullest possible accounting for those lost in combat.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby designate Sunday, January 25, 1976, as a National Day of Prayer for Americans Missing in Action in Southeast Asia.

I call upon all Americans and all churches throughout the Nation to mark this day with prayers for these brave men and for their families.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of January, in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76-2232 Filed 1-21-76;4:54 pm]

PROCLAMATION 4414

American Heart Month, 1976

By the President of the United States of America

A Proclamation

Diseases of the heart and blood vessels remain our Nation's most urgent health problem. These disorders afflict an estimated 28.5 million Americans and cause more than a million deaths each year, about a quarter of which occur among persons under age 65.

In the forefront of the continuing struggle against heart and blood vessel diseases are the National Heart and Lung Institute, a federal agency, and the American Heart Association, a privately-supported voluntary health organization. Their efforts and contributions in the areas of research, training of professionals, including the development of continuing education programs, and community service activities demonstrate what can be achieved when the private and public sectors unite for a common purpose.

We have learned much about the factors that increase susceptibility to arteriosclerosis and its complications, and how to modify or eliminate some of them. We have learned much about the effectiveness of intensive coronary care units and the use of drugs in controlling high blood pressure. We have improved and developed appropriate surgical procedures and life-support techniques. We have learned more about the cardiovascular system and its diseases in the past 25 years than during all previous years of medical history. During this same quarter-century, the overall mortality rate from these diseases has declined by about 25 percent.

In recognition of the seriousness of this menace to the Nation's health and well-being, and to encourage the consolidation and extension of our advances against cardiovascular disease, the Congress has requested the President to issue annually a proclamation designating February as American Heart Month.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim the month of February 1976, as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, the officials of other areas subject to the jurisdiction of the United States, and the American people, to join with me in reaffirming our commitment to the resolution of the nationwide problem of cardiovascular disease.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of January, in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundredth.

Gerald R. Ford

[FR Doc.76-2269 Filed 1-22-76;12:11 pm]

Executive Order 11899 • January 22, 1976

Providing for the Protection of Certain Civil Service Employment Rights of Federal Personnel Who Leave Federal Employment To Be Employed by Tribal Organizations Pursuant to the Indian Self-Determination and Education Assistance Act

By virtue of the authority vested in me by section 105(i) of the Indian Self-Determination and Education Assistance Act (88 Stat. 2210, 25 U.S.C. 450(i)), section 3301 of title 5 of the United States Code, section 301 of title 3 of the United States Code, and as President of the United States of America, it is hereby ordered as follows:

SECTION 1. The United States Civil Service Commission is hereby designated and empowered to exercise, without approval, ratification, or other action by the President, but after consultation with the Department of the Interior and the Department of Health, Education, and Welfare, the authority vested in the President by Section 105(i) of the Indian Self-Determination and Education Assistance Act (hereinafter referred to as the Act), to issue regulations necessary to carry out the provisions of subsections (e)(2), (e)(3), (e)(4), (f), (g) and (h) of section 105 of the act, to carry out the provisions of subsection (e)(1) of section 105 of the act to the extent subsection (e)(1) pertains to section 8151 of title 5 of the United States Code, and to protect and assure any other civil service employment rights which it finds appropriate.

SEC. 2. The United States Civil Service Commission shall, after consultation with the Department of the Interior and the Department of Health, Education, and Welfare, issue regulations, as it deems appropriate, providing for the establishment, granting, and exercise of reemployment rights for employees who leave Federal employment for employment by an Indian tribal organization under provisions of the act.

SEC. 3. The Secretary of Labor is hereby designated and empowered to exercise, without approval, ratification, or other action by the President, the authority vested in the President by section 105(i) of the act to issue regulations necessary to carry out the provisions of section 105(e)(1) of the act, except as provided in section 1 of this order.

Gerald R. Ford

THE WHITE HOUSE,
January 22, 1976.

[FR Doc.76-2270 Filed 1-22-76;12:12 pm]

Executive Order 11900 • January 22, 1976

Inspection of Income, Estate and Gift Tax Returns by the Committee on Government Operations, House of Representatives

By virtue of the authority vested in me by Section 6103(a) of the Internal Revenue Code of 1954 (26 U.S.C. 6103(a)), it is hereby ordered that any income, estate, or gift tax return for the years 1955 to 1975, inclusive, shall, subject to the conditions imposed herein, during the Ninety-fourth Congress, be open to inspection by the House of Representatives Committee on Government Operations, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining the economy and efficiency of the Government.

Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 6132, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955, as amended by a Treasury decision approved by me this date, provided, however, that whenever it is necessary for the Committee or subcommittee, pertaining to a matter within its jurisdiction and pertinent to a study of the practices, procedures, or operations of the Internal Revenue Service, to inspect a class, category, or any other identifiable grouping of returns, and whenever the name or addresses of the taxpayers are unknown to the Committee or subcommittee, the requirement of Treasury Decision 6132, with respect to providing the names and addresses of the taxpayers whose returns are to be inspected, shall be deemed to be satisfied by a definition of the class, category, or any other identifiable grouping of the returns to be inspected.

The Commissioner of Internal Revenue shall comply with the applicable provisions of the Privacy Act of 1974 (5 U.S.C. 552a) by receiving from the Committee or subcommittee, prior to such inspection, a written statement, which statement (1) specifies the purpose of the inspection; and (2) establishes that the inspection relates to a matter within the jurisdiction of the Committee or subcommittee, unless the Commissioner has received the written consent of the taxpayer to the inspection.

Gerald R. Ford

THE WHITE HOUSE,
January 22, 1976.

[FR Doc.76-2271 Filed 1-22-76;12:13 pm]

rules and regulations

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

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

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Planning and Evaluation—Reservation of Authority

In 40 FR 41085, September 5, 1975, the planning and evaluation function of the Department was transferred from the Under Secretary to the Assistant Secretary for Administration. This document deletes the reservation of authority to the Secretary relating to planning and evaluation from the Under Secretary and adds a reservation of authority to the Secretary from the Assistant Secretary for Administration, as follows:

1. Section 2.16 is amended by deleting and reserving paragraph (b) as follows:

§ 2.16 Reservation of authority.

The following authorities are reserved to the Secretary of Agriculture:

(a) [Reserved]

(b) [Reserved]

2. Section 2.26 is amended by adding a paragraph (b) as follows:

§ 2.26 Reservation of authority.

The following authorities are reserved to the Secretary of Agriculture:

(a) [Reserved]

(b) *Related to management and finance.* Final approval of the Department's program and financial plans.

(c)–(d) [Reserved]

* * * * *

Effective Date. January 23, 1976.

Dated: January 19, 1976.

EARL L. BUTZ,
Secretary.

[FR Doc.76-2060 Filed 1-22-76;8:45 am]

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Voluntary Poultry and Rabbit Inspection and Inspection, Testing, Treatment, and Certification of Animals

Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended to delegate to the Assistant Secretary for Marketing and Consumer Services the authority to provide voluntary inspection for rabbits and edible products thereof, and for poultry and edible products thereof; and the inspection, testing, treatment, and certification of animals, and to redelegate such authority to the Administrator, Animal and Plant Health Inspection Service, as follows:

Subpart C—Delegations of Authority to the Under Secretary, Assistant Secretaries, and Director of Agricultural Economics

Section 2.17 is amended by revising paragraph (b)(28) to read as follows:

§ 2.17 Delegations of authority to the Assistant Secretary for Marketing and Consumer Services.

* * * * *

(b) * * *

(28) The Agricultural Marketing Act of 1946, sections 203, 205, as amended (7 U.S.C. 1622, 1624), with respect to voluntary inspection of rabbits and edible products thereof; voluntary inspection of poultry and edible products thereof; voluntary inspection and certification of animal byproducts; voluntary inspection and certification of technical animal fats; certified products for dogs, cats, and other carnivora; and the inspection, testing, treatment, and certification of animals (7 CFR 54, 70; 9 CFR Parts 91, 156, 350, 351, 355).

* * * * *

Subpart F—Delegations of Authority by the Assistant Secretary for Marketing and Consumer Services

Section 2.51 is amended by revising paragraph (a)(28) to read as follows:

§ 2.51 Administrator, Animal and Plant Health Inspection Service.

(a) * * *

(28) The Agricultural Marketing Act of 1946, sections 203, 205, as amended (7 U.S.C. 1622, 1624), with respect to voluntary inspection of rabbits and edible products thereof; voluntary inspection of poultry and edible products thereof; voluntary inspection and certification of animal byproducts; voluntary inspection and certification of edible meat and other products; voluntary inspection and certification of technical animal fat; certified products for dogs, cats, and other carnivora; and the inspection, testing, treatment, and certification of animals (7 CFR 54, 70; 9 CFR Parts 91, 156, 350, 351, 355).

* * * * *

Effective date: January 23, 1976.

Dated: January 19, 1976.

EARL L. BUTZ,
Secretary.

RICHARD L. FELTNER,
Assistant Secretary for Marketing and Consumer Services.

[FR Doc.76-2106 Filed 1-22-76;8:45 am]

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

[Lemon Regulation 23]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Jan. 25–31, 1976. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.323 Lemon Regulation 23.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is slightly improved this week but still below normal due to the recent cold weather.

Average f.o.b. price was $5.71 per carton the week ended January 17, 1976, compared to $5.79 per carton the previous week. Track and rolling supplies at 130 cars were up 20 cars from last week.

(ii) Having considered the recommendation and information submitted by the

committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this 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 during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this 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 lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this 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 January 20, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period January 25, 1976, through January 31, 1976, is hereby fixed at 185,000 cartons.

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

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

Dated: January 22, 1976.

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

[FR Doc.76–2267 Filed 1–22–76;11:41 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—LOANS PRIMARILY FOR PRODUCTION PURPOSES

[FmHA Instruction 441.2]

PART 1832—EMERGENCY LOANS

Emergency Loan Policies, Procedures, and Authorizations

Section 1832.32(d) of Subpart A of Part 1832, Title 7, Code of Federal Regulations (40 FR 42333) is revised. The purpose of this revision is to provide procedure for preparing and sending a list of those applicants not qualifying for Emergency (EM) loans for physical losses in major disaster areas to the Federal Disaster Assistance Administration (FDAA) when Section 408 grants are available under the Disaster Relief Act of 1974. It is the policy of this Department that rules relating to public property, loans, grants, benefits or contracts shall be published for comment notwithstanding the exemption of 5 U.S.C. 553 with respect to such rules. This revision, however, is not published for proposed rulemaking because such notice would be contrary to public interest inasmuch as any delay in the granting of Section 408 grants to eligible disaster victims could cause possible financial hardships to many such victims. In addition, such delay may cause an adverse effect on the local economy of areas affected by major disasters.

Interested persons, however, may submit written comments, suggestions, data or arguments to the Office of the Chief, Directives Management Branch, Farmers Home Administration, U.S. Department of Agriculture, Room 6316, South Building, Washington, D.C. 20250, on or before February 23, 1976. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Section 1832.32 (d), of Subpart A of Part 1832 as revised, however, will remain effective until it is further revised or amended. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Chief, Directives Management Branch during regular business hours (8:15 a.m. to 4:45 p.m.). As revised, § 1832.32(d) reads as follows:

§ 1832.32 Loan approval or rejection.

* * * * *

(d) *Rejection of loans.* If a loan is rejected, the loan approval official will indicate the reasons for the rejection in the running case record. The County Supervisor will notify the applicant by letter of the reason(s) for rejection. In areas where EM loans are being made under a major disaster declaration and where FDAA has advised the State Director that Section 408 grants are available, a list of applicants with physical losses that do not qualify for EM loans will be prepared and sent to FDAA by County Supervisors as of COB each week. The names of applicants who do not qualify because they are able to obtain credit elsewhere will be marked by an asterisk (*) before each name. Those applicants who are not eligible for a loan because they are not farmers as defined in Section 1832.3 of this Part will be screened and disqualified immediately. The State Director will be advised by FDAA where to send the lists and he will so advise the County Supervisors. The list will be prepared in the following format:

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

To: _____
_____

The following is a list of applicants not qualifying for Farmers Home Administration's Emergency loans in _____ County during the week ending _____, 19__. Applicants who did not qualify because they are able to obtain credit from other sources are indicated by an "*" before their names.

_____
(*Name*)
_____
(*Address*)
_____
(*County Supervisor*)

(7 U.S.C. 1989; 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: January 23, 1976.

Dated: January 14, 1976.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.76–2103 Filed 1–22–76;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 76–SO–1]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Covington, Tennessee, transition area.

The Covington transition area is described in § 71.181 (41 FR 440). In the description, an extension, predicated on the 194° bearing from the Covington RBN, was designated to provide controlled airspace protection for IFR aircraft executing the NDB–RWY 1 Instrument Approach Procedure. The final approach bearing has been changed to 186°. It is necessary to alter the description to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901, March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440) the Covington, Tennessee, transition area is amended as follows:

". . . 194° . . ." is deleted and ". . . 186° . . ." is substituted therefor.

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

Issued in East Point, Ga., on January 14, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-2049 Filed 1-22-76;8:45 am]

[Airspace Docket No. 75-SO-122]

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

Designation of Transition Area

On December 1, 1975, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (40 FR 55664), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Southport, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition area is added:

SOUTHPORT, N.C.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Brunswick County Airport (latitude 33°55'44" N., longitude 78°04'33" W.); within 3 miles each side of the 315° bearing from the Yaupon RBN (latitude 33°55'39" N., longitude 78°04'31" W.), extending from the 5-mile radius area to 8.5 miles northwest of the RBN.

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

Issued in East Point, Ga., on January 14, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-2044 Filed 1-22-76;8:45 am]

[Airspace Docket No. 75-SO-148]

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

Designation of Transition Area

On December 1, 1975, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (40 FR 55665), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Sylacauga, Ala., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition area is added:

SYLACAUGA, ALA.

That airspace extending upward from 700 feet above the surface within a 10.5-mile radius of Lee Merkle Airport (latitude 33°10'-14" N., longitude 86°18'12" W.)

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

Issued in East Point, Ga., on January 14, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-2045 Filed 1-22-76;8:45 am]

[Airspace Docket No. 75-SO-150]

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

Designation of Transition Area

On December 1, 1975, a Notice of Proposed Rulemaking was published in the FEDERAL REGISTER (40 FR 55665), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Ripley, Miss., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. There were no comments received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

In § 71.181 (41 FR 440), the following transition area is added:

RIPLEY, MISS.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Ripley Airport (Lat. 34°43'25" N., Long. 89°00'49" W.).

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

Issued in East Point, Ga., on January 14, 1976.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.76-2046 Filed 1-22-76;8:45 am]

[Airspace Docket No. 75-EA-69]

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

Designation of Transition Area

On page 54006 of the FEDERAL REGISTER for November 20, 1975, the Federal Aviation Administration published a proposed rule which would designate a Downington, Pa., Transition Area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t., January 29, 1976.

(Sec. 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348], and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Jamaica, N.Y., on January 9, 1976.

DUANE W. FREER,
Director, Eastern Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Downingtown, Pa. transition area as follows:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 39°59'00" N., 75°44'30" W., of Bob Shannon Memorial Field, Downingtown, Pa. and within 6.5 miles northeast and 4.5 miles southwest of the Modena, Pa. VORTAC 320° radial and 140° radial, extending from 5.5 miles northwest to 11.5 miles southeast of the VORTAC. This transition area is effective from sunrise to sunset, daily.

[FR Doc.76-2047 Filed 1-22-76;8:45 am]

[Airspace Docket No. 75-WA-16]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Redesignation of Jet Routes

On October 20, 1975, a Notice of Proposed Rule Making (NPRM) was published in the FEDERAL REGISTER (40 FR 48939) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 75 of the Federal Aviation Regulations that would reorganize certain U.S. segments of J/HL routes serving Eastern Canada.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. The Department of the Air Force objected to the realignment of Jet Route 570 from Long Lake Intersection, N.Y., to Mirabel, Quebec, because it would not provide for the most efficient use of airspace. The Department of the Air Force recommended that consideration be given to establishing a single jet route from Mirabel direct to Montreal direct to Albany if a route is desired.

The agency after consideration of the comment and factors involved has concluded that a realignment of J-570 from Mirabel direct to Albany, rather than via Long Lake Intersection, would improve the route structure navigation and include a minor reduction in mileage. Additionally, the Canadian Ministry of Transport concurs with the direct alignment. Accordingly, action is taken herein to amend J-570 between Mirabel and Albany via a direct routing.

With respect to the comment that a single route be designated between Mirabel/Montreal and Albany, the agency may issue a Notice of Proposed Rule Making at a later date and as a separate action if such an adjustment is found to be appropriate.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 25, 1976, as hereinafter set forth.

§ 75.100 [Amended]

§ 75.100 (41 FR 704) is amended as follows:

1. Jet Route No. 553 (Title and Text) is revoked.

2. Jet Route No. 509 is added as follows: From Beauce, Quebec, via Houton, ME.; to Moncton, New Brunswick excluding the portion outside the United States.

3. Jet Route No. 570 is amended to read as follows: From Albany, N.Y., to Mirabel, Quebec, excluding the portion outside the United States.

4. Jet Route No. 524 is added as follows: From the INT of Albany, N.Y., 343° and Montreal, Quebec, 188° radials to the INT of the Montreal 188° radial with United States/Canadian border.

5. Jet Route No. 582 is amended to read as follows: From Presque Isle, ME., to Sept Isle, Quebec, excluding the portion outside the United States.

6. Jet Route No. 561 is added as follows: From Presque Isle, ME., to Mont Joli, Quebec, excluding the portion outside the United States.

(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 January 19, 1975.

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

[FR Doc.76-2048 Filed 1-22-76;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER I—BUREAU OF THE CENSUS, DEPARTMENT OF COMMERCE

PART 60—PUBLIC INFORMATION

Freedom of Information Act of 1975

On November 7, 1975, the Bureau of the Census published a notice of proposed rulemaking in the FEDERAL REGISTER (40 FR 52045), amending the regulations and procedures to be followed to obtain data under the Freedom of Information Act. These regulations will amend Part 60 of Title 15 of the Code of Federal Regulations. Interested persons were invited to submit written comments regarding the proposed regulations no later then December 8, 1975.

No comments have been received and the proposed amendment is hereby adopted without change and is set forth below.

Effective date. This part becomes effective on February 15, 1976.

Dated: January 19, 1976.

VINCENT P. BARABBA,
Director, Bureau of the Census.

Part 60 is adopted as set forth below:

Sec.
60.1 Scope and purpose.
60.2 Policies.
60.3 Definitions.
60.4 Publication in the FEDERAL REGISTER.
60.5 Availability of materials for inspection and copying.
60.6 Confidentiality of data collected by the Bureau of the Census.
60.7 Requests for records.
60.8 Initial determinations of availability of records.
60.9 Appeals from initial denials or untimely delays.
60.10 Fees.
60.11 Arrangements for public inspection and copying of available records.

AUTHORITY: 5 U.S.C. 552, as amended by Pub. L. 93-502; 5 U.S.C. 553; 5 U.S.C. 301; 40 FR 11551; 40 FR 19810.

§ 60.1 Scope and purpose.

(a) This part revises the rules whereby the Bureau of the Census is to make publicly available the materials and indexes specified in 5 U.S.C. 552(a)(2), and the records requested under 5 U.S.C. 552(a)(3). This revision is to conform the rules to the requirements of the Freedom of Information Act (5 U.S.C. 552), as amended by Pub. L. 93-502, 88 Stat. 1561, effective February 19, 1975.

(b) These rules supplement Department Administrative Order 205-12, which contains policies, delegations of authority, and other rules implementing 5 U.S.C. 502. These rules also supplement the rules published on March 12, 1975, by the Department of Commerce (40 FR 11551).

§ 60.2 Policies.

(a) Policies and other factors to be considered in issuing the rules in this part are set forth in Department Administrative Order 205-12.

(b) Requests for records made under 5 U.S.C. 552(a)(3) apply only to existing records, and the Bureau is not required, in response to a request, to create records by combining or compiling information contained in existing records, or otherwise to prepare new records. However, Bureau officials may, upon request, provide or create new information in record form pursuant to user charge statutes, such as 15 U.S.C. 1525-1527, or in accord with authority otherwise provided by law.

§ 60.3 Definitions.

(a) To the extent that terms used in this part are defined in 5 U.S.C. 551, they shall have the same definition herein.

(b) As used in this part, "Act" means the "Freedom of Information Act," as amended, 5 U.S.C. 552.

§ 60.4 Publication in the Federal Register.

(a) Materials required to be published pursuant to the provisions of 5 U.S.C. 552(a)(1) have been and shall continue to be so published, in one of the following ways:

(1) By publication in the FEDERAL REGISTER of the Department Orders of the Department of Commerce, including any supplements and appendices thereto, and of appropriate Secretary of Commerce Circulars and Department Administrative Orders;

(2) By publication in the FEDERAL REGISTER of agency rules and regulations, and by their subsequent inclusion in the Code of Federal Regulations;

(3) By publication in the FEDERAL REGISTER of appropriate general notices; and

(4) By other forms of publication, when incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Federal Register.

(b) Those materials which are published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) shall, to the extent practicable and to further assist the public, be made available for inspection and copying at the facility identified in § 60.5(c).

§ 60.5 Availability of materials for inspection and copying.

(a) The Director, Bureau of the Census shall, as provided in 5 U.S.C. 552(a)(2) and subject to other provisions of law, establish and maintain a reference facility for the public inspection and copying of:

(1) Final opinions, including concurring and dissenting opinions, as well as order, made in the adjudication of cases;

(2) Those statements of policy and interpretations which have been adopted by the Bureau and are not published in the FEDERAL REGISTER;

(3) Administrative staff manuals and instructions to staff that affect a member of the public;

(4) Current indexes providing identifying information for the public as to any matter which is (i) issued, adopted, or promulgated after July 4, 1967, and (ii) required to be made available or published by section 552(a)(2);

(5) Records of the final votes of each member in every proceeding of any agency comprised of more than one member;

(6) Rules and decisions denying requests for records which otherwise implement or relate to the Act; and

(7) Materials published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) and such other materials which each unit may consider desirable and practical to make available for the convenience of the public.

(b) The Bureau may, to prevent unwarranted invasion of personal privacy, delete identifying details when it makes available or publishes an opinion, state-

ment of policy, interpretation, or staff manual or instruction, and shall, in each such case, explain in writing the justification for the deletion.

(c) The Secretary of Commerce has determined (DAO 205–12, subparagraph 5.02a.5.) that it is unnecessary and impracticable to publish quarterly or more frequently and distribute (by sale or otherwise) copies of each index and supplements thereto, as provided in 5 U.S.C. 552(a)(2). Upon request, copies of such indexes shall be provided at the public reference facility at a cost not to exceed the direct cost of duplication.

(d) The above materials may be inspected in the Census Freedom of Information Records Inspection Facility located at the Library Branch, Room 2455, Federal Building 3, Bureau of the Census, Washington, D.C. 20233 (Suitland, Maryland). This facility is open to the public Monday through Friday of each week, except on official Federal holidays, between the hours of 9:00 a.m. and 4:30 p.m. There are no fees or formal requirements for such inspections. Upon request, however, the facility will arrange to have copies of the above materials made at the cost shown in § 60.10.

(e) Correspondence concerning the materials available in the facility should be sent to the above address. The telephone number of the facility is 763–5040, Area Code 301.

§ 60.6 Confidentiality of data collected by the Bureau of the Census.

(a) The Bureau of the Census is required by law to keep certain records confidential. Protection against unauthorized disclosures is provided by title 13, U.S.C.

§ 60.7 Requests for records.

(a) The procedures of this section are applicable only to those records not customarily available to the public as part of the regular informational activities of the Bureau or which are not available in the Census reference facility described in § 60.5. The procedures and fees generally do not apply to applications for personal census information. Applications for personal census information should be directed to the Bureau's Personal Census Service Branch at Walnut and Pine Streets, Pittsburg, Kansas 66762.

(b) A person who wishes to inspect records described in § 607(a) shall make a request in writing, with the envelope and letter clearly marked "Freedom of Information Desk" or "Freedom of Information Request" or the equivalent, to distinguish it from other mail to the Department. Each such request, so marked, shall be addressed to Associate Director for Administration, Bureau of the Census, Attention: Freedom of Information Desk, Washington, D.C. 20233.

(c) A request which is not addressed as described in § 60.7(a) and which is not routed through the Department's Central Facility, will not be deemed to have "received" for purposes of the time period for a request for records set forth in 5 U.S.C. 552(a)(6), until the earlier of the time that (1) forwarding of the request to the responsible unit has been effected, or (2) such forwarding would have been effected with the exercise of due diligence by Bureau personnel. In each instance when a request is forwarded, the Bureau of the Census shall notify the requester that his request was improperly addressed and the date the request was received by Census.

(d) A request for records shall sufficiently identify the records requested to enable Census personnel familiar with the subject matter to locate them with a reasonable amount of effort. The requester shall, to the extent possible, furnish specific descriptive information regarding dates and places the records were made, the file descriptions, subject matter, persons involved, and other pertinent details that will help identify the records. If the request relates to a matter in pending litigation, the court, location and case shall be identified. When more than one record is requested, the request shall clearly describe each specific record, and the specific information requested which is contained in a record, so that its availability may be separately determined. Employees at the Census reference facility described in § 60.5 will assist the public to a reasonable extent in framing a request.

§ 60.8 Initial determinations of availability of records.

(a) Whenever the Bureau of the Census receives a request for records it shall promptly log the receipt of the request, and within 10 days of its receipt (excepting Saturdays, Sundays and legal public holidays) shall initially determine:

(1) Whether the request is for records under the Act, is for materials available otherwise than under the Act, or is for information not contained in existing records, and, therefore, not under the Act.

(2) Whether the records requested are reasonably described and can be located on the basis of the information furnished, the Bureau shall promptly so inform the requestor in writing, specifying what additional identification is needed to assist the Bureau in locating the record, and offering to assist the requestor to reformulate his request.

(3) Whether the records no longer exist or are not in the Bureau's possession. The Bureau shall, if it knows which unit of the Department or other agency may have the records, forward the request to it. In each instance, the Bureau shall promptly notify the requestor in writing.

(4) Whether the requested records are the exclusive or primary concern of another executive agency. If so, the Bureau shall promptly refer to request to that other agency for further action under its rules, and promptly notify the requestor in writing of this referral.

(5) Whether the request is a categorical one. A categorical request; i.e., one for all records falling within a reasonably specific but broad category, shall be regarded as conforming to the statutory requirement that records be reasonably described, if the particular records can be identified, searched for, collected and produced without unduly burdening or disrupting the Bureau's operations. If the categorical request does not reasonably describe the records requested, the Bureau shall promptly notify the requester in writing specifying what additional identification is needed, and extend to the requester an opportunity to confer with Bureau personnel to attempt to reformulate the request so as reasonably to describe the records.

(6) In each of the situations set forth in paragraphs (a) and (b) of this section, the procedures relating to fees described in § 60.10 shall also be applied and coordinated as appropriate.

(b) An official having custody of the records requested in the Bureau of the Census shall review the request to determine the availability of the records requested.

(1) The determination shall be made within 10 days (excepting Saturdays, Sundays and legal public holidays) of the receipt of the request (as defined in § 60.7(c)), unless the time is extended as provided in paragraph (b)(2) of this section.

(2) In unusual circumstances, the Associate Director for Administration may extend the time for initial determination for up to 10 days (excluding Saturdays, Sundays and legal public holidays) by written notice to the requester setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. Extensions of time for the initial determination and extensions of time on appeal may not exceed a total of 10 days, and time taken for the former counts against available appeal extension time. "Unusual circumstances" means, but only to the extent reasonably necessary to the processing of a particular request:

(i) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(ii) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(iii) The need for consultation, which shall be conducted with all practical speed, with another agency or unit having a substantial interest in the determination of the request, or among two or more components of the Bureau having substantial subject-matter interest therein.

(3) If no determination has been sent to the requester at the end of the initial 10-day period, or the last extension thereof, the requester may deem his request to be initially denied, and exercise a right of appeal therefrom. When no determination can be made within the applicable time period, the Bureau shall nevertheless exercise due diligence in continuing to process the request. It

shall, on expiration of the applicable time period, inform the requester of the reason for the delay, of the date a determination is expected to be sent, and of the requester's right to treat the delay as a denial and to appeal therefrom. It may ask the requester to forego an appeal until a determination is made.

(4) If it is determined that the records requested are to be made available, and there are no further fees to be paid, the responsible official shall promptly notify the requester as to where and when the requested records or copies may be obtained or otherwise provide them as agreed. If there are fees still to be paid by the requester, he shall be notified that upon payment the records will immediately be made available.

(5) Only the Associate Director for Administration has been authorized to make initial denials of requests for records. A reply initially denying, in whole or in part, a request for records shall be in writing, signed by the Associate Director for Administration and it shall include:

(i) A reference to the specific exemption or exemptions of the Act authorizing the withholding of the records, stating briefly why the exemption applies and, where relevant, why a discretionary release is not appropriate.

(ii) The name and title or position of each official responsible for the denial.

(iii) A statement of the manner in which any reasonably segregable portion of a record shall be provided to the requester after deletion of the portions which are determined to be exempt.

(iv) A brief statement to the right of the requester to appeal the determination, and the address to which the appeal should be sent, in accord with § 60.9(a) and (b).

(6) The Office of the General Counsel of the Department shall be consulted before an initial denial of a request for records is issued and a copy of each initial denial shall be provided to the Assistant General Counsel for Administration of the Department of Commerce.

§ 60.9 Appeals from initial denials or untimely delays.

(a) When a request for records has been initially denied in whole or in part, or has not been timely determined, the requester may submit a written appeal within 30-calendar days after the date of the written denial or, if there has been no determination, on the last day of the applicable time limit. The appeal shall include a copy of the original requests, the initial denial, if any, and a statement of the reasons why the records requested should be made available and why the initial denial, if any, was in error. No personal appearance, oral argument or hearing on appeal is provided.

(b) An appeal shall be addressed to the Director, Bureau of the Census, Washington, D.C. 20233. Both the appeal envelope and the letter shall be clearly marked "Freedom of Information Appeal" or "Appeal for Records" or the equivalent. An appeal not addressed and marked as provided herein will be so marked by the Bureau personnel when it is so identified, and will be forwarded immediately to the proper addressee. An appeal incorrectly addressed will not be deemed to have been "received" for purposes of the time period for appeal set forth in 5 U.S.C. 552(a)(6), until the earlier of the time that (1) forwarding to the Director has been effected, or (2) such forwarding would have been effected with the exercise of due diligence by Bureau personnel. In each instance when an appeal is so forwarded, the Director shall notify the requester that the appeal was improprely addressed and of the date the appeal was received by that official.

(c) The Director, Bureau of the Census, shall act upon an appeal within 20 days (excluding Saturdays, Sundays and legal public holidays) of its receipt, unless an extension of time is made in unusual circumstances, when the time for action may be extended up to 10 days (excluding Saturdays, Sundays and legal public holidays) minus any days of extension granted at the initial request level. A notice of such extension shall be sent to the requester, setting forth the reasons and the date on which a determination of the appeal is expected to be sent. As used in this paragraph, "unusual circumstances" are defined in § 60.8(b)(2).

(d) If a decision on appeal is to make the records available to the requester in part or in whole such records shall be promptly made available for inspection and copying as provided in § 60.5.

(e) If no determination of an appeal has been sent to the requester within the 20-day period or the last extension thereof, the requester is deemed to have exhausted his administrative remedies with respect to such request, giving rise to a right of judicial review as specified in 5 U.S.C. 552(e)(4). When no determination can be sent to the requester within the applicable time limit, the Director shall nonetheless exercise due diligence in continuing to process the appeal. When the time limit expires, the requester shall be informed of the reason for the delay, of the date when a determination may be expected to be made, and his right to seek judicial review. The requester may be asked to forego judicial review until the appeal is determined.

(f) A determination on appeal shall be in writing and, when it denies records in whole or in part, the notice to the requester shall include: (1) Notation of the specific exemption or exemptions of the Act authorizing the withholding, a brief explanation of how the exemption applies, and, when relevant, a statement as to why a discretionary release is not appropriate; (2) a statement that the decision is final for the Bureau and for the Department of Commerce; (3) advice that judicial review of the denial is available in the district in which the requester resides or has his principal place of business, the district in which the agency records are situated, or the District of Columbia, and (4) the names and titles or positions of each official responsible for the denial of the request.

(g) No final denial may be issued without (1) consulting with the Office of the Special Assistant to the Secretary for Public Affairs, and (2) concurrence of the Office of the General Counsel of the Department.

(h) Final appeal decisions shall be indexed and kept available for public inspection and copying. Copies shall be sent to the Department's Assistant Secretary for Administration and Assistant General Counsel for Administration.

§ 60.10 Fees.

A uniform schedule of fees and procedures for collecting fees for the U.S. Department of Commerce has been promulgated and is published in 15 CFR 4.9, and applies to all requests for Bureau of the Census records made under the Freedom of Information Act.

§ 60.11 Arrangements for public inspection and copying of available records.

(a) Upon receipt of the records search fee, and any fees for additional services requested by the applicant, the requested record which has been determined to be available shall, unless the applicant has otherwise indicated, be transferred to the Census reference facility, where it will be held for inspection by the applicant for a reasonable time. The address, and hours of operation, of this facility are stated in § 60.5(d). A reasonable time shall generally be considered to be not less than one week or more than three weeks. In the event the requester does not review the records within this time, they shall be refiled and paragraph (e) of this section will apply.

(b) In the event that disclosable records are required for the conduct of the daily business of the Bureau during the time when they would otherwise be available in the facility, the requester shall be so notified at the time it is determined that the records are to be made available in the Census facility for inspection. If the requester does not appear at the appointed time, the records shall be refiled and paragraph (e) of this section will apply.

(c) During inspection of the record at the facility, the applicant may copy by hand any portion of the record, may request the facility to make a copy thereof, and may obtain certification of a machine-copied record in accordance with the fee structure in § 60.10.

(d) No changes or alterations of any type may be made to the record being inspected, nor may any matter be added to or subtracted therefrom. Papers bound or otherwise assembled in a record file may not be dissembled during inspection. Staff of the facility shall provide assistance if dissembly of a record is necessary for copying purposes, and are authorized to supervise public inspection as necessary to protect the records of the Bureau. The public is reminded of title 18, United States Code, section 2701(a), which makes it a crime to conceal, remove, mutilate, obliterate, or destroy

any record filed in any public office, or to attempt to do any of the foregoing.

(e) If the records are not reviewed as outlined in paragraph (a) or (b) of this section they will not be made available again for inspection until the following requirements are met: (1) All monies due on the first request have been remitted; (2) any estimated fee for a second search is paid; (3) the requester initiates and confirms a specific appointment time.

(f) If an applicant does not want to inspect a record by personal visit, he may request that a copy thereof be mailed to him, upon payment of the copying and postage fees set forth in § 60.10. Original copies of records shall not be sent to any location other than the reference facility for public inspection pursuant to 5 U.S.C. 552(a)(3).

[FR Doc.76-2088 Filed 1-22-76;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-12021]

PART 241—INTERPRETIVE RELEASES RELATING TO THE SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULATIONS THEREUNDER

Brokers and Dealers Effecting Transactions in Municipal Securities

Extension to March 31, 1976 of certain aspects of the financial responsibility and reporting program pertaining to transactions in municipal securities.

The Securities and Exchange Commission today announced the extension until March 31, 1976 of its previous interpretations respecting the application of Rules 17a-3, 17a-4 and 17a-11 [17 CFR 240.17a-3, .17a-4, .17a-11] to brokers and dealers effecting transactions solely in municipal securities.

In Securities Exchange Act Release No. 11854 (Nov. 20, 1975) [40 FR 57786 (Dec. 12, 1975)], the Commission adopted a financial responsibility and reporting program pertaining to transactions in municipal securities, including certain amendments, temporary amendments and interpretations to the uniform net capital rule (Rule 15c3-1) [17 CFR 240.15c3-1], the customer protection rule (Rule 15c3-3) [17 CFR 240.15c3-3], and other related financial responsibility and reporting rules.

Section 17(a)(1)[1] of the Securities Exchange Act of 1934 ("the Act") requires registered brokers and dealers, inter alia, to make and keep such records for such periods of time as the Commission by rule prescribes as necessary or appropriate in the public interest or for the protection of investors. Among the rules adopted pursuant to this rulemaking authority are Rules 17a-3, 17a-4 and 17a-11 [17 CFR 240.17a-3, .17a-4, .17a-11]. Rule 17a-3 [17 CFR 240.17a-3] essentially requires that brokers and dealers registered pursuant to Section 15 of the Act shall make and keep current specified books and records relating to their business. Rule 17a-4 [17 CFR 240.17a-4] requires the preservation for specified lengths of time of the books and records maintained pursuant to Rule 17a-3 [17 CFR 240.17a-3], as well as other documents enumerated in Rule 17a-4 (b), (c) and (d) [17 CFR 240.17a-4 (b), (c), (d)].[2] Paragraph (c) of Rule 17a-11 [17 CFR 240.17a-11(c)] requires that brokers and dealers give immediate, telegraphic notice of a Rule 17a-3 [17 CFR 240.17a-3] violation to the Commission, and take corrective measures within forty-eight hours after transmittal of such notice.

With respect to Rule 17a-3 [17 CFR 240.17a-3], the Commission noted that the present bookkeeping and recordkeeping systems of brokers and dealers effecting transactions solely in municipal securities might not produce records as comprehensive as those required by Rule 17a-3 [17 CFR 240.17a-3]. The Commission further noted that these brokers and dealers might be largely unfamiliar with the requirements of this rule, and might experience difficulty in digesting and implementing all the rule's provisions prior to December 1, 1975, by which date these brokers and dealers would become subject to Rule 17a-3 [17 CFR 240.17a-3].[3] The Commission concluded that it was necessary and appropriate to provide a transitional period during which brokers and dealers effecting transactions solely in municipal securities could educate themselves concerning Rule 17a-3 [17 CFR 240.17a-3] and make those adjustments to their bookkeeping and recordkeeping systems dictated by the rule's provisions. The Commission accordingly interpreted Rule 17a-3 [17 CFR 240.17a-3] to require brokers and dealers effecting transactions solely in municipal securities to make and keep current books and records sufficient to demonstrate their financial condition, to reflect the receipt and delivery of all funds and securities, and to reflect all customer activity.[4] A companion interpretation of Rule 17a-4 [17 CFR 240.17a-4] provided that brokers and dealers effecting transactions solely in municipal securities would be required to preserve in an easily accessible place those books and records maintained pursuant to Rule 17a-3 [17 CFR 240.17a-3], as interpreted, and such other business records required to be preserved by Rule 17a-4 [17 CFR 240.17a-4]. In addition, the Commission interpreted Rule 17a-11(c) [17 CFR 240.17a-11(c)] to apply only to violations of Rule 17a-3 [17 CFR 240.17a-3], as interpreted.[5] The Commission stated its intention to consult and coordinate with the Municipal Securities Rulemaking Board ("the Board") concerning appropriate books and records requirements for brokers and dealers effecting transactions solely in municipal securities and invited public comment concerning numerous questions pertaining to appropriate financial responsibility and reporting requirements for these brokers and dealers.[6]

It would appear that the financial responsibility program implemented by the Commission on November 20, 1975 has permitted an appropriate transition for a significant number of brokers and dealers engaging solely in transactions in municipal securities who have registered for the first time with the Commission. Certain interested members of the public and the Board have requested that the interpretations of Rules 17a-3, 17a-4 and 17a-11 [17 CFR 240 .17a-3, .17a-4, .17a-11] which are part of this program and which are to expire on January 15, 1976, be extended. The Board indicates that it has under active consideration certain proposals concerning books and records requirements which it expects to publish shortly. The Board anticipates that the proposed rules will be filed with the Commission pursuant to section 19(b) of the Act by March 1976 and will incorporate many of the provisions of Rule 17a-3 [17 CFR 240.17a-3] and Rule 17a-4 [17 CFR 240.17a-4] with modifications as appear appropriate.

In these circumstances, the Commission has determined that it is appropriate in the public interest and for the protection of investors to extend the aforementioned interpretations of Rules 17a-3, 17a-4 and 17a-11(c) [17 CFR 240 .17a-3, .17a-4, .17a-11(c)] to March 31, 1976.

Previous request for comments. The Commission continues[7] to invite the comments of all interested persons and self-regulatory organizations, including the Municipal Securities Rulemaking Board, concerning the appropriate financial responsibility and reporting requirements for brokers and dealers effecting transactions in municipal securities.

Interested persons are invited to submit their views to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, no later than February 29, 1976. Reference should be made to File No. S7-603. All comments

[1] Securities Acts Amendments of 1975, Pub. L. No. 94-29, Section 14, 89 Stat. 137 (June 4, 1975), *formerly* ch. 404, Section 17, 48 Stat. 897 (1934).

[2] The Commission calls attention to Securities Exchange Act Release No. 11935 (Dec. 17, 1975) 40 FR 59706, (Dec. 30, 1975), wherein the Commission amended Rule 17a-4, 17 CFR 240.17a-4 (1975) to require brokers and dealers filing Parts II or IIA of Form X-17A-5, 17 CFR 249.617 (1975) to make and keep certain additional books and records.

[3] Securities Exchange Act Release No. 11854, at 22-23 (Nov. 20, 1975), 40 FR 57786 (Dec. 12, 1975).

[4] *Id.* at 23.

[5] *Id.* at 24-25.

[6] *Id.* at 23, 26-27.

[7] *Id.* at 26-27.

received will be subject to public inspection.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-2077 Filed 1-22-76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

[Docket No. R-76-358]

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Correction

On Tuesday, January 6, 1976 (41 FR 1168), the Department adopted final regulations for a revised section 235 program with respect to mortgage insurance and assistance payments for home ownership and project rehabilitation. There follow five corrections and typographical changes to errors contained in those regulations as a result of inadvertence.

(1) On page 1169, in paragraph 8 of the Preamble entitled "Eligibility: Families owning homes," delete at the end the words "* * * unless the mortgagor is 62 years of age or older."

(2) Revise paragraph (a) of § 235.2, to read as follows:

§ 235.2 Basic Program Outline.

(a) Assistance will be in the form of monthly payments by the Secretary to the mortgagee to reduce effective interest costs to a homeowner on an insured market rate home mortgage to as low as five percent if the homeowner cannot afford the full mortgage payment with 20 percent of his income.

* * * * *

§ 235.16 [Amended]

(3) Change the last sentence of § 235.16, *Value of Property After Rehabilitation,* to read: "A property rehabilitated and offered as security for a subsidized mortgage must be fully marketable in the neighborhood (either currently or after the completion of neighborhood improvements) without the benefit of the subsidy.

§ 235.40 [Amended]

(4) In § 235.40, *Late Charge,* change the first line to read: "The mortgage instrument may provide that a late charge may be collected by the . . ."

§ 235.45 [Amended]

(5) On page 1176, § 235.45, *Eligibility requirements for purchaser from rehabilitation sales project,* appears *twice.* The *first version is deleted.*

(Section 7(d) of the Department of HUD Act; 42 USC 3535(d)).

Issued: January 19, 1976.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit, FHA Commissioner.

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Title 39—Postal Service

CHAPTER I—UNITED STATES POSTAL SERVICE

PART 225—POSTAL REGIONS

Revisions in Regional Organization and Titles of Regional Officials

This document constitutes a complete revision of existing 39 CFR Part 225 to reflect changes in titles of certain regional officials and changes in regional organization, including the addition of the Bulk Mail Centers and Real Estate and Buildings Department in the organizational structure of the Regions. We have also deleted the section on conversion of terms because it is no longer necessary to an understanding of the regulation.

This revision is effective immediately.

ROGER P. CRAIG,
Deputy General Counsel.

Accordingly, 39 CFR Part 225 is revised to read as follows:

Sec.
225.1 Designation of Postal Regions.
225.2 Regional Postmasters General.
225.3 Regional Mail Processing Department.
225.4 Regional Customer Services Department.
225.5 Regional Finance Department.
225.6 Regional Employee and Labor Relations Department.
225.7 Regional Real Estate and Buildings Department.
225.8 Regional Public and Employee Communications Division.
225.9 Regional Counsel, Law Division.
225.10 District Managers.
225.11 Bulk Mail Center General Managers.

AUTHORITY: 39 U.S.C. 201, 401, 402, 403, 404.

§ 225.1 Designation of Postal Regions.

There are five Postal Regions:

(a) The Northeast Region includes the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, northern New Jersey served by ZIP Codes 070–079, 088–089, New York served by ZIP Codes 090–098, 100–129, and the Caribbean Islands. The Northeast Regional Headquarters is in New York City, New York.

(b) The Eastern Region includes the District of Columbia, the states of Delaware, Maryland, Pennsylvania, Virginia, West Virginia, southern New Jersey served by ZIP Codes 080–087, and New York served by ZIP Codes 130–149. The Eastern Regional Headquarters is in Philadelphia, Pennsylvania.

(c) The Southern Region includes the states of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas (excluding El Paso, Texas ZIP Codes 798–799), and that part of Kansas served by ZIP Code 679. The Southern Regional Headquarters is in Memphis, Tennessee.

(d) The Central Region includes the states of Illinois, Indiana, Iowa, Kansas (excluding Liberal, Kansas ZIP Code 679), Kentucky, Ohio, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. The Central Regional Headquarters is in Chicago, Illinois.

(e) The Western Region includes the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, that part of Texas served by ZIP Codes 798–799 (El Paso), and the Pacific Islands including the Trust Territory. The Western Regional Headquarters is in San Bruno, California.

§ 225.2 Regional Postmasters General.

(a) Each Postal Region is headed by a Regional Postmaster General, who reports to the Senior Assistant Postmaster General, Operations. He is responsible for:

(1) Operating all postal installations (except those installations reserved to Headquarters) within the Region, in keeping with policies and directives issued by Headquarters, to accomplish high quality, efficient postal service;

(2) Efficiently implementing Headquarters policies and programs within the Region; and

(3) Reporting information that is necessary for planning and action by Headquarters.

(b) Each Regional Postmaster General exercises the functions and powers of the Postal Service with respect to postal operations within the Region (except those functions and powers reserved to Headquarters). This includes authority over:

(1) Appointment, promotion, transfer, discipline, and dismissal or other separation of Postal Service personnel within the Region, under policies and directives issued by Headquarters, consistent with the authority of the Senior Assistant Postmaster General, Employee and Labor Relations Group, as described elsewhere in these regulations;

(2) Preparation and submission of regional budgets to Headquarters; and

(3) Planning and implementing regional capital improvement and maintenance programs, under policies and directives issued by Headquarters.

§ 225.3 Regional Mail Processing Department.

(a) The Regional Mail Processing Department is headed by the Regional Director, Mail Processing, who reports to the Regional Postmaster General. The Regional Mail Processing Department, within Headquarters policies and directives, is responsible for:

(1) Identifying present and future mail processing and transportation requirements;

(2) Developing budgets to support its activities;

(3) Managing the procurement and use of transportation services within the Region;

(4) Providing functional and technical guidance on engineering activities;

(5) Determining, developing, and implementing regional requirements for postal facilities and centrally procured non-fixed mechanization;

(6) Assisting in the preparation of the regional capital plans;

(7) Directing the building services, building equipment, and postal operating equipment maintenance programs, and

coordinating the operation of the bulk mail centers;

(8) Implementing and monitoring quality control and other programs to improve mail service and productivity;

(9) Providing functional guidance to distribution activities;

(10) Measuring the performance of operating units and assisting to improve quality and productivity; and

(11) Serving as liaison between Headquarters functional groups and mail processing personnel at postal facilities.

(b) Within the Regional Mail Processing Department, there are three divisions and one branch whose managers report to the Regional Director, Mail Processing.

(1) *Logistics Division.* The Logistics Division, headed by the General Manager, Logistics Division, is generally responsible for insuring efficient and expeditious transportation of mail within the Region, and administering the regional logistics systems. It plans the regional mail network and transportation schemes, insures effective use of Postal Service transportation capability, and procures necessary interregional transportation. It is specifically responsible for:

(i) Conducting review and evaluation of the distribution procedures used in regional mail processing activities, and insuring that necessary improvements are carried out;

(ii) Insuring effective and correct procurement and administration of transportation services by regional, district, and postal installation personnel, within their area of authority, including the procurement of necessary contract vehicle services;

(iii) Insuring that mail processing and transportation requirements are fully coordinated with the start up of new facilities and modifications to existing facilities, and preparing associated operating plans;

(iv) Providing necessary regional mail transportation and distribution services, including planning, administration, and performance evaluation services;

(v) Developing, implementing, and monitoring quality control and service standards programs;

(vi) Providing guidance to field logistics offices;

(vii) Coordinating the operations of the bulk mail centers;

(viii) Controlling mail equipment services;

(ix) Assuring regional adherence to Headquarters guidelines;

(x) Maintaining communications with transportation companies and contractors, and with large mailers;

(xi) Conducting on-site review of the distribution, routing, and dispatch procedures used in regional mail processing activities, and recommending improvements, and their implementation;

(xii) Providing regional coordination with Headquarters policies and directives; and

(xiii) Developing, implementing, and monitoring regional logistics services and transportation systems.

(2) *Maintenance Management Division.* The Maintenance Management Division, headed by the General Manager, Maintenance Management Division, is generally responsible for building services, building equipment, and postal operating equipment maintenance programs. It is specifically responsible for:

(i) Developing and monitoring regional plant and equipment maintenance service;

(ii) Providing policy and program direction and technical assistance to postal installation maintenance personnel;

(iii) Approving all regional maintenance service contracts, and directing the maintenance contracting program to insure efficient use of contract services;

(iv) Identifying field maintenance training requirements through the Employee and Labor Relations Department;

(v) Directing the program for review and evaluation of the maintenance requirements of existing and proposed equipment, and recommending changes in design and operating procedures to correct or prevent operating and maintenance problems;

(vi) Supervising the regional energy conservation program; and

(vii) Assuring regional adherence to Headquarters guidelines.

(3) *Operational Requirements Branch.* The Operational Requirements Branch, headed by the Manager, Operational Requirements Branch, is responsible for:

(i) Determining, developing, and implementing short- and long-range regional requirements for postal facilities and centrally procured non-fixed mechanization;

(ii) Insuring that all affected regional and field organizations are aware of these requirements, and that supporting activities are properly planned and phased;

(iii) Coordinating all operating decisions related to facility and non-fixed mechanization requirements:

(iv) Insuring optimum use of plant and equipment through continual evaluation;

(v) Recommending the relocation of equipment to enhance postal operating efficiency;

(vi) Establishing regional priorities for facility replacement and equipment deployment; and

(vii) Coordinating the phasing in and occupation of new facilities.

(4) *Engineering Division.* The Engineering Division, headed by the General Manager, Engineering Division, is generally responsible for providing a broad range of services to assist operating management in meeting schedule, quality, productivity, and cost goals. It provides engineering services and technical guidance, particularly in industrial engineering; plans, manages and monitors the regional productivity and mechanization improvement programs, providing program analysis and evaluation; and helps develop the regional capital plan. It is specifically responsible for:

(i) Providing regional coordination with Headquarters, consultants, and private engineering, contracting, and manufacturing firms;

(ii) Developing plans and preparing schematic drawings of the layout of mail processing systems and activities;

(iii) Providing in-house drafting services;

(iv) Providing mechanization systems manuals for new and modernized facilities;

(v) Developing technical criteria for equipment layout and space requirements, and determining those requirements;

(vi) Assisting in the preparation of functional design specifications for facilities projects, and project and budget authorizations for mechanization and facilities projects, except those included in national systems;

(vii) Assisting in the planning, installation, and phasing in of mechanizations and postal equipment;

(viii) Conducting studies to improve techniques for developing performance expectancy and reducing costs;

(ix) Assisting in the development of basic planning data for regional requirements;

(x) Monitoring the productivity of mail processing, and analyzing that activity, to provide performance data for the budget review process; and

(xi) Assisting in the identification of building maintenance problems, and recommending solutions for those problems.

§ 225.4 Regional Customer Services Department.

(a) The Regional Customer Services Department is headed by the Regional Director, Customer Services, who reports to the Regional Postmaster General. Within guidelines and directives from Headquarters, the Customer Services Department is responsible for:

(1) Implementing Postal Service programs related to sales management, delivery management, and retail management;

(2) Establishing policies and procedures for staff support to customer service field representatives and retail and delivery programs;

(3) Developing and analyzing studies of sales, retail, and delivery management;

(4) Developing budgets to support its activities;

(5) Approving allocation of resources for delivery vehicle requirements; and

(6) Providing guidance in the establishment and implementation of Postal Service sales, retail, and delivery programs.

(b) Within the Customer Services Department there are two divisions whose heads report to the Regional Director.

(1) *Customer Programs Division.* The Customer Programs Division, headed by the General Manager, Customer Programs Division, is generally responsible for advising the Regional Director, Customer Services, on customer programs, use of postal lobby facilities and employees, lobby program management, self-service postal facilities, and contract

stations. It produces revenue through the sale of new and existing Postal Service products, promotes customer cooperation, and manages retail merchandising programs. It is specifically responsible for:

(i) Establishing regional sales and revenue objectives;

(ii) Assisting Headquarters management to develop an annual sales plan, and preparing progress reports on that plan;

(iii) Regularly auditing effectiveness in meeting sales objectives;

(iv) Organizing sales meetings, training programs, and meetings with Postal Service officials to exchange customer information;

(v) Establishing cost saving and revenue objectives for field customers services units;

(vi) Using Headquarters support to carry out training and career development programs for customer service representatives;

(vii) Preparing progress reports to regional management on customer cooperation, in relation to specific financial objectives;

(viii) Supporting national customer service programs, and seeking the cooperation of the general public;

(ix) Supporting the regional Postal Customer Council program;

(x) Providing a regional channel of communication and maintaining regular contact with large mail users on technical matters and service needs, and implementing programs of mutual benefit to the mailer and the Postal Service;

(xi) Assisting Headquarters staff to secure customer participation in the National Postal Forum;

(xii) Analyzing customer complaints and providing summary reports on those complaints;

(xiii) Analyzing operating reports and reviewing statistics for the Region and subordinate units;

(xiv) Providing, on demand, diagnostic testing of specific customer mailing systems and situations, and staff support for the analysis of local service studies;

(xv) Establishing and monitoring retail sales programs, including point-of-sale retail transactions and merchandising activities, and supervising retail sales activities in postal facilities, contract stations, and automated facilities.

(xvi) Providing technical guidance to customer service representatives and retail personnel;

(xvii) Developing a retail services budget for lobby improvement, expansion, and retail facilities;

(xviii) Using justification and site-location surveys to establish contract stations, mobile retail outlets, and self-service postal units, and directing the maintenance management program for these facilities and site-location services;

(xix) Assisting the Employee and Labor Relations Department in carrying out training programs to improve window service;

(xx) Assisting the Headquarters Customer Services Department in studies intended to improve service and work methods;

(xxi) Working with equipment contractors and Postal Service engineers to improve customer support and window equipment;

(xxii) Mechanizing retail postal services, including the maintenance and improvement of postal vending equipment;

(xxiii) Directing a lobby improvement program, including the installation and testing of new lobby services and products; and

(xxiv) Assisting in the marketing, testing, and promotion of new postal services.

(2) *Delivery Division.* The Delivery Division, headed by the General Manager, Delivery Division, is generally responsible for advising the Regional Director, Customer Services Department, in the development and management of delivery and collection programs, deployment of Delivery Services facilities, and Vehicle Services programs. It has overall responsibility for fleet management, including vehicle use and safety, vehicle maintenance facilities, and environmental protection programs. It has functional and program responsibility for postal city and rural carriers and box delivery star routes. It is specifically responsible for:

(i) Meeting regional delivery standards;

(ii) Creating budgets for delivery programs;

(iii) Maintaining communication with technical and advisory groups regarding delivery systems and technology;

(iv) Working with the Customer Programs Division to determine the service performance of delivery functions;

(v) Analyzing delivery requirements and planning methods of delivery;

(vi) Working with Headquarters Delivery Services Department, Operations Group, to improve delivery services and work methods;

(vii) Through Postal Districts, implementing and monitoring a Region-wide program of mail collection;

(viii) Reviewing collection schedules and procedures and initiating changes to improve service and efficiency;

(ix) With the Logistics Division, coordinating the implementation of incoming mechanization and distribuiton programs affecting the collection and delivery of mail;

(x) Assisting Headquarters to implement training and development programs to improve the performance of delivery and collection personnel;

(xi) Responding to customer complaints concerning delivery and collection;

(xii) Providing for the control and use of postal-owned and hired vehicles;

(xiii) Establishing vehicle safety requirements, payload capacity, and transportation performance standards;

(xiv) Establishing, with appropriate officials, the number of vehicles required;

(xv) Preparing financial and budget reports concerning fleet management;

(xvi) Working with Headquarters to predict vehicle obsolescence and long-range budgetary requirements;

(xvii) Establishing Vehicle Maintenance Facility, dock and maneuvering area, containerization, and transportation engineering requirements, postal logistics support, and two-way radio vehicle control;

(xviii) Continuing the driver training program; and

(xix) Maintaining the fleet, training maintenance personnel, and developing regional vehicle maintenance policies consistent with national programs.

§ 225.5 Regional Finance Department.

(a) The Regional Finance Department is headed by the Regional Director, Finance, who reports to the Regional Postmaster General. It is responsible for directing the financial, procurement, and administrative support for the Region, and developing budgets to support the regional activities within directives provided by Headquarters. It provides technical and functional guidance to District and postal facility finance and procurement personnel. It provides functional guidance in the activities of Postal Systems Examiners and for examination procedures.

(b) Within the Regional Finance Department there are two divisions and two branches whose heads report to the Regional Director, Finance.

(1) *Budget and Cost Division.* The Budget and Cost Division is headed by the General Manager, Budget and Cost Division. It is generally responsible for the regional budget control and cost and investment analysis programs; and it directs financial planning and control, budget formulation and control, and cost analysis and cost/benefit analysis for capital expenditures. It is specifically responsible for:

(i) Providing financial and operational services to regional, field, and national Headquarters organizations;

(ii) Preparing and issuing budget calls, and developing the regional budget for management approval; and

(iii) Providing technical guidance in financial control and budget preparation and analysis to field postal installations.

(2) *Management Information Branch.* The Management Information Branch, headed by the Manager, Management Information Branch, is responsible for:

(i) Planning, developing, implementing, and operating the regional management information system;

(ii) Implementing national management information system policies and objectives;

(iii) Managing all activities relating to data gathering programs essential to providing accurate, relevant, and timely financial, operational, and statistical information for all levels of management;

(iv) Coordinating the development and implementation of management information systems by identifying requirements for new and revised programs; and

(v) Analyzing and interpreting the output of data systems to report performance and operational trends.

(3) *Accounting Branch.* The Accounting Branch, headed by the Manager, Accounting Branch, is responsible for:

(i) Providing control, revenue protection, and functional direction for postal facilities and field accounting management within the Region;

(ii) Providing guidance on regional mailing requirements;

(iii) Managing special accounting studies and cost reports;

(iv) Monitoring reports provided by the Postal Data Center;

(v) Contacting banking and investment officials used for Postal Service activities throughout the region;

(vi) Coordinating, with Headquarters, the Region, and postal installations within the Region, proper accounting procedures for postmaster accountability for retail sale of postal related items and and other related programs.

(4) *Procurement Division.* The Procurement Division, headed by the General Manager, Procurement Division, is generally responsible for the development, direction, and implementation of regional procurement, supply management, property use, telecommunications, and regional office administration. It is specifically responsible for:

(i) Organizing and planning the procurement of supplies, equipment, and services for regional offices and regional field activities;

(ii) Initiating and awarding contracts as provided in the Postal Contracting Manual;

(iii) Developing procurement requests, and preparing or assembling the specifications, drawings, and purchase descriptions required to support procurement requests;

(iv) Coordinating the collection and collation of data for short- and long-range forecasts of regional requirements;

(v) Allocating contractor production and depot inventory to meet field unit needs within established priorities;

(vi) Establishing controls over, and monitoring orders to, contractors and other sources of supply;

(vii) Establishing controls over, and monitoring supply and equipment inventories for all regional activities;

(viii) Establishing controls and records necessary to distribute regional supplies and equipment to meet operational requirements;

(ix) Identifying and arranging for disposal of excess equipment and supplies;

(x) Establishing procedures and guidelines to implement the principles of supply policy provided by Headquarters;

(xi) Planning and monitoring administrative and office management procedures, and supplying general office services including reproduction centers, mail services, messenger services, travel ticket controls, stenographic pools, and building maintenance and control services where required;

(xii) Directing and implementing all regional telecommunications programs within Headquarters policies, and reviewing the adequacy of regional telecommunications systems relative to use and essential needs;

(xiii) Developing engineering plans and specifications for the installation of telephone, data circuitry and associated equipment, and intercommunication and sound equipment for new regionally constructed facilities;

(xiv) Maintaining and controlling inventories of major telephone system, teletypewriter, and facsimile equipment within each region; and

(xv) Providing technical assistance to regional personnel to help them resolve operating problems.

§ 225.6 Regional Employee and Labor Relations Department.

(a) The Regional Employee and Labor Relations Department is headed by the Regional Director, Employee and Labor Relations Department, who reports to the Regional Postmaster General. It is responsible for the development, implementation, and auditing of employee relations, labor relations, and compensation plans, policies, standards, and procedures within the Region, in accordance with policies established by the Senior Assistant Postmaster General, Employee and Labor Relations Group, and with legal and regulatory requirements.

(b) Within the Regional Employee and Labor Relations Department there are three divisions whose heads report to the Regional Director, Employee and Labor Relations Department.

(1) *Employee Relations Division.* The Employee Relations Division, headed by the General Manager, Employee Relations Division, is generally responsible for directing, managing, and controlling the employee relations program within the Region, ensuring the proper administration of equal employment opportunity, employee services, women's, and manpower development programs. It is specifically responsible for:

(i) Developing, implementing, managing, and monitoring the employee services program, including personnel services, environmental services, employee health and medical services, safety programs, and personnel information systems;

(ii) Administering non-bargaining postal and Civil Service appeals procedures, and assisting in the response to congressional inquiries;

(iii) Managing manpower development and personnel management programs, including programs for recruitment, staffing, placement, and training, and systems for career and organizational development designed to meet regional requirements and service-wide goals;

(iv) Managing the regional postmaster selection board;

(v) Developing and managing the Postal Service Equal Employment Opportunity Affirmative Action program to insure compliance with existing Federal and postal regulations and policies;

(vi) Reviewing equal employment opportunity appeals initiated in the Region, and making recommendations for their resolution; and

(vii) Coordinating and monitoring the contract compliance program.

(2) *Compensation Division.* The Compensation Division, headed by the General Manager, Compensation Division, is responsible for:

(i) Implementing, administering, and maintaining comprehensive programs involving salary, wages, and employee benefits, including life insurance, health, retirement, leave, injury compensation, and unemployment compensation;

(ii) Managing the administration and maintenance of a job evaluation system for bargaining and non-bargaining positions, including a support system of position audits and position descriptions;

(iii) Conducting research and developing implementation plans to support the organization staffing program;

(iv) Managing the regional organizational planning and staffing control function, including the implementation and maintenance of field organization structures to insure organizational consistency and compatibility, minimize functional duplications, and provide maximum operating efficiency and economy;

(v) Managing, planning, and administering the Postal Service wage and salary program;

(vi) Insuring compliance with the Fair Labor Standards Act; and

(vii) Coordinating the activities of the personnel service centers.

(3) *Labor Relations Division.* The Labor Relations Division, headed by the General Manager, Labor Relations Division, is generally responsible for directing and controlling the labor relations program and insuring the proper administration of national and local agreements. It provides advice, direction, and assistance to management on labor relations, including procedures affecting bargaining unit personnel, and insures compliance with the National Labor Relations Act. It is specifically responsible for:

(i) Managing the processing and resolution of employee grievances arising under the national and local labor agreements, as delegated to the Region;

(ii) Administering Postal Service grievance and arbitration appeals procedures;

(iii) Managing arbitration, including preparing cases for arbitration, and assessing the impact of arbitration decisions;

(iv) Coordinating the official interpretation of national and local labor agreements;

(v) Managing the determination of classification and craft of employees covered by the national labor agreement;

(vi) Managing the activities of regional committees established under the national labor agreement; and

(vii) Developing, monitoring, and administering labor relations training programs to insure consistent and effective application of national and local labor agreements.

§ 225.7 Regional Real Estate and Buildings Department.

(a) The Real Estate and Buildings Department is headed by the Director, Real Estate and Buildings Department, who reports to the Regional Postmaster General. The Regional Real Estate and Buildings Department, within guidelines and directives from Headquarters, is responsible for:

(1) Acquiring or leasing real property and fixed mechanization, planning, design, construction, modification, repair, and improvement of all USPS owned and leased facilities;

(2) Monitoring and enforcing the lessor's maintenance responsibility under lease agreements;

(3) Disposing of owned and leased real property;

(4) Planning long- and short-range facility programs to meet operational requirements;

(5) Providing design and construction services;

(6) Planning and contracting for repairs and improvements to provide a safe and suitable working environment, and to protect Postal Service facility capital investments;

(7) Preparing its budget;

(8) Developing and maintaining systems to insure budget and fiscal control and the timely availability of facility management information and data; and

(9) Providing major support for the integration, planning analysis, and project definition necessary to secure the approval of the facility Capital Investment Program.

(b) Within the Real Estate and Buildings Department there are two divisions whose heads report to the Director, Real Estate and Buildings. In addition there are Field Offices whose heads report directly to the Director, Real Estate and Buildings. There are two to four Field Offices per Region.

(1) *Design and Construction Division.* The Design and Construction Division is headed by the General Manager, Design and Construction Division, and is generally responsible for directing the regional facilities design and construction program for buildings, site improvements, and fixed mechanization, including functional guidance and technical assistance to the Field Offices. It is specifically responsible for:

(i) Assisting in the selection and evaluation of sites for proposed postal facilities;

(ii) Directing the preparation, negotiation, and award of professional service and construction contracts for all projects within the Region;

(iii) Monitoring Field Office performance of contracting officer authority other than real estate contracting authority delegated to that level;

(iv) Providing regional policy for fixed mechanization and building design, repair, improvement, modernization, and expansion;

(v) Monitoring architect/engineer selection, contract administration other than lease contracts, design production and review, cost engineering, and bid document preparation other than bid documents for leased facilities, and distribution;

(vi) Performing advertising, bid evaluation, construction contract administration, mechanization equipment installation, and final acceptance for projects other than lease projects, and participating in occupancy coordination for such projects;

(vii) Assisting to develop and perform cost benefit analysis of projects submitted to both the Regional and Headquarters Capital Investment Committees for review and approval;

(viii) Providing major assistance in, or executing completely when directed, the development of Functional Design Specifications for major regional projects administered by Postal Service Headquarters, including architectural planning;

(ix) Assisting to develop functional interior layouts, and coordinating architectural planning and functional interior layouts with the Operational Requirements Branch and other interested offices to meet long- and short-range plans for regional space and mechanization requirements;

(x) Providing technical support in the development of a regional facilities repair and improvement program; and

(xi) Preparing and implementing regional building and fixed mechanization design and construction standards and criteria.

(2) *Real Estate Division* The Real Estate Division, headed by the General Manager, Real Estate Division, is generaly responsible for managing the regional real estate program, including acquisition by purchase or lease, space management, and disposal of all postal real estate, and the implementation and continual evaluation of related policies and procedures. It is specifically responsible for:

(i) Maintaining liaison with the public, representatives of industry and the business community, local government officials, and Federal agencies regarding the postal real estate program;

(ii) Developing short- and long-range real estate plans for the region:

(iii) Developing the regional real estate budget;

(iv) Providing technical and financial real estate information to support the facilities planning process;

(v) Managing real estate contracting;

(vi) Establishing and maintaining real property records, and reporting and control systems;

(vii) Within Headquarters guidelines, developing and administering regional regulations related to Federal requirements for the acquisition, management, and disposal of real estate;

(viii) Training and developing all regional real estate personnel through the Employee and Labor Relations Department;

(ix) Providing functional guidance and technical assistant on all real estate matters to the Field Offices, and monitoring Field Office performance on all real estate matters;

(x) Monitoring and enforcing lessor maintenance responsibilities for leased properties and the appeal of excessive assessments; and

(xi) Establishing, and implementing an effective space management and use program for postal facilities.

(3) *Field Office.* The Field Office, headed by a Manager, Field Office, Real Estate and Buildings Department, is responsible for:

(i) Executing the regional facilities program within the area served by the Field Office, which includes helping develop Functional Design Specifications, providing technical assistance to an average of five District Offices, and investigating and evaluating sites for proposed postal facilities;

(ii) Purchasing, leasing, disposing of, and managing real estate and space within the jurisdiction of the Field Office;

(iii) Negotiating and awarding professional service, construction, acquisition, and lease contracts for projects within the jurisdiction of the Field Office;

(iv) Directing contract functions, including architect/engineer selection and contract administration, design production and review, cost engineering, bid document preparation and distribution, advertising, bid evaluation, construction contract administration, lease contract administration, and final acceptance;

(v) Assisting in occupancy coordination of regional projects within the jurisdiction of the Field Office; and

(vi) Reviewing postal facility plans and specifications provided by lessors under contract to the Postal Service, and coordinating within its area of jurisdiction all Real Estate and Building matters with other interested parties in the Postal Service.

§ 225.8 Regional Public and Employee Communications Division.

The Regional Public and Employee Communications Division is headed by the General Manager, Public and Employee Communications Division, who reports to the Regional Postmaster General. It is generally responsible for preparing and disseminating news and information materials, guiding communications personnel within the Region, and maintaining contact with media representatives and other information outlets. It is specifically responsible for:

(a) Developing and distributing guidelines and directives for the preparation of news and information material;

(b) Organizing and conducting communications training seminars and discussions for regional staff and facility personnel;

(c) Arranging for visual aids and exhibiting information materials;

(d) Preparing and distributing regional news items for media representatives;

(e) Contributing to internal employee newsletters;

(f) Visiting subordinate postal facility organizations to audit the local communications program;

(g) Preparing speeches for regional officials;

(h) Responding to inquiries from media and civic representatives; and

(i) Preparing budgets for personnel, materials, and travel expenses, as well as other communications costs.

§ 225.9 Regional Counsel, Law Division.

(a) The Regional Counsel reports directly to the Regional Postmaster General. Under the professional guidance and supervision of the General Counsel, he directs a staff of attorneys who provide legal advice, opinions, services, and support for regional postal officials and postmasters in all areas except labor relations matters and such other subjects as may be specifically reserved by the General Counsel.

(b) The Regional Counsel:

(1) Furnishes legal advice, opinions, and support to the Regional Postmaster General, regional officials and postmasters, the Inspection Service, and Postal Data Centers concerning Federal, State, and local statutes which may affect the Postal Service;

(2) Reviews and interprets contracts, deeds, leases, and other legal documents which may affect the Postal Service;

(3) Acts as closing attorney, prepares title opinions, and handles other legal matters relating to real estate transactions;

(4) Serves as a member of a regional contract negotiation team whenever the Contracting Officer believes the size and complexity of a procurement action warrant its use;

(5) Represents postal contracting officers in cases before the Board of Contract Appeals, as may be directed by the General Counsel;

(6) Acts for the General Counsel to review tort claims by and against the Postal Service, and adjudicates such claims within limits set by the Regional Postmaster General and the General Counsel;

(7) Has authority to concur with the head of a procuring activity in his Region to determine appropriate action on protests against the award of a contract under Postal Contracting Manual Sec. 2-407.8(c), as amended from time to time;

(8) As directed by the General Counsel, assists labor attorneys of the Postal Service in connection with labor disputes and related matters;

(9) Conducts administrative hearings pursuant to 39 CFR Part 916 and renders decisions on alleged violations of the pandering statue, 39 U.S.C. 3008;

(10) Acts as counsel for the Postal Service in litigation to garnishee employee wages;

(11) Rules on delivery of disputed mail;

(12) Furnishes legal advice and opinions to the Regional Postmaster General under the Code of Ethical Conduct for Postal Employees, 39 CFR Part 447, and assists in the administration of that Code;

(13) Furnishes legal advice and opinions to regional officials in the application of statutes and regulations pertaining to the admissibility and classification of mail;

(14) Acts as agent on behalf of the Regional Postmaster General and other regional headquarters officials for the receipt of legal process resulting from the performance of their official functions;

(15) As directed by the General Counsel, provides legal services in connection with denials and revocations of second-class mailing privileges in regional proceedings before administrative law judges and the Judicial Officer; and

(16) Except in labor relations matters, acts as liaison with U.S. Attorneys in suits against the U.S. Postal Service.

(c) The Regional Postmaster General shall not change the duties and responsibilities of the Regional Counsel without the prior approval of the General Counsel.

§ 225.10 District Managers.

(a) Each District Manager reports to the Regional Postmaster General, and is responsible for managing and directing his staff and the managers of management sectional centers in the implementation of Postal Service programs and policies, to assure effective and efficient mail processing and delivery operations within the district.

(b) Each District Manager:

(1) Provides policy and program direction for all support activities and operating facilities;

(2) Evaluates the operations of postal installations and modifies operational procedures if required;

(3) Directs the preparation and administration of his budget;

(4) Guides the preparation of operating plans and approves and implements these plans;

(5) Provides direction and control of retail sales and delivery programs;

(6) Provides direction and control of distribution activities;

(7) Provides policy guidance for capital requirements;

(8) Establishes transportation network requirements and coordinates with regional logistics personnel transportation networks going beyond district boundaries;

(9) Implements management development programs established by Headquarters.

§ 225.11 Bulk Mail Center General Managers.

(a) Each Bulk Mail Center General Manager reports to the Regional Postmaster General, and is responsible for managing and directing the operations of a bulk mail center in the implementation of Postal Service programs and policies, to assure effective and efficient processing and transportation of bulk mail within the bulk mail center service area, and in areas where its operations affect other bulk mail centers in the network.

(b) Each General Manager:

(1) Provides policy and program direction for all support activities and operations within the bulk mail center;

(2) Manages the operations of the bulk mail center, evaluates performance, and modifies operational procedures, if required;

(3) Directs the preparation and administration of his budget;

(4) Prepares operating plans for bulk mail operations within the assigned area, and implements the plans as approved by the Region and Headquarters;

(5) Guides bulk mail distribution activities within the service area;

(6) Develops and justifies capital requirements;

(7) Establishes transportation network requirements and coordinates intra- and inter-bulk mail center transportation networks with regional and Headquarters logistics personnel;

(8) Implements management development programs established by Headquarters; and

(9) Implements employee and labor relations policies and programs within the bulk mail centers.

[FR Doc.76-2057 Filed 1-22-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 481-8]

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

Indiana, Approval of Plan Revisions; Correction

On October 28, 1975 (40 FR 50032 and 50033) Section 52.792, Source Surveillance, paragraph (a) was promulgated by the Environmental Protection Agency. This is to give notice that the addition was incorrectly promulgated as § 52.792 (a), whereas it should properly have been promulgated as § 52.794(a). Therefore, the addition published in the FEDERAL REGISTER on October 28, 1975 as § 52.792 (a) is hereby redesignated § 52.794(a).

This redesignation shall become effective immediately as it is merely procedural in nature.

Dated: January 15, 1976.

FRANCIS T. MAYO,
Regional Administrator.

[FR Doc.76-2131 Filed 1-22-76;8:45 am]

[FRL 480-5]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Mass Transit Priority Incentives; State of New Jersey

On November 13, 1973 (38 FR 31388), EPA published in the FEDERAL REGISTER a transportation control plan for the State of New Jersey. The plan included § 52.1590, Employer's provision for mass

transit priority incentives. On December 7, 1973 (38 FR 33775), EPA published in the FEDERAL REGISTER proposed revisions to § 52.1590. Public hearings were held on the proposed revisions in Camden, Trenton, and Newark, New Jersey on January 10, 11 and 12, 1974, respectively. On June 4, 1974 (39 FR 19779) a revised § 52.1590 was published.

The revised regulation requires each employer who maintains 400 or more employee parking spaces to submit an adequate transit incentive program designed to encourage the use by his employees of mass transit, carpooling, vanpooling, and other strategies. Initial submission of this program was required by July 1, 1974 of those employers subject to the regulation at that time.

On January 22, 1975 (40 FR 3465) EPA published the Administrator's proposed approval of 93 transit incentive programs. 47 other programs that had been submitted before December 4, 1974 were not acted upon due to incomplete submissions. Final approval of the 93 programs was published in the FEDERAL REGISTER on April 21, 1975 (40 FR 17633).

Also, on January 22, 1975 (40 FR 3465), and in accordance with 40 CFR 52.1590 (e)(4), the EPA published a list of additional information to be supplied in the semiannual reports required by the regulation.

In the months that the EPA has worked with the employers on their programs, and in the course of the enforcement actions taken under the regulation, numerous issues of interpretation have arisen. To date, the EPA has had to confront these on a piecemeal basis and this caused some confusion among the affected employers as to precisely what is required of them.

The following repromulgation of § 52.1590 is an attempt to explain those parts of the regulation as now worded which have led to the most questions and problems. It is, therefore, not a revision but merely a formal unified clarification of the existing regulation. That is, no substantive duties or responsibilities of the affected employers are being changed, added to, or withdrawn. Rather, this repromulgation is a discrete articulation of the several interpretive decisions EPA has been called upon to make in implementing the regulation.

Points that are clarified in the repromulgation include: the times allotted for submission, approval or disapproval, and administrative prescription of transit incentive programs; the mechanism for discontinuation of a program when an employer reduces to below 400 the number of spaces available to employees; the definition of an employee parking space; and the information required to be submitted in the baseline data and semiannual reports.

This repromulgation shall take effect immediately, since no substantive changes have been made in the regulation.

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

Dated: January 16, 1976.

JOHN QUARLES,
Acting Administrator,
Environmental Protection Agency.

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

Subpart FF—New Jersey

1. Section 52.1590 is amended to read as follows:

§ 52.1590 Employer's provision for mass transit priority incentives.

(a) Definitions: All terms used in this section but not defined herein shall have the meaning given them in the Clean Air Act and in Parts 51 and 52 of this chapter:

(1) "Carpool" means a vehicle containing two or more persons.

(2) "Employee parking space" means any parking space reserved or provided by an employer and made available for the use of his employees.

(3) "Employer" means any person who provides 400 or more employee parking spaces for use by employees of his facility.

(4) "Facility" means any building or group of buildings at one location (e.g., an industrial complex, state office building complex) owned or operated by any person.

(5) "Transit incentive program" means a mix of incentive or disincentive provisions most likely to obtain maximum use of carpooling and mass transit so as to reduce vehicle miles traveled (VMT). Some incentive examples are: subsidies to employees using mass transit, preferential parking or other benefits for those who travel in carpools, provision of vanpooling services, provision of special charter or employer buses to and from mass transit stops and formal information systems so that employees can select optimum carpool arrangements. Some examples of disincentive provisions are: Reduction in employee parking spaces, surcharges on use of parking spaces for single passenger drivers and non-preferential parking for single passenger drivers. Such program shall also include procedures for the submission of reports as provided in paragraph (l) of this section, and shall be accompanied by the baseline data required by paragraph (m) of this section.

(b) This section is applicable in the New Jersey portion of the New Jersey-New York-Connecticut and Metropolitan Philadelphia Interstate AQCR's ("the Regions").

(c) Each employer in the Regions who provides 400 or more employee parking spaces for any facility shall fully implement and maintain a transit incentive program for that facility in accordance with a plan approved by the Administrator under paragraph (f) of this section or prescribed by the Administrator under paragraphs (g), (h) or (j) of this section.

(d) Each employer in the Regions who on July 1, 1974 provides 400 or more employee parking spaces for any facility shall submit to the Administrator on or before July 1, 1974 a transit incentive program for the facility.

(e) Each employer in the Regions who at any time after July 1, 1974 provides 400 or more employee parking spaces for any facility shall submit to the Administrator within 60 days from the time such spaces were provided a transit incentive program for that facility.

(f) Within 60 days of receipt by EPA of a transit incentive program the Administrator shall approve or disapprove such program. Notice of such approval or disapproval will be published in Part 52 of Title 40, Code of Federal Regulations.

(g) Within 30 days after an employer's transit incentive program has been disapproved pursuant to paragraph (f) of this section, the Administrator shall prescribe a program for such employer.

(h) Within 90 days from the time an employer becomes subject to the requirements of this section, the Administrator shall prescribe a transit incentive program for each such employer who has failed to submit a proposed program pursuant to paragraph (d) or (e) of this section.

(i) If, after the Administrator has approved a transit incentive program, the employer fails to submit any reports in full compliance with paragraph (l) of this section, or if the Administrator finds that any such report has been intentionally falsified, or if the Administrator determines that the program is not being fully implemented and maintained, the Administrator may take enforcement action to require correction of reports and compliance with such program, or he may revoke the approval of such program. Notice of such revocation will be published in Part 52 of Title 40, Code of Federal Regulations.

(j) Within 60 days after any revocation pursuant to paragraph (i) of this section, the Administrator shall prescribe a transit incentive program for the affected employer.

(k) Any transit incentive program prescribed by the Administrator in accordance with paragraphs (g), (h) or (j) of this section shall be published in Part 52 of Title 40, Code of Federal Regulations.

(l) Each employer in the Regions subject to the requirements of paragraph (c) of this section shall submit semiannual reports to the Administrator for each facility covered by a transit incentive program. The semiannual reporting periods are January 1–June 30 and July 1–December 31.

Semiannual reports shall be submitted within 45 days after the end of each reporting period (i.e., by February 15 and August 15 of each year). The first semiannual report, therefore, must be submitted within 45 days after the end of the first reporting period during which an employer's program was in effect unless such program was in effect for 90 days or less. In such case the first semiannual report shall be due within 45 days after the end of the next reporting period. Such reports shall include the following information for each facility for a typical workday (specified by date within the report) during the reporting period:

(1) The total number of parking spaces available for employee use.

(2) The total number of employees.

(3) The number of employees driving to work alone (whether or not they use employee parking).

(4) The number of employees driving to work in carpools (whether or not they use employee parking).

(5) The number of employees using public transportation.

(6) The number of employees using other means to come to work (walking, bicycles, motorcycles, etc.).

(7) The number of vehicles per day used for carpools (whether or not using employee parking).

(8) The total of all vehicle-miles-traveled per day by all vehicles in which employees are driving alone.

(9) The total of all vehicle-miles-traveled per day by all carpool vehicles.

(10) A brief description of the method by which the vehicle-miles-traveled were estimated.

(11) If a facility has more than one work shift, specify the hours of each shift and the average percentage of total employees in each shift. If employees rotate among shifts, so specify.

(12) A narrative describing the status of the employer's effort towards promoting the use of mass transit, carpooling, etc. Examples of items which might be included are: reports of employee carpool promotion meetings; employer sponsored improvements to mass transit facilities; efforts by the employer in maintaining present, and creating new incentive or disincentive measures in the program.

(m) When an employer submits a transit incentive program pursuant to this regulation, he shall include with the submission "baseline" information representative of a typical workday (specified by date) prior to the implementation of such program. The baseline date selected must be one for which valid estimates or actual data are available. Such date shall be no earlier than August 1, 1973 and no later than April 1, 1974 for those employers subject to paragraph (d) of this section, and no earlier than eight months prior to submission of the transit incentive program for those employers subject to paragraph (e) of this section. The baseline information to be submitted is the same as specified for semiannual reports in paragraph (1) of this section.

(n) When an employer previously subject to paragraph (d) or (e) of this section subsequently reduces to below 400 the number of employee parking spaces, he shall no longer be subject to the requirements of this section, unless and until he again provides 400 employee parking spaces. Probative evidence of such a reduction must be submitted to and accepted by the Administrator before the transit incentive program may be discontinued.

[FR Doc.76-2132 Filed 1-22-76;8:45 am]

Title 49—Transportation

CHAPTER I—MATERIALS TRANSPORTATION BUREAU, DEPARTMENT OF TRANSPORTATION

[Docket No. HM-127; Amdt. No. 173-93]

PART 173—SHIPPERS

Use of Hazardous Materials Packagings Authorized Under Exemptions

As a feature in the exemption procedures (49 CFR 107.101-107.125) which became effective on October 16, 1975 (40 FR 48466), the Materials Transportation Bureau established a means whereby a person who seeks the same administrative relief as the holder of a particular exemption can become a party to that exemption (49 CFR 107.111). The rights, duties and obligations of a party to an exemption are the same as those of the basic holder of the exemption. In addition to this group of persons whose interests are identical to those of a basic exemption holder, there are two other groups of persons whose activities are affected to a lesser extent by certain exemptions which pertain to packagings for hazardous materials. These are (1) persons who purchase and use packagings manufactured by an exemption holder in accordance with that exemption, and (2) persons who receive from an exemption holder and distribute hazardous materials which have been packaged by the exemption holder in accordance with that exemption. Under the new exemption procedures, the Bureau has been receiving applications to be made "parties" from all three groups.

In the process of evaluating an application for an exemption concerning packaging—whether it concerns a type not previously approved or the use of an approved type for a purpose not previously approved—the Bureau considers the full transportation life of the packaging. Consequently, if the Bureau issues an exemption authorizing the applicant to produce and market a new packaging, any limitations or special conditions which the Bureau has concluded should be imposed on the use of that packaging are expressly stated in the exemption. Similarly, if the Bureau issues an exemption authorizing a shipper to package a hazardous material in a packaging that is at variance with what is required by the regulations, the exemption includes a statement as to whether or not the hazardous materials may be reshipped in the original packaging by distributors, agents, purchasers and the like. The exemption also specifies whether or not the packaging is reusable.

Under the "special permit" process which preceded the new exemption procedures, any shipper who merely wished to purchase and use a packaging manufactured under a special permit and each person who received and wished to reship a hazardous material packaged in accordance with a special permit was required to follow the same procedure as a person who wished to exercise the same authority and perform all of the same functions as the basic special permit holder, *i.e.*, obtain a copy of the special permit and formally register under that permit number with the Office of Hazardous Materials Operations. In converting this "registration" process to the new "parties" procedures, the primary focus was on those prospective applicants who would be seeking the full authority of someone else's exemption. Consequently, becoming a "party" is considerably more involved than was "registering".

The Bureau believes that the new public notice and comment procedures whereby a person may become a full party to an exemption through the constructive adoption of the original applicant's submission are both necessary and appropriate in the case of an applicant who seeks the same status as the holder of the exemption. However, it is not of the same opinion with respect to the incidental users and distributors of packaging materials covered by an exemption. The principal safety objective in their case is to clearly impose upon them a duty to limit their use of the packaging, insofar as transportation is concerned, to the purposes for which it was found qualified during the exemption evaluation process. So long as copies of the packaging exemption which already contain the necessary specifics are made available to users, any additional registration or other formal process accompanying the delivery of those copies is wasteful and of no value in terms of safety.

Accordingly, the Bureau is adding a new § 173.22a to the regulations governing shippers of hazardous materials explicitly setting forth the requirements governing non-exemption holders who ship hazardous materials in exempt packaging which they have received or purchased in the course of business. Under the terms of the new exemption procedures, such packaging will, of course, be plainly and durably marked "DOT-E" followed by the applicable exemption number (49 CFR Part 107, Subpart B, Appendix B).

Since this amendment grants relief and imposes no additional burden on the persons affected, I find that notice and public procedure thereon are impracticable and that good cause exists for making it effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, 49 CFR Part 173 is amended by adding a

new § 173.22a immediately following § 173.22 to read as follows:

§ 173.22a Use of packagings authorized under exemptions.

(a) Except as provided in paragraph (b) of this section, no person may offer a hazardous material for transportation in a packaging the use of which is dependent upon an exemption issued under Subpart B of Part 107 of this title, unless that person is the holder of or a party to the exemption.

(b) If an exemption authorizes the use of a packaging for the shipment or transportation of a hazardous material by any person or class of persons other than or in addition to the holder of the exemption, that person or a member of that class of persons may use the packaging for the purposes authorized in the exemption subject to the terms specified therein. However, no person may use a packaging under the authority of this paragraph unless he maintains a copy of the exemption at each facility where the packaging is being used in connection with the shipment or transportation of the hazardous material concerned. Copies of exemptions may be obtained from the Office of Hazardous Materials Operations, U.S. Department of Transportation, Washington, D.C. 20590, Attention: Docket Section.

(18 U.S.C. 834, 49 CFR 1.53(g).)

Effective date. This amendment is effective January 26, 1976.

Issued in Washington, D.C., on January 20, 1976.

JAMES T. CURTIS, Jr.,
Director, Materials Transportation Bureau.

[FR Doc.76-2068 Filed 1-22-76;8:45 am]

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

[Docket No. 71-19; Notice 3]

PART 567—CERTIFICATION

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Tire Selection and Rims for Vehicles Other Than Passenger Cars

This notice establishes a new Federal Motor Vehicle Safety Standard No. 120, *Tire selection and rims for motor vehicles other than passenger cars*, 49 CFR 571.120, and amends 49 CFR Part 567, *Certification*. The new standard specifies tire and rim selection requirements for multipurpose passenger vehicles (MPV's), trucks, buses, trailers, and motorcycles, and marking requirements for rims for use on these vehicles. It also adds tire and rim matching information to the items required to appear on such vehicles' certification labels. The amendment to Part 567 makes that regulation consistent with the new standard. The notice is based on proposals which were published August 3, 1971 (36 FR 14273) and June 3, 1974 (39 FR 19505).

The standard requires new vehicles (other than passenger cars, which are the subject of Standard No. 110) to be equipped with tires that comply with either Standard No. 109, *New Pneumatic Tires—Passenger Cars*, or Standard No. 119, *New Pneumatic Tires for Vehicles Other Than Passenger Cars*. The tires must be fitted to rims which have been designated by the tire manufacturer, in accordance with S4.4 of Standard No. 109 or S5.1 of Standard No. 119, as suitable for use with those tires. The designations are made by listing the tire-rim matching information in one of seven industry-maintained publications or by furnishing this information to dealers of the manufacturer's tires, to any person upon request, and to the NHTSA.

Each axle must be equipped with tires the sum of whose load ratings is not less than that axle system's Gross Axle Weight Rating (GAWR). In certain situations, discussed below, a vehicle may be equipped with used tires of adequate load rating that were originally manufactured to comply with Standard No. 119. Adequacy is determined as follows: the sum of the maximum load ratings of the tires must be equal to or greater than the GAWR which is specified on the Part 567 certification label, with an exception discussed below. If the certification label lists more than one GAWR-tire combination for the axle, the sum of the tires' maximum load ratings must meet or exceed the GAWR that corresponds to the tires' size designation. If more than one combination is listed, but the size designation of the actual tires on the vehicle is not among those listed, then the sum of the load ratings must simply meet or exceed the lowest GAWR which does appear.

Rims must be marked with five items of information: the size designation (and, in the case of multipiece rims, the type designation), an indication of the source of the rim's nominal dimensions, and the DOT symbol must appear on the weather side, while identification of the manufacturer and date of manufacture may appear at any place on the rim's surface. The standard does not explicitly require that a rim conform to its published dimensions. If a rim's deviation from these nominal dimensions is so great that a safety hazard is presented, however, the defect notification and remedy provisions of the National Traffic and Motor Vehicle Safety Act of 1966, as amended, provide authority to deal with the hazard.

To reduce the posibility of confusion and to minimize the number of characters stamped on the rim, the standard establishes a set of code letters to indicate the source of the rim's nominal dimensions. "T", "E", "J", "D", "M", "B", and "S" indicate the industry publications listed in Standards Nos. 109 and 119, while "N" indicates an independent listing with tire dealers and the NHTSA. The proposed requirement that the marking indicate the date of the publication has not been adopted because it does not appear necessary. The standard does not require manufacturers to be identified with a code number assigned by the NHTSA, because no action has been taken on the proposal published in the FEDERAL REGISTER on June 7, 1973 (38 FR 14968). The rim manufacturer is free to use his name, trademark, or a symbol of his choice. Because a rim's maximum load rating may be limited by its disc, this standard does not require that the maximum load rating be marked. The rim's maximum inflation pressure, while not affected by the choice of disc, is potentially misleading without additional marking of the disc. These rim markings are being considered in conjunction with further NHTSA rulemaking activity concerning wheels.

Several commenters objected to the proposed requirement of a tire-rim information label, separate from and adjacent to the certification label required by Part 567. Upon consideration of these comments, the NHTSA agrees that a separate placard is unnecesary. GVWR and GAWR are already required to appear on the certification label. If the vehicle manufacturer exercises his option of listing more than one GVWR–GAWR combination, he is already required to indicate the proper tire size designations after each weight rating. Standard No. 120 further requires, for vehicles other than passenger cars, the following information to appear after each weight rating and tire size designation listed on the certification label: rim size designation, cold inflation pressure for the tires, and speed restriction (if any) for the tires. This information is now required to appear even when only one GVWR–GAWR combination is listed. The Part 567 label is thus expanded to include the information that would have appeared on the separate label described in S5.4 of the proposed Standard No. 120.

Many commenters pointed to the large number of possible axle-tire-rim combinations and suggested that the information label would be too large and confusing. Some discussed the vehicle manufacturer's difficulty in ensuring that the required information appear, given the common practice of changing tires and rims after a new vehicle has been shipped to a dealer. These commenters appear to have misunderstood the various proposed and existing requirements. Part 567 does not, in its prior form or as amended today, require a listing for more than one GVWR–GAWR–tire combination. Further, while S5.1.2 of Standard No. 120 requires the tires with which a new vehicle is equipped to be of adequate load rating for the GAWR, and while S5.3 requires an indication of tires adequate for the GAWR, there is no requirement that the actual tires be listed on the certification label. The tire information on that label is intended as a guide which tells the user what replacement tires, as a minimum, are appropriate for the listed GAWR and what rims are appropriate for those tires.

Guerdon Industries, Inc., objected to the requirement that vehicles be restricted to the load limits molded on tire sidewalls. They pointed to the mobile home industry's practice of loading tires to 150 percent of their load ratings, and argued that this practice should be permitted to continue. Examination of data

compiled by the Bureau of Motor Carrier Safety, however, shows that from 1969 to 1972 (the most recent years for which figures are available), tires accounted for 18.0 percent of reported mobile home accidents. The NHTSA therefore rejects the proposition that such overloading does not present a safety hazard. There is no exception to the requirement that all vehicles be equipped with tires of adequate load rating.

Some commenters requested that tire overloading be permitted under restricted speed conditions. These commenters appear to have misunderstood the scope of the standard. Vehicles-in-use are regulated by the States and by the Bureau of Motor Carrier Safety. Standard No. 120 does not prohibit the overloading of tires in speed-restricted service, or otherwise regulate the use of tires or vehicles. The GVWR and GAWR information on the certification label is based on unrestricted service.

The formula described above for tire selection is subject to an exception for MPV's, trucks, buses, and trailers which are equipped with passenger car tires. The combined maximum load rating of the passenger car tires on an axle must be equal to or greater than 110 percent of the axle's GAWR. Some comments supported this exception as it was proposed. Others suggested that passenger car tires be permitted on such vehicles without the 110% factor, while the RMA and others argued that passenger car tires should not be permitted on trailers at all. The NHTSA rejects the argument that the 110% correction factor is unnecessary. Because non-passenger-car service on the average puts greater stresses on a tire (for example, trucks and trailers are driven at or near their maximum rated loads more often than passenger cars), a given load rating for a Standard No. 109 tire does not have the same meaning as the identical load rating for a Standard No. 119 tire. Conversely, the NHTSA has found no evidence that passenger car tires are inadequate for trailer service when the load correction factor is applied. The 110 percent factor is therefore adopted as proposed.

As proposed, the standard included an exception to the requirement that new vehicles be equipped with new tires conforming to Standard No. 109 or 119. Used tires were to be permitted on a truck, bus, or trailer (other than a mobile structure trailer) under the following conditions: the tires were originally manufactured to comply with Standard No. 119; they were of adequate load rating; they were owned or leased by the purchaser; and they were installed on the new vehicle at its place of manufacture at the purchaser's request. Comments on this exception were generally favorable, although one mobile home manufacturer objected to the exclusion of mobile structure trailers. The exception was intended to accommodate commercial delivery practices in the truck, bus, and trailer industry. While fleets which lease tires on a mileage-contract basis or which install their own used tires on new vehicles are in a good position to know the condition of these tires, the mobile home purchaser has no knowledge of the history of used tires installed on his vehicle. The proposed exception to the new tire requirement is therefore not extended to include all mobile structure trailers. It is, however, extended to include those delivered to the purchaser by a motor carrier, because a motor carrier (who is subject to Bureau of Motor Carrier Safety regulations) can be expected to be more familiar with tire safety needs than a typical purchaser. To clarify the proposed language "originally manufactured to comply with Standard No. 119", the words "as evidenced by the DOT symbol" have been added to the text of the standard.

Several commenters pointed out that certain vehicles are designed for non-uniform side to side loading, and suggested that the proposed method of determining the necessary tire load rating from the GAWR (dividing GAWR by the number of wheel positions on the axle) is inadequate for such vehicles. These commenters argued that tire load rating should be based on the maximum wheel load, rather than on the GAWR. The standard issued today does not specify the maximum load rating to be exceeded by each tire on any given axle. Instead, it requires the sum of those load ratings to meet or exceed the GAWR. The manufacturer of an asymmetrically designed vehicle can therefore equip an axle with tires of differing load ratings. The NHTSA agrees that each tire should be capable of carrying its maximum expected wheel load. At this time, however, the NHTSA considers its defect authority, combined with the new standard, adequate to ensure that vehicles are equipped with such tires.

Definitions have been added to clarify the meaning of "rim base", "rim size designation", "rim type designation", "rim diameter", "rim width", and "weather side." Definitions suggested for other terms have not been included in the standard because the meanings have been found to be widely understood or self evident.

Many comments pointed out problems with a single effective date. For example, for marked rims to be available to vehicle manufacturers in time, an interval is necessary between the effective dates for the rim marking requirement and the requirement that vehicles be equipped with rims that comply with the standard. Similarly, to require all used tires, otherwise permitted by S5.1.3 to have originally been manufactured to comply with Standard No. 119 would, without a delayed effective date, cause the waste of pre-Standard No. 119 tires of adequate load-carrying capacity. Accordingly, a staggered system of effective dates is established as set out below.

In consideration of the foregoing, Chapter V of Title 49, Code of Federal Regulations, is amended as follows:

1. In Part 567, § 567.4(h) is amended to read:

§ 567.4 Requirements for manufacturers of motor vehicles.

* * * * *

(h) (1) (For passenger cars only) In cases where different tire sizes are offered as a customer option, a manufacturer may at his option list more than one set of values for GVWR and GAWR, in response to the requirements of paragraphs (g) (3) and (4) of this section. If the label shows more than one set of weight rating values, each value shall be followed by the phrase "with _____ tires," inserting the proper tire size designations. A manufacturer may at his option list one or more tire sizes where only one set of weight ratings is provided.

Passenger Car Example

GVWR:

4400 LB with G78–14B Tires, 4800 LB with H78–14B Tires.

GAWR:

Front—2000 LB with G78–14B Tires at 24 psi, 2200 LB with H78–14B Tires at 24 psi.
Rear—2400 LB with G78–14B Tires at 28 psi, 2600 LB with H78–14B Tires at 28 psi.

(2) (For multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles) The manufacturer may, at his option, list more than one GVWR–GAWR-tire-rim combination on the label. A nonpassenger-car example is set forth in Standard No. 120, *Tire selection and rims for motor vehicles other than passenger cars* (§ 571.120 of this chapter).

2. In Part 571, a new Standard No. 120, *Tire selection and rims for motor vehicles other than passenger cars* (§ 571.120) is added, to read as set forth below.

§ 571.120 Standard No. 120; tire selection and rims for motor vehicles other than passenger cars.

S1. *Scope.* This standard specifies tire and rim selection requirements and rim marking requirements.

S2. *Purpose.* The purpose of this standard is to provide safe operational performance by ensuring that vehicles to which it applies are equipped with tires of adequate size and load rating and with rims of appropriate size and type designation.

S3. *Application.* This standard applies to multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles, and to rims for use on those vehicles.

S4. *Definitions.* All terms defined in the Act and the rules and standards issued under its authority are used as defined therein.

"Motor carrier" is used as defined in § 390.15 of this title.

"Rim base" means the portion of a rim remaining after removal of all split or continuous rim flanges, side rings, and locking rings that can be detached from the rim.

"Rim size designation" means rim diameter and width.

"Rim diameter" means nominal diameter of the bead seat.

"Rim width" means nominal distance between rim flanges.

"Rim type designation" means the industry or manufacturer's designation for a rim by style or code.

"Weather side" means the surface area of the rim not covered by the inflated tire.

S5. *Requirements.*

S5.1 *Tire and rim selection.*

S5.1.1 Except as specified in S5.1.3, each vehicle equipped with pneumatic tires for highway service shall be equipped with tires that meet the requirements of Standard No. 109 (§ 571.109) or Standard No. 119 (§ 571.119), and with rims that are listed by the manufacturer of the tires as suitable for use with those tires, in accordance with S4.4 of Standard No. 109 or S5.1 of Standard No. 119, as applicable. On and after March 1, 1977, each such vehicle shall be equipped with rims that meet the requirements of this standard.

S5.1.2 The sum of the maximum load ratings of the tires fitted to an axle shall be not less than the gross axle weight rating (GAWR) of the axle system as specified on the vehicle's certification label required by 49 CFR Part 567. If the certification label shows more than one GAWR for the axle system, the sum shall be not less than the GAWR corresponding to the size designation of the tires fitted to the axle. If the size designation of the tires fitted to the axle does not appear on the certification label, the sum shall be not less than the lowest GAWR appearing on the label. When a tire listed in Appendix A of Standard No. 109 is installed on a multipurpose passenger vehicle, truck, bus, or trailer, the tire's load rating shall be reduced by dividing by 1.10 before calculating the sum.

S5.1.3 In place of tires that meet the requirements of Standard No. 119 a truck, bus, or trailer, other than a mobile structure trailer not delivered by a motor carrier, may at the request of the purchaser be equipped at the place of manufacture of the vehicle with used tires owned or leased by the purchaser (or, in the case of a mobile structure trailer, by a delivering motor carrier), if the sum of the maximum load ratings meets the requirements of S5.1.2. On and after January 1, 1978, used tires employed under this provision must be originally manufactured to comply with Standard No. 119, as evidenced by the DOT symbol.

S5.2 *Rim marking.* On and after August 1, 1976, each rim shall be marked with the information listed in paragraphs (a) through (e) of this paragraph, in lettering not less than one-eighth inch high, impressed to a depth of not less than 0.005 inch below the surrounding surface. The information listed in paragraphs (a) through (c) of this paragraph shall appear on the weather side. In the case of rims of multipiece construction, the information listed in paragraphs (a) through (e) of this paragraph shall appear on the rim base and the information listed in paragraphs (b) and (d) of this paragraph shall also appear on each other part of the rim.

(a) A designation which indicates the source of the rim's published nominal dimensions, as follows:

(1) "T" indicates The Tire and Rim Association.

(2) "E" indicates The European Tyre and Rim Technical Organisation.

(3) "J" indicates Japanese Industrial Standards.

(4) "D" indicates Deutsche Industrie Norm.

(5) "M" indicates The Society of Motor Manufacturers & Traders, Ltd.

(6) "B" indicates British Standards Institution.

(7) "S" indicates Scandinavian Tire and Rim Organization.

(8) "N" indicates an independent listing pursuant to S4.4.1(a) of Standard No. 109 or S5.1(a) of Standard No. 119.

(b) The rim size designation, and, in case of multipiece rims, the rim type designation.

(c) The symbol DOT, constituting a certification by the manufacturer of the rim that the rim complies with all applicable motor vehicle safety standards.

(d) A designation that identifies the manufacturer of the rim by name, trademark, or symbol.

(e) The month, day, and year, or the month and year, of manufacture, expressed in numerals. For example,

"September 4, 1976" may be expressed as:

$$90476, \frac{904}{76}, \text{ or } \frac{76}{904}.$$

"September 1976" may be expressed as:

$$976, \frac{9}{76}, \text{ or } \frac{76}{9}.$$

S5.3 *Certification label.* The following information shall appear after each Gross Vehicle Weight Rating (GVWR) and each Gross Axle Weight Rating (GAWR) listed on the certification label required by § 567.4 or § 567.5 of this chapter.

(a)(1) After GVWR, the size designation of tires (not necessarily those on the vehicle) appropriate as a minimum for the GAWR's corresponding to that GVWR.

(2) After GAWR, the size designation of tires (not necessarily those on the vehicle) appropriate as a minimum for the GAWR.

(b) The size designation and, if applicable, the type designation of rims (not necessarily those on the vehicle) appropriate for those tires.

(c) Cold inflation pressure for those tires.

(d) Speed restriction, if any, for those tires.

Truck example

GVWR:

17,280 with 7.50–20(D) tires, 20 x 6.00 rims, at 75 psi cold single, 65 psi cold dual, (max. speed __).

17,340 with 7.00–20(E) tires, 20 x 5.50 rims, at 90 psi cold single, 80 psi cold dual, (max. speed __).

GAWR:

Front—6,280 with 7.50–20(D) tires, 20 x 6.00 rims, at 75 psi cold single (max. speed __).—6,300 with 7.00–20(E) tires, 20 x 5.50 rims, at 90 psi cold single, (max. speed __).

Rear—11,000 with 7.50–20(D) tires, 20 x 6.00 rims, at 65 psi cold dual, (max. speed __).—11,040 with 7.00–20(E) tires, 20 x 5.50 rims, at 80 psi cold dual, (max. speed __).

Effective dates. For the amendment to Part 567: September 1, 1976. For Standard No. 120: August 1, 1976, for the rim marking requirements (S 5.2), and September 1, 1976, for the remaining requirements except as otherwise provided in the standard.

(Secs. 103, 112, 114, 119, 201, 202, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1401; 1403, 1407, 1421, 1422); delegation of authority at 49 CFR 1.50.)

Issued on January 19, 1976.

JAMES B. GREGORY,
Administrator.

[FR Doc.76–2067 Filed 1–22–76;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 THE INTERIOR

Geological Survey

[30 CFR Part 250]

PROPOSED OCS ORDER AND GUIDELINES

Extension of Time for Comments

The Geological Survey hereby extends the time to submit written comments and suggestions concerning Guidelines and proposed OCS Order No. 14 to February 23, 1976. The following documents were published in Volume 40, FEDERAL REGISTER No. 245 on December 19, 1975:

1. "Diligence in Outer Continental Shelf Oil and Gas Operations" (40 FR 58862).
2. "Outer Continental Shelf; Regulation of Operations" (40 FR 58862).
3. "Guidelines to OCS Order No. 14." (40 FR 58873).[1]

Written comments should be sent to the Director, U.S. Geological Survey, National Center, Mail Stop 101, 12201 Sunrise Valley Drive, Reston, Virginia 22092.

V. E. MCKELVEY,
Director.

[FR Doc.76-2056 Filed 1-22-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER

[24 CFR Parts 207, 213, 221, 232, 241, 242, 244]

[Docket No. R-76-371]

MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

Proposed Assurance of Completion Requirements

Notice is hereby given that the Department of Housing and Urban Development proposes amendments to Parts 207, 213, 221, 232, 241, 242, and 244 of Title 24 to change the assurance of completion requirements for multifamily housing projects, nursing homes, hospitals and group practice facilities, the construction or rehabilitation of which is financed through mortgages insured by the Department. These proposed amendments also amend corresponding provisions in Parts 220, 227, 231, 234, 235 (rehabilitation projects) and 236 through incorporation by reference.

These amendments increase the minimum requirements with respect to payment and performance bonds, and cash deposits to secure completion assurance agreements. Agreements controlling the disbursement of construction funds coupled with a full guaranty of performance of the construction contract have been eliminated as an acceptable form of assurance of completion because of unsatisfactory prior experience in this area. The Department has attempted to develop forms and procedures for this type of assurance of completion which would protect it and would be satisfactory to companies interested in participating, but the Department has not been able to devise such forms and procedures. Over a five year period there has been very little interest expressed by companies which could issue this form of assurance of completion. It has been tried on an experimental basis in a small number of cases and in almost all the cases difficulties were encountered in the completion of the project.

Interested persons are invited to submit data, views, and suggestions with respect to these proposed amendments. All relevant material received on or before March 1, 1976, will be considered before a final rule is adopted. Comments should refer to the above docket number and should be filed with the Rules Docket Clerk, Office of General Counsel, Room 10245, 451 Seventh Street SW., Washington, D.C. 20410. Copies of the comments submitted will be avalable during business hours at the above address for examination by interested persons.

The Department has determined that an Environmental Impact Statement is not required with respect to the proposed rule. The Finding of Inapplicability is available for inspection at the above address.

The proposed amendments are as follows:

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

1. Section 207.19(c)(6) is revised to read as follows:

§ 207.19 Required supervision of private mortgagors.

* * * * *

(c) * * *

(6) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(i) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (c)(6)(ii) or (iii) of this section.

(ii) Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(iii) Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(iv) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

* * * * *

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

2. Section 213.27(e) is revised to read as follows:

§ 213.27 Assurances of completion.

* * * * *

(e) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be

[1] This appeared in the Notices section of the issue for December 19, 1975.

on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(1) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (e) (2) or (3) of this section.

(2) Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

* * * * *

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

3. Section 221.542(a) is revised to read as follows:

§ 221.542 Assurance of completion.

(a) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(1) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (a) (2) or (3) of this section.

(2) Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

* * * * *

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

4. Section 232.56(a) is revised to read as follows:

§ 232.56 Assurance of completion.

(a) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(1) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (a) (2) or (3) of this section.

(2) Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

* * * * *

PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

5. Section 241.140(a) is revised and a new paragraph (c) is added as follows:

§ 241.140 Assurance of completion.

(a) The borrower shall furnish assurance of completion of the project in the following minimum forms and amounts:

(1) Where the estimated cost of construction of the improvements is $500,000 or less, the borrower shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(2) Where the estimated cost of construction of the improvements is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be in the form of corporate surety bonds for payment and performance, each in the minimum amount of 25 percent of the construction contract, or a completion assurance agreement secured by a cash deposit in the minimum amount of 15 percent of the amount of the construction contract.

(3) All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies executing a bond and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

* * * * *

(c) Supplemental loans, incurred solely for the purpose of purchasing equipment in a nursing home or a group practice facility, are exempt from the above assurance of completion requirements.

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

6. Section 242.61 is revised to read as follows:

§ 242.61 Funds and finances—insured advances—assurance of completion.

(a) Where the estimated cost of construction or rehabilitation is $500,000 or less and a Hill Burton grant or HEW guaranteed loan is not involved, the mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(b) Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed and, in all cases involving Hill Burton grants or HEW guaranteed loans, the mortgagor shall furnish assurance of completion in the form of corporate surety bonds for payment and performance each in the minimum amount of 50 percent of the accepted bid price (100 percent of bid price if a Hill Burton grant or HEW guaranteed loan is involved).

(c) All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies executing a bond and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner.

(d) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimun requirements provided for above in this section.

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES [TITLE XI]

7. In § 244.95 paragraph (a) is revised, paragraphs (b) and (c) are deleted and paragraph (d) is redesignated as paragraph (b) and revised as follows:

§ 244.95 Funds and finances—insured advances—assurance of completion.

(a) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(1) Where the estimated cost of construction of rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (a)(2) or (3) of this section.

(2) Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements in this section.

(b) The lender may accept, in lieu of a cash deposit required by paragraph (a) of this section, a letter of credit meeting the requirements of § 244.85(b).

(Section 7(d) of the Department of Housing and Urban Development Act; 42 U.S.C. 3535 (d))

(It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A-107.)

Issued at Washington, D.C., January 19, 1976.

DAVID S. COOK,
Assistant Secretary for Housing, Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.76-2116 Filed 1-22-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 76-CE-1-AD]

AIRWORTHINESS DIRECTIVES

Cessna 300 and 400 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an Airworthiness Directive (AD) applicable to Cessna 300 and 400 series airplanes.

Amendment 39-2103, AD 75-05-08, published in the FEDERAL REGISTER on February 28, 1975, is an AD applicable to Cessna 300 and 400 series airplanes equipped with wing tip fuel tank nose cap mounted strobe lights. AD 75-05-08 requires repetitive inspections of the wing tip fuel tank nose area on these airplanes for fuel leakage and drain hole obstructions and the correction thereof where necessary. Subsequent to the issuance of AD 75-05-08 there have been reports of tip tank nose cap explosions on the affected airplanes. As a result of these incidents and based on additional investigations it is apparent that a non-explosion proof strobe light is unsafe in the wing tip nose fuel cap. Therefore, AD 75-05-08 appears inadequate. Accordingly, since the condition described herein is likely to exist or develop in other aircraft of the same type design, an AD is being proposed, applicable to Cessna 300 and 400 series airplanes, requiring that strobe light systems having strobe lights that are not explosion proof be deactivated until such time as explosion proof strobe lights are installed in these systems. The aircraft manufacturer and Grimes Manufacturing Company have developed an explosion proof strobe light and these lights are currently being used in new installations. These manufacturers have made available a Kit for the modification of the non-explosion proof lights in existing strobe light systems either installed in these aircraft at the factory or in the field. Therefore the proposed AD will exempt aircraft with the aforementioned installation and authorize reactivation of the strobe light system upon incorporation of this modification. This proposal, if adopted, will supersede AD 75-05-08.

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 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 February 23, 1976 will be considered before action is taken upon the proposed Rule. The proposals contained in this Notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Airworthiness Rules Docket for examination by interested persons.

(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)))

CESSNA. Applies to the following models of airplanes if equipped with strobe lights installed in the wing tip fuel tank nose cap, except those having lights installed per STC's SA2404WE, SA355CE and SA362CE:

Model 310, 310A, Military U-3A, 310B, 310C, 310D, 310E, Military U-3B, 310F, 310G, 310H, E310H, 310I, 310J, E310J, 310K, 310L, 310N, 310P, T310P, 310Q, T310Q, 310R, T310R; 320, 320-1, 320A, 320B, 320C, 320D, 320E, 320F; 340; 401, 401A, 401B; 402, 402A, 402B; 411, 411A; 414; and 421, 421A, 421B.

Compliance: Required as indicated, unless already accomplished.

To preclude wing fuel tip tank nose cap explosions, within the next 100 hours' time in service after the effective date of this AD, accomplish the following:

(A) Visually inspect the strobe lights in the tip tank nose cap area to determine whether Grimes Manufacturing Company strobe lights, having P/N 31-1723-5 cover plates, are installed. These cover plates may be identified by the presence of two quench tubes protruding into the light assembly from the endplate.

(B) If the strobe light and cover plates described in Paragraph A are not installed, deactivate the strobe light system by installing a guard over the switch, by pulling and blocking the circuit breaker so that it cannot be inadvertently reset or by any other suitable means.

(C) Systems having Grimes Manufacturing Company strobe lights may be reactivated upon the installation of Grimes Manufacturing Company P/N 30-1171-1 Kits consisting of 31-1723-5 cover plates in accordance with Cessna Service Kit SK 402-30B.

(D) Any equivalent method of compliance with this AD must be either approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region, or in those cases where strobe lights have been installed in accordance with STCs, by the Chief, Engineering and Manufacturing Branch, or Division, of the FAA Region having control over the STC holder.

This proposal, if adopted, will supersede Amendment 39-2103, AD 75-05-08.

Issued in Kansas City, Missouri, on January 14, 1976.

C. R. MELUGIN, Jr.,
Director, Central Region.

[FR Doc.76-2050 Filed 1-22-76;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-EA-89]

ANNVILLE, PENNSYLVANIA

Designation of Transition Area

The Federal Aviation Administration is considering amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate an Annville, Pa., Transition Area.

A new VOR Rwy 11 instrument approach procedure has been developed for Millard Airport, Annville, Pa., and will require designation of a transition area to provide controlled airspace for IFR arrivals and departures at Millard Airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 23, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

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

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Annville, Pennsylvania, proposes the airspace action hereinafter set forth:

1. Amend section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate an Annville, Pa. transition area as follows:

ANNVILLE, PA.

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the center 40°19'00" N., 76°32'15" W. of Millard Airport, Annville, Pa.; within an 8.5-mile radius of the center of the airport, extending clockwise from a 105° bearing to a 148° bearing from the airport; within an 8-mile radius of the center of the airport, extending clockwise from a 148° bearing to a 180° bearing from the airport; within a 6.5-mile radius of the center of the airport, extending clockwise from a 180° bearing to a 230° bearing from the airport; and within 4.5 miles each side of the Harrisburg VORTAC 078° radial extending from the 5.5-mile radius area to 13 miles east of the VORTAC.

(Sec. 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Jamaica, N.Y., on January 12, 1976.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.76-2051 Filed 1-22-76;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-EA-90]

PROPOSED ALTERATION OF CONTROL ZONE AND TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Aberdeen, Md., Control Zone (41 FR 355) and Transition Area (41 FR 440).

A new VOR Rwy 22 instrument approach procedure has been developed for Phillips AAF, Aberdeen Proving Ground, Md., and will require alteration of the control zone and transition area to provide additional controlled airspace to protect aircraft executing this procedure and the established NDB-A instrument approach procedure for Phillips AAF.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before February 23, 1976, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacing the Chief, Airspace and Procedures Branch, Eastern Region.

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

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Aberdeen, Maryland, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71, Federal Aviation Regulations by deleting the description of the Aberdeen, Md., control zone and by substituting the following in lieu thereof:

Within a 5-mile radius of the center, lat. 39°28'00" N., long, 76°10'00" W., of Phillips AAF; within 4.5 miles each side of a 029° bearing from the Aberdeen, Md., RBN, extending from the RBN to 8.5 miles northeast of the RBN. This control zone is effective from 0800 to 1630 hours, local time, Monday through Friday, excluding Federal legal holidays.

2. Amend § 71.181 of Part 71, Federal Aviation Regulations by deleting the description of the Aberdeen, Md., transition area and by substituting the following in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, lat. 39°28'00" N., long. 76°10'-00" W., of Phillips AAF; within a 9.5-mile radius of the center of the airport, extending clockwise from a 260° bearing to a 010° bearing from the airport; within 3.5 miles each side of a 029° bearing from the Aberdeen, Md., RBN, extending from the RBN to 11.5 miles northeast to the RBN; within 5 miles each side of a 029° bearing from the Aberdeen, Md., RBN, extending from the RBN to 9.5 miles northeast of the RBN.

(Section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)])

Issued in Jamaica, N.Y., on January 12, 1976.

L. J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.76-2052 Filed 1-22-76;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 76-SW-1]

ALTERATION OF TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 71 of the Fdeeral Aviation Regulations to alter the De Quincy, La., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before February 23, 1976, will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (41 F.R. 440), the De Quincy, La., transition area is amended to read:

DE QUINCY, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of De Quincy Industrial Airpark (latitude 30°26'17" N., longitude 93°28'21" W.); within 2 miles each side of the Lake Charles VORTAC 313°T radial extending from the 5-mile-radius area to 24.5 miles northwest of the VORTAC and within 3 miles either side of the 325°T bearing from the De Quincy NDB (latitude 30°26'06" N., longitude 93°28'00" W.) extending from the 5-mile-radius area to 8 miles northwest of the NDB.

The amendment to the transition area will provide the necessary controlled airspace for aircraft executing the proposed NDB RWY 15 instrument approach procedure.

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

Issued in Fort Worth, TX., on January 15, 1976.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.76-2053 Filed 1-22-76;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 70-27; Notice 17]

BRAKE FLUID LEVEL INDICATORS

Proposed Standards

Correction

In FR Doc. 76-1669, appearing at page 2828 in the issue for Tuesday, January 20, 1976, the proposed effective date on page 2829, which now reads "January 20, 1976", should read "Publication of final rule in the FEDERAL REGISTER".

[49 CFR Parts 571; 577; 579]

PROPOSED MOTOR VEHICLE SAFETY REGULATIONS

Petitions for Extension of Comment Period

This notice extends the comment closing date for the docket listed below, and denies requested extensions for two other docket notices.

The National Highway Traffic Safety Administration has received a request from the Motor Vehicle Manufacturers Association to extend the comment closing date on nine docket notices for a period of 2 weeks, due to the manpower shortage created by the holiday season. The American Trucking Associations (ATA) also petitioned for an extension of time to comment to Docket 75-32; Notice 1, "Definition of GAWR." The ATA requested that the comment closing date be extended from January 29, 1976, to February 27, 1976. The ATA had scheduled meetings with its members for January 28-30, 1976, and expressed a belief that comments would be more comprehensive and helpful to the Administrator if developed through discussion at the scheduled sessions.

The ATA also requested that the comment closing date for Docket No. 75-16; Notice 04 (40 FR 56920, December 5, 1975) be indefinitely delayed, because their comments on this proposal are in part dependent on future NHTSA action on another proposal (40 FR 59222, December 22, 1975 (Notice 05)). The NHTSA can agree that the issues represented in Notice 04 are sufficiently complex to justify a limited delay while any new performance levels are made final, but the requested indefinite delay would not permit adequate planning. A 30-day delay would allow time for a decision on Notice 05 and preparation of comments on Notice 04.

The request by MVMA to extend the comment period for Docket 75-16; Notice 03, Bus Air Brakes, and Docket 75-16; Notice 05, Air Brake Systems, has been denied. The comment due date for Docket 75-16; Notice 03, had expired at the time the MVMA request was received. No extension was granted for Docket 75-16; Notice 05 (involving stopping distance requirements for trucks and trailers), because of the urgent need for this rulemaking to proceed as scheduled.

It is found that the other requested extensions will not seriously disrupt the rulemaking process. The requests are granted and the comment closing dates for the remaining docket notices are hereby extended as listed below.

Rule title	Docket No.	Notice No.	FEDERAL REGISTER, Vol. 40		New comments closing date
			Page No.	Date	
1. Brake Hoses	1-5	19	55365	Nov. 28, 1975	Jan. 26, 1976
2. Air Brake Systems	75-16	04	56920-26	Dec. 5, 1975	Mar. 23, 1976
3. Petitions for Hearings on Notification and Remedy of Defects or Failure To Comply.	75-31	1	56926-27	do	Feb. 4, 1976
4. Brake Fluids	71-13	10	56928-30	do	Feb. 19, 1976
5. Defect and Noncompliance Responsibility.	75-30	1	56930-31	do	Feb. 4, 1976
6. Definition of GAWR	75-32	1	58152-53	Dec. 15, 1975	Feb. 27, 1976
7. Used Components in Trailer Manufacturing.	75-9	03	58153-54	do	Feb. 12, 1976

(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.)

Issued on January 19, 1976.

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

[FR Doc.76-2065 Filed 1-20-76;12:10 pm]

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[29 CFR Part 1910]

[Docket No. H-039]

OCCUPATIONAL EXPOSURE TO SULFUR DIOXIDE

Extension of Time for Comments on Proposed Rule

On Monday, November 24, 1975, notice was published in the FEDERAL REGISTER (40 FR 54520) of a proposed standard for occupational exposure to sulfur dioxide pursuant to the authority in sections 6(b) and 8(c) of the William-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1599; 29 U.S.C. 655, 657) and 29 CFR Part 1911. Interested persons were invited to submit data, views and arguments regarding the proposed standard and to file objections thereto, on or before January 23, 1976. In response to the notice, submissions have been received from several interested parties requesting additional time in which to file comments. Generally, the reasons given for the requests are that the issues raised by the proposed standard on sulfur dioxide are novel and complex and that affected parties are submitting comments on other recently published OSHA proposals as well. The requesting parties state that more time is essential in order to properly respond to the proposed standard on sulfur dioxide.

We find these requests and supporting rationale to have merit, and have decided to extend the period for the filing of comments and objections for approximately 60 additional days. Because of

the need to prepare an inflationary impact statement and have it available for public comment in advance of any hearing, this extension of time will not unduly delay the standard-setting process. Therefore, notice is hereby given that the period for submitting written data, views and arguments, as well as for the filing of objections and requests for an informal hearing on the proposed standard on sulfur dioxide is extended from January 23, 1976 to March 23, 1976. As originally directed, such material must be submitted in quadruplicate to the Docket Officer, Docket H–039, U.S. Department of Labor, Room N–3620, 3rd and Constitution Avenue, N.W., Washington, D.C. 20210 (Telephone 202/523–8076). The data, views and arguments will be available for public inspection and copying at the above address. All written submissions received will be made a part of the record. In all other respects, the terms of the original notice remain in effect.

(Secs. 6, 8, 84 Stat 1593, 1599 (29 U.S.C. 655, 657), Secretary of Labor's Order No. 12–71, 36 FR 8754, and 29 CFR Part 1911).

Signed at Washington, D.C. this 21st day of January, 1976.

MORTON CORN,
Assistant Secretary of Labor.

[FR Doc.76–2223 Filed 1–22–76;8:45 am]

Office of the Secretary

[29 CFR Part 40]

FARM LABOR CONTRACTORS

Revised Registration Requirements; Extension of Time for Comment on Proposal

A proposal to amend 29 CFR Part 40 was published on Monday, December 8, 1975, at 40 FR 57332. The proposal stated that comments on this proposal would be received until January 22, 1976.

As a result of numerous requests for additional time for submission of comments, the time for submission of comments on the proposed Part 40 is extended to February 13, 1976.

Signed at Washington, D.C., on this 19th day of January 1976.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

[FR Doc.76–2092 Filed 1–22–76;8:45 am]

notices

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

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

GRANTING OF RELIEF

Notice is hereby given that pursuant to 18 U.S.C. Section 925(c), the following named persons have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to my satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be dangerous to the public interest.

Barnoski, Lynn E., 8151 68th Street, Alto, Michigan, convicted on March 30, 1972, in the Kent County Circuit Court, Michigan.

Booth, Eddie Donald, 500 South Ash, McPherson, Kansas, convicted on September 22, 1961, in the District Court of Shawnee County, Kansas; and on December 2, 1964, in the District Court of Jackson County, Kansas.

Bowling, Maurice Guy, 12213 Yellow Bluff Road, Jacksonville, Florida, convicted on July 12, 1962, in the United States District Court, Middle Judicial District, Jacksonville, Florida.

Brainerd, Wade S., 420 3rd Avenue, Linden, New Jersey, convicted on September 23, 1946, in the Supreme Court, County of Onondaga, New York; and on February 23, 1937, in the Circuit Court, Oakland County, State of Michigan.

Brown, Clarence, 11830 Miami, Detroit, Michigan, convicted on April 26, 1954, in the United States District Court, Eastern District, Southern Division of Michigan.

Cook, Ralph C., Box 286, Oceana, West Virginia, convicted on or about November 17, 1972, in the United States District Court for the Southern District of West Virginia.

Csaszar, Joseph A., 210 Lucy Crossing, Glendon, Pennsylvania, convicted on January 19, 1970, in the Court of Common Pleas, Northampton County, Pennsylvania.

Davis, Jimmy C., 1620 Harrison Street, Paducah, Kentucky, convicted on May 5, 1970, in the McCracken Circuit Court, Paducah, Kentucky.

DesMarais, Michael L., 924 25th Avenue, North, St. Cloud, Minnesota, convicted on or about October 27, 1971, in the Stearns County District Court, Seventh Judicial District, Minnesota.

Eaton, Jordan, 967 Continental, Detroit, Michigan, convicted on or about September 19, 1949, Jefferson County Criminal Court, Jefferson County, Alabama; and on August 11, 1954, in the Recorder's Court of the City of Detroit, Michigan.

Elder, Leonard D., 12097 Prairie, Detroit, Michigan, convicted on October 12, 1972, in the Recorder's Court, Detroit, Michigan.

Ellis, Richard W., 7477 North Teutonia Avenue, Milwaukee, Wisconsin, convicted on June 28, 1965, in the County Court of Oneida County, Wisconsin.

Ertel, Myron E., 4441 South 12th Street, Sheboygan, Wisconsin, convicted on November 14, 1973, in the County Court of Sheboygan County, Wisconsin, Branch II.

Foley, Wayne B., Route 4, Box 428, Bassett, Virginia, convicted on May 5, 1969, in the United States District Court, Western District of Virginia.

Gardner, Merlin D., 6111 Sunnyside, Rural Route 1, Cedar Falls, Iowa, convicted on August 6, 1956, in the District Court, Johnson County, Iowa.

Gray, Norvell Chambers, Varney, West Virginia, convicted on or about May 1, 1935, and on or about February 4, 1937, in the Mingo County Court, Williamson, West Virginia.

Gray, Sidney C., 16500 North Park Drive, Southfield, Michigan, convicted on September 13, 1972, in the United States District Court, Eastern District of Michigan.

Griffin, W. Dewayne, 117 Meadow Lane, Houston, Mississippi, convicted on August 22, 1968, in the United States District Court, Western District of Tennessee.

Grywusiewicz, John P., Route 1, Box 64C, Miles City, Montana, convicted on April 10, 1972, in a United States Courts Martial, Fort Sill, Oklahoma.

Herbert, Paul A., 12442 Elvins Street, Lakewood, California, convicted on February 21, 1967, in the Court of Record, Broward County, Florida.

Hodges, Horace Smith, Route 1, Box 285, Waldorf, Maryland, convicted on October 28, 1949, in the Circuit Court, Prince George's County, Maryland.

Hollencamp, Keith A., Route 7, Box 410, Burlington, Wisconsin, convicted on July 11, 1973, in the County Court of Kenosha County, Wisconsin.

Horton, J. C., 3622 Alexander, Flint, Michigan, convicted on October 8, 1951, in the Circuit Court for the County of Genesee, State of Michigan.

Kennedy, John Gordon, Dark Mountain Road, Orland, Maine, convicted on April 11, 1945, in the Superior Court, Hancock County, Maine.

Kirchen, William S., 225 Vivians Lane, Stevens Point, Wisconsin, convicted on September 28, 1973, in the Stevens Point Circuit Court, Portage County, Wisconsin.

Knee, Benjamin D., Route 5, Box 512½, Winchester, Virginia, convicted on January 24, 1972, in the Circuit Court, Winchester, Virginia.

Martin, Victor L., Rural Route 2, Box 196A, Moorhead, Minnesota, convicted on April 15, 1963, in the Seventh Judicial District Court, Clay County, Minnesota.

Meyer, Ronald D., Rural Route 2, Holmen, Wisconsin, convicted on or about September 28, 1970, in the LaCrosse County Court, Branch II, Wisconsin.

Meyer, William T., Rural Route 1, Box 147, Riverside, Iowa, convicted on May 18, 1970, and on February 22, 1971, in the District Court, Dickinson County, Iowa.

Miller, Gerald, 7001 Alden Road, Baltimore, Maryland, convicted on October 15, 1974, in the United States District Court, District of Maryland.

Moore, Annie R., 310 North 3rd Avenue, Saginaw, Michigan, convicted on January 28, 1957, in the Tenth Judicial Circuit Court, Saginaw County, Michigan.

Mullins, Robert L., 109 E. Buena Vista, Highland Park, Michigan, convicted on August 29, 1958, in the Recorder's Court, Detroit, Michigan.

Northrop, William A., RD #2, Box 362-1, Vergennes, Vermont, convicted on or about March 28, 1972, in the Delaware Supreme Court, Delhi, New York.

Nunn, Judd E., P.O. Box 74, Hardyville, Kentucky, convicted on June 14, 1956, in the Grayson County Circuit Court, Leitchfield, Kentucky.

Orlecky, Ronald J., Box 135, Willow Point Road, Cornville, Arizona, convicted on April 18, 1961, in the Superior Court, Puma County, Arizona.

Poplin, Robert M., 4641 El Penon Way, San Diego, California, convicted on or about January 8, 1961, in the District Court, Garfield County, Oklahoma.

Releford, Robert T., 78-887 Varner Road, Indio, California, convicted on March 21, 1968, in the Municipal Court, Riverside County, California.

Rudisill, Robert E., 1024 E. Philadelphia Street, York, Pennsylvania, convicted on February 1, 1971, in the Court of Common Pleas of York County, Pennsylvania.

Schumacher, Ronald C., 218½ Bogert Street, Beaver Dam, Wisconsin, convicted on August 6, 1973, in the County Court, Branch II, Dodge County, Wisconsin.

Simpson, Gene, 1121 Jean Avenue, Salinas, California, convicted on or about January 2, 1962, in the Superior Court, Lake County, California.

Slate, Howard Thomas, 408 Coltrane Street, High Point, North Carolina, convicted on May 25, 1964, in the Superior Court, Guilford County, North Carolina.

Smith, William Russell, 5907 Stacey Avenue, Bakersfield, California, convicted on January 7, 1959, and on June 15, 1961, in the Superior Court of the State of California in and for the County of Kern.

Stephens, Walter Carlton, 2930 Haddington Court, Richmond, Virginia, convicted on February 7, 1938, in the United States District Court, Middle District, North Carolina.

Stone, Bernard Mayhew, P.O. Box 115, Hayti, South Dakota, convicted on October 10, 1969, and on March 26, 1971, in the Lincoln County Circuit Court, Canton, South Dakota.

Tartar, Lewis M., 1412 Serenade Terrace, Corona Del Mar, California, convicted on February 14, 1964, in the United States District Court, Middle District, Jacksonville, Florida.

Tellers, Craig A., 5108 39th Avenue, South, Minneapolis, Minnesota, convicted on July 1, 1969, in a special Courts Martial, United States Army, Chu Lai, Republic of Vietnam; on August 4, 1970, and on July 28, 1971, in the District Court for the Fourth Judicial Circuit, Hennepin County, Minnesota.

Van Lannen, Lyle Mathais, RR No. 15, Box 235, West Terre Haute, Indiana, convicted on or about January 10, 1957, in the Circuit Court, Vigo County, Indiana.

Wadsworth, Ernest H., Jr., 293 North Wasson, Coos Bay, Oregon, convicted on January 31, 1972, in the Circuit Court, Coos County, Oregon.

Wesen, Edward A., 1013 Chehalis Street, Chehalis, Washington, convicted on December 18, 1972, in the Superior Court, State of Washington, for Lewis County.

Willilams, Bunice, Route 1, Box 153, Hardaway, Alabama, convicted on March 14, 1972, in the United States District Court for the Middle District of Alabama.

Signed at Washington, D.C. this 9th day of January 1976.

REX D. DAVIS,
Director, Bureal of Alcohol, Tobacco and Firearms.

[FR Doc.76-2040 Filed 1-22-76;8:45 am]

Fiscal Service

[Dept. Circ. 570, 1975 Rev., Supp. No. 10]

LEATHERBY INSURANCE CO.

Surety Companies Acceptable on Federal Bonds; Termination of Authority

Notice is hereby given that the Certificate of Authority issued by the Treasury to Leatherby Insurance Company, Fullerton, California, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on Federal bonds is hereby terminated, effective this date.

The company was last listed as an acceptable surety on Federal bonds at 40 FR 29252, July 10, 1975.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds in lieu of bonds executed by Leatherby Insurance Company.

Dated: January 19, 1976.

DAVID MOSSO,
Fiscal Assistant Secretary.

[FR Doc.76-2041 Filed 1-22-76;8:45 am]

Office of the Secretary

AUTOMOBILES FROM CANADA

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from Canada were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33755.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from Canada. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2108 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM THE UNITED KINGDOM

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from the United Kingdom was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33757.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from the United Kingdom. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2109 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM FRANCE

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from France were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33756.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchan-

dise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from France. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc. 76-2110 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM ITALY

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from Italy were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33756.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from Italy. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2111 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM JAPAN

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from Japan were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33756.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from Japan. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, make it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc. 76-2112 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM WEST GERMANY

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from West Germany were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER on August 11, 1975, on page 33758.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from West Germany. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2113 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM BELGIUM

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from Belgium were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of August 11, 1975, on page 33755.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from Belgium. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will, therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2114 Filed 1-22-76;8:45 am]

AUTOMOBILES FROM SWEDEN

Antidumping; Extension of Investigatory Period

On July 8, 1975, information was received in proper form that automobiles from Sweden were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER on August 11, 1975, on page 33757.

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or likelihood of injury to, or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that the Secretary of the Treasury concluded that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

On September 8, 1975, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there was no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of automobiles from Sweden. Accordingly, the Customs investigation in this proceeding was not terminated.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: the need for the collection of additional data and the verification of initial and supplemental submissions, along with the need for analysis of all submissions and the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative actions at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

JANUARY 20, 1976.

[FR Doc.76-2115 Filed 1-22-76;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON SURFACE NAVAL WARFARE

Cancelled Meeting

The Defense Science Board Task Force on Surface Naval Warfare cancels its meeting scheduled for January 21-22, 1976 in Arlington, Virginia, as published in the FEDERAL REGISTER of December 23, 1975 (FR Doc. 75-34557).

MAURICE W. ROCHE,
Director, Correspondence and Directives OASD (Comptroller).

JANUARY 20, 1976.

[FR Doc.76-2160 Filed 1-22-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CASPER DISTRICT ADVISORY BOARD

Notice of Meeting

JANUARY 22, 1976.

Notice is hereby given that the Casper District Multiple-Use Advisory Board will hold a meeting at 9:00 a.m. on March 4-5, 1976, at the Ramada Inn, Casper, Wyoming. The agenda for the meeting will include election of chairman and vice-chairman, and discussion of: the role of the board, operating procedures, BLM organization, and an overview of major public land issues and other presentations.

The meeting will be open to the public as space is available. Time will be avail-

able for a limited number of brief statements by members of the public. Those wishing to make an oral statement should inform BLM's Casper District by close of business February 27, 1976. Any interested person may file a written statement with the board for its consideration.

Written statements and requests to appear before the board should be submitted to Jerry Mason, Public Affairs Officer, Casper District, Bureau of Land Management, P.O. Box 280, Casper, Wyoming 82602. The Casper District telephone number is (307) 265–5550, extension 5244.

ROBERT E. WILBER,
District Manager.

[FR Doc.76–2099 Filed 1–22–76;8:45 am]

OUTER CONTINENTAL SHELF (OCS) ENVIRONMENTAL STUDIES ADVISORY COMMITTEE

Notice and Agenda for Meeting

This Notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Pub. L. No. 92–643, 5 U.S.C. App. I and the Office of Management and Budget's Circular No. A–63, Revised.

The Outer Continental Shelf Environmental Studies Advisory Committee will meet during the period 9:30 a.m., February 18 to 4:00 p.m. February 19, in Rooms 7000 A and B, Department of the Interior, 18th and E Streets, NW., Washington, D.C.

The meeting will cover the following principal subjects:

The current OCS leasing schedule.

Guidelines and rationale for planning OCS environmental studies.

The North Atlantic OCS environmental data collection.

Results of first year environmental studies in the Northeast Gulf of Alaska and on the South Texas OCS.

Report of Committee on nearshore and coastal environmental data needs.

Other OCS environmental work in prospect or planning.

Special reports of related activities.

The meeting of this Committee, which supersedes the Outer Continental Shelf Research Management Advisory Board, is open to the public and written or oral statements concerning agenda items are welcome. Those who expect to attend should make this known not later than February 13, to the Committee Acting Chairman:

Frank E. Clarke, Senior Scientist, U.S. Geological Survey, Room 4443, Interior Building, Washington, D.C. 20240

JANUARY 15, 1976.

GEORGE L. TURCOTT,
Associate Director,
Bureau of Land Management.

JACK O. HORTON,
Assistant Secretary of the Interior.

Dated: January 16, 1976.

[FR Doc.76–2098 Filed 1–22–76;8:45 am]

Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following appication for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93–205).

Applicant. San Diego Zoological Garden, Post Office Box 551, San Diego, California 92112. Kenton C. Lint, Curator of Birds.

OMB NO. 42-R1670

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
Import 1 Male, 1 Female White Eared Pheasant, Crossoptilon crossoptilon

Import 1 Female Brown Eared Pheasant, Crossoptilon mantchuricum, for breeding in captivity.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
San Diego Zoological Garden
P.O. Box 551
San Diego, California 92112
Phone: (714) 234-5151

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:
☐ MR. ☐ MRS. ☐ MISS ☐ MS. | HEIGHT | WEIGHT
DATE OF BIRTH | COLOR HAIR | COLOR EYES
PHONE NUMBER WHERE EMPLOYED | SOCIAL SECURITY NUMBER
OCCUPATION
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Public Zoo - Conservation and Research programs in addition to recreation and educational activities.

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC. Kenton C. Lint
Curator of Birds, 714-234-5151
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Import from Canadian Game Breeder, Port Alberni, B.C., Canada

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☒ YES ☐ NO
(If yes, list license or permit numbers)
Scientific Collecting Permit 1-S.C.-169

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)
Not required

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$ Not required

10. DESIRED EFFECTIVE DATE
A.S.A.P.

11. DURATION NEEDED
Until Terminated

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED, IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) — DATE
Kenton C. Lint, Curator of Birds — 12/17/75

3-200
15/741

DECEMBER 17, 1975.

DIRECTOR (FWS/LE),
U.S. Fish and Wildlife Service,
U.S. Department of the Interior,
P.O. Box 19183,
Washington, D.C. 20036.

DEAR SIR: The San Diego Zoological Garden requests an endangered species permit to import one (1) male White Eared Pheasant, one (1) female White Eared Pheasant, and one (1) female Brown Earned Pheasant from Port Alberni, B.C., Canada.

1. Common and scientific name of the species or subspecies, number, age, and sex of the wildlife to be covered in the permit.

White Eared Pheasant. Scientific Name: *Crossoptilon crossoptilon.* Number and Sex: One (1) Male; one (1) Female, 1974 hatch.

Brown Eared Pheasant. Scientific Name: *Crossoptilon mantchuricum.* Number and Sex: One (1) Female, 1974 hatch.

2. Copy of the contract or other agreement under which wildlife is to be imported, showing the country of origin, name and address of the seler or consignor, date of the contract, number and weight (if available), and description of the wildlife.

These birds will be purchased and transferred by air shipment from Port Alberni, B.C., Canada. Attached is a photocopy of a letter from Mr. Edward Miller, 315 Kingsway North, Port Alberni, B.C., Canada, which is an agreement to sell the above three birds to the San Diego Zoological Garden.

3. A full statement of justification for the permit including details of the project or other plans for utilization of the wildlife in relation to zoological, educational, scientific, or propagational purposes as appropriate and the planned disposition of the wildlife upon termination of the project.

In 1973 the San Diego Zoo received two Szechuan White Earned Pheasants, one male, one female, hatched in Tierpark, Berlin, Germany, in 1971. By obtaining this stock from Germany we hoped to introduce a new bloodline into the United States as well as providing other zoos with our surplus thus helping to increase the small nucleus of White Eared Pheasant in captivity in the United States.

This pair of birds, adult when received, have never laid an egg and we must assume they are both sterile at five years of age.

With the importation of this new breeding stock we wish to continue our goal of propagation in captivity and establish a breeding group in American zoos to serve as a buffer against possible extinction of the wild population. In addition, these birds will be exhibited before the public along with a descriptive explanation of the species and the nature of the project.

Specimens that die during the course of this project will receive postmortem examination and distribution of requested body parts by our staff pathologist. The specimen will be preserved as a museum study skin for deposit in the Los Angeles County Museum, Smithsonian Institution Museum of Natural History or the American Museum of Natural History.

4. A description and the address of the institution or other facility where the wildlife will be used or maintained.

The three pheasants will be held at the San Diego Zoo. This institution is owned by the City of San Diego but is managed and operated by a California nonprofit corporation known as the Zoological Society of San Diego, incorporated in 1916. The postal address is San Diego Zoo, P.O. Box 551, San Diego, California 92112, telephone: 234–5151.

5. A statement that at the time of application the wildlife to be imported is still in the wild, was hatched in captivity, or has been removed from the wild.

As documented in Mr. Edward Miller's letter, the three pheasants were captive hatched in 1974.

6. A resume of the applicant's attempts to obtain the wildlife to be imported from sources which would not cause the death or removal of birds from the wild.

The three pheasants were captive hatched, thus will not be a drain on the natural population of White Eared Pheasants and Brown Eared Pheasants.

7. (i) A complete description, including photographs or diagrams of the area and facilities in which the wildlife will be housed.

Individual pheasant pens in which the birds will be displayed measure 9′ x 20′ with the maximum height of eight feet. This particular complex of pheasant aviaries consists of ten individual pens. The back portion (farthest from the public viewing area) is a covered shed of gunite with a sloping roof nine feet in height. One by two inch welded wire covers the entire series of pens. Access to the individual aviaries is through a single wooden door located in the back, under the eight foot covered portion of each pen. Each door opens in a four foot service and safety cage which runs behind all of the pheasant pens, 90 feet in length, eight feet in height. This safety corridor is also covered with 1″ x 2″ welded wire. A three-foot hedge is located in the 4′ space between the front of the cage and the guardrail and serves as a buffer between the public and the birds (a detailed drawing is enclosed).

This complex of pheasant aviaries has proven to be successful in displaying and breeding twenty-one species of pheasants in the collection. Also enclosed is a black and white photograph, front view of the exhibit area.

(ii) A brief resume of the technical expertise available, including any experience the applicant or his personnel have had in propagating the species or closely related species to be imported.

See enclosed personnel resumes. A list of the birds that have reproduced in the collection is attached.

(iii) A statement of willingness to participate in a cooperative breeding program and maintain or contribute data to a studbook.

We will collaborate in contributing to/or maintaining a studbook. This project, in fact, is a cooperative and collaborative effort of game breeders throughout the world.

(iv) A DETAILED DESCRIPTION OF THE TYPE, SIZE AND CONSTRUCTION OF THE CONTAINER: ARRANGEMENTS FOR FEEDING, WATERING, AND OTHERWISE CARING FOR THE WILDLIFE IN TRANSIT; AND ARRANGEMENTS FOR CARING FOR THE WILDLIFE ON IMPORTATION INTO THE UNITED STATES.

Pheasants will be shipped from Vancouver, B.C., to San Diego in crates similar and equal to International Air Transport Association Style F with one bird per compartment. Edward Miller, Port Alberni, B.C. has had many years of experience shipping endangered pheasants to the United States.

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I, Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

Sincerely,

KENTON C. LINT,
Curator of Birds.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before February 23, 1976, will be considered.

Dated: January 20, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76–2129 Filed 1–22–76;8:45 am]

ENDANGERED SPECIES PERMIT

Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93–205).

Applicant. Mr. F. M. Driscoll, Lexington Pheasantry, 219 Cowlitz Drive, Kelso, Washington 98626.

OMB NO. 42-R1075

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
In order to purchase White Eared Pheasants so that I may propagate these magnificent birds in order to help insure their survival.

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
F. M. Driscoll
219 Cowlitz Drive
Kelso, Washington 98626
Phone: 206-423-2460

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

☒ MR. ☐ MRS. ☐ MISS ☐ MS.	HEIGHT 5'10½"	WEIGHT 170
DATE OF BIRTH 30 July 1920	COLOR HAIR Grey	COLOR EYES Brown
PHONE NUMBER WHERE EMPLOYED 206-425-1550	SOCIAL SECURITY NUMBER 538-03-4467	

OCCUPATION Lead Order Write
Longview Fibre Company (Paper Mill)

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
Does not apply

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
Does not apply

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
Does not apply

IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
Does not apply

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
a. Breeding endangered species of pheasants at my pheasantry at 219 Cowlitz Drive, Kelso, Washington 98626.
b. Buying and selling endangered specie pheasants interstate, primarily from New York to Washington state

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☒ YES ☐ NO
(If yes, list license or permit number(s))
1-PR-516

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☒ YES ☐ NO
(If yes, list jurisdictions and type of documents)
State of Washington Commercial Game Farm License No. GF 75 147

9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE
Feb. 1, 1976

11. DURATION NEEDED
5 years, or for as long as possible

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.
50 CFR Part 17.22 Permits for scientific purposes or for the enhancement of propagation or survival.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) F. M. Driscoll
DATE 4 December 1975

3-200
(8-74)

(1) Pheasants: White Eared (Crossoptilon crossoptilon) 1 male and 1 female. I would like to be table to buy and sell these birds for propagation purposes and to get new blood to help keep the stock strong.

(2) (iii) Wildlife—born in captivity.

(3) By purchasing the above pheasants that were raised in captivity by breeders in the United States. By having the above shipped in padded crates to avoid any possible chance of injury.

(4) The White Eared pheasants I would like to purchase were raised in captivity by Mr. Charles Sivelle, 41 Dix Hills, Long Island, New York.

(5) The pheasants are and will be housed in my aviaries at 219 Cowlitz Drive, Kelso, Washington 98626. These aviaries are planted with trees and shrubs to help insure the contentment of the birds, and a fence has been installed completely around our property which covers 2 acres.

(6) (i) Our pheasantry consists of 15 pens measuring 8' wide by 6' high by 16' long, 16 pens measuring 8' wide by 6' high by 24' long, 2 pens measuring 12' wide by 35' long by 12' high, one flight pen measuring 12' wide by 7' high by 80' long and a Java Green Peafowl pen measuring approximately 7' high by 25' wide by 25' long plus a completely enclosed house for their protection in inclement weather. All pheasant pens are constructed using creosoted 8" x 8" by 8' long or 15' long railroad ties. The house at the back of each pen is constructed of ½" exterior plywood with roofs measuring 8' and 12' in width and covered by 80# roofing paper and covered with tar. All pens are completely enclosed with 1" mesh poultry netting. The railroad ties are used for support posts and ground runners and a profile drawing is shown below.

All inclement weather comes from the south west and our aviaries are constructed so that our birds have maximum protection from inclement weather yet ample shade in the summer months. As soon as spring breaks we will finish 8 brooder pens constructed as shown above but measuring 8' wide, 12' long and 6' high. Also enclosed is a color photograph showing our construction technique and some of the timbers used in our aviaries.

(ii) I have been raising rare ornamental pheasants and imported Java Green Peafowl for 5 years and have raised young from Edwards, Mikado, Elliots, Statyr Tragopan, Scintillating Coppers, Impeyan and Java Green Peafowl.

(iii) I would be only too willing to cooperate in a breeding program and keep accurate records as I am convinced that the only reason some species exist today is because of the unselfish and dedicated efforts of breeders who hatched and raised them in captivity.

(iv) The containers used for shipping are 12" wide, 18" high and 24" long, constructed of Masonite with the top on the inside lined with 1" foam rubber. Water and feed are placed in each shipping container, The maximum time the birds would be contained in this shipping container would 36 hours.

(v) I have been extremely fortunate in that I have lost very few birds; however, I have not lost a single bird to disease. My losses have been due to young becoming chilled when electric power is lost in a brooder, attack from another in the brooder or shortly after being placed in outside pens, breaking a neck by flying into top wire. As a result my top wires have been loosened to allow give when a bird spooks and flies into it. I have never lost an Edwards or a Mikado. All of my pens are cleand monthly, weather permitting, disinfected twice yearly, and medicated water is supplied once a month. Our birds are fed the very finest game bird feed that I can purchase, given ample fruit and berries in season and a commercial game bird grit it supplied at all times. Our ground is a sandy loam with excellent drainage so that our birds do not wallow in mud. When you birds are placed in outside pens they are frequently clipped on one wing to prevent their flying into the wire if they become spooked in a new environment.

(7) There are no contracts or agreements. As previously stated, if I am issued the permit I plan to purchase a pair of White-Eared pheasants from Mr. Charles Sivelle, 41 Dix Hills, Long Island, New York.

(8) (i) I plan on keeping, breeding, buying and selling for propagation purposes only Edwards, Brown Eared and White Eared pheasants.

(ii) and (iii) I will supply adequate pens, housing, feed and care to insure the birds contentment in captivity in order that they will breed to keep the species going. My children and their children will be able to appreciate White Eared pheasants because they will have watched them grow and produce their young. They will become a living thing instead of a picture in a book.

(iv) My birds are my therapy and are a way of life to me and my family; however, I know that one day the time will come when I may not be able to care for them in a manner they deserve. Then, and only then, will I dispose of them to a very few of my very closest and dearest friends in the bird fancy who are completely qualified to care for them.

Respectfully submitted,

F. M. DRISCOLL.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All

relevant comments received on or before February 23, 1976, will be considered.

Dated: January 20, 1976.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.76-2130 Filed 1-22-76;8:45 am]

Bureau of Outdoor Recreation

[INT DES 76-3]

PENOBSCOT WILD AND SCENIC RIVER STUDY

Notice of 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 regarding the wild and scenic river study of the Penobscot River, Maine, and invites written comments on or before March 8, 1976. Comments from interested members of the public should be addressed to the Regional Director, Northeast Region, Bureau of Outdoor Recreation, Federal Office Building, 600 Arch Street, Philadelphia, Pennsylvania 19106.

The environmental statement considers the probable impact of establishing 295 miles of the East and West Branches of the Penobscot River as components of the National Wild and Scenic River System. These areas meet the prescribed criteria for "scenic" classification and are recommended for Federal administration by the Forest Service, U.S. Department of Agriculture.

Copies of the draft statement are available for inspection at the following locations:

Office of Information, Bureau of Outdoor Recreation, Room 4427, Department of the Interior, Washington, D.C. 20240, Telephone: 202-343-5726.
Fougler Library, University of Maine at Orono, Orono, Maine 04473.
Bangor Public Library, 145 Harlow Street, Bangor, Maine 04401.
State of Maine, State Planning Office, Augusta, Maine 04330.
Office of Regional Director, Bureau of Outdoor Recreation, Northeast Region, 600 Arch Street, Philadelphia, Pennsylvania 19106.
Managers' Office, Millinocket Town Hall, Penobscot Avenue, Millinocket, Maine 04462.
Penobscot Valley Regional Planning Commission, 31 Central Street, Bangor, Maine 04401.
Maine Department of Conservation, State Office Building, Augusta, Maine 04330.

Single copies are available to the public and may be obtained by writing to the Regional Director, Bureau of Outdoor Recreation, Northeast Region, 600 Arch Street, Philadelphia, Pennsylvania 19106. Please refer to the statement number shown above.

Dated: January 16, 1976.

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

[FR Doc.76-2100 Filed 1-22-76;8:45 am]

DEPARTMENT OF AGRICULTURE

Farmers Home Administration

[Notice of Designation Number A280]

IOWA

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Howard County, Iowa, as a rsult of drought June 25 through August 21, 1975, and a severe windstorm August 24, 1975.

Therefore, the Secretary has designated this area as eligible for Emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 94-68, and the provisions of 7 CFR 1832.3 (b) including the recommendation of Governor Robert D. Ray that such designation be made.

Applications for Emergency loans must be received by this Department no later than March 12, 1976, for physical loses and October 12, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 16th day of January, 1975.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.76-2059 Filed 1-22-76;8:45 am]

Forest Service

PACIFIC NORTHERN TIMBER COMPANY TIMBER SALE

Notice of 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 Pacific Northern Timber Company Timber Sale; USDA-FS-WO-DES(Adm) 76-05.

This environmental statement concerns a proposed action to harvest approximately 180 million board feet of over-mature Sitka spruce and western hemlock from Mitkof, Zarembo, Etolin, Wrangell, and Woronkofski Islands located near Petersburg and Wrangell, Alaska.

This draft environmental statement was transmitted to the CEQ on January 19, 1976.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3231, 12th St. & Independence Ave., S.W., Washington, D.C. 20250.
USDA, Forest Service, Alaska Region, Federal Office Building, Juneau, Alaska 99802.
Forest Supervisor, Chatham Area, Tongass National Forest, Federal Building, Sitka, Alaska 99835.
Forest Supervisor, Stikine Area, Tongass National Forest, Federal Building, Petersburg, Alaska 99833.
Forest Supervisor, Ketchikan Area, Tongass National Forest, Federal Building, Room 313, Ketchikan, Alaska 99901.

A limited number of single copies are available upon request to Forest Supervisor, Stikine Area, Tongass National Forest, P.O. Box 309, Petersburg, Alaska 99833.

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 E. Allen Crozer, Forest Supervisor, Stikine Area, Tongass National Forest, Box 309, Petersburg, Alaska 99833. Comments must be received by March 19, 1976, in order to be considered in the preparation of the final environmental statement.

R. MAX PETERSON,
Deputy Chief, Forest Service.

JANUARY 19, 1976.

[FR Doc.76-2104 Filed 1-22-76;8:45 am]

ROCK CREEK ADVISORY COMMITTEE

Notice of Meeting

The Rock Creek Advisory Committee will meet at 7:00 p.m. on Tuesday, February 17, 1976. Meeting place will be Drummond, Montana, in the St. Michael's Catholic Church basement.

The purpose of this meeting is to receive a status report by the Deerlodge National Forest on the Upper Rock Creek Plan, receive Advisory Committee's comments on draft inventory reports distributed at the January meeting, distribute and discuss additional inventory reports, and outline the analysis and alternative development schedule.

The meeting will be open to the public. Any member of the public who wishes to do so shall be permitted to file a written statement with the Committee before or after the meeting. To the extent that time permits, the Committee Chairman may permit interested persons to present oral statements at the meeting.

General participation by members of the public or questioning of Committee members or other participants shall not be permitted unless approved by the majority of Committee members.

Dated: January 16, 1976.

CHARLES B. TRIBE,
Multiple Use Coordinator, Lolo National Forest.

[FR Doc.76-2097 Filed 1-22-76;8:45 am]

Office of the Secretary

PRIVACY ACT OF 1974

Notice of Systems of Records

Notice is hereby given of changes in the system location, authority for maintenance of the system, routine uses and policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system for USDA/FmHA–1, Applicant/Borrower or Grantee File. These changes are necessary primarily to reflect the fact that records in this system may be accessed electronically at FmHA offices. This accessibility was inadvertently omitted when the system notice was originally published in the FEDERAL REGISTER, 40 FR 38923 (August 27, 1975).

Interested persons are invited to submit written comments on these changes. Comments may be submitted to: Director, Research and Operations Division, Office of the General Counsel, U.S. Department of Agriculture, Washington, D.C. 20250. All comments must be received on or before February 5, 1976. These comments will be available for public inspection in Room 2321–S, Department of Agriculture, Washington, D.C.

In consideration of the foregoing, notice is hereby given that USDA/FmHA–1, Applicant/Borrower or Grantee File is revised to read as follows:

System name. Applicant/Borrower or Grantee File, USDA/FmHA.

System location. Each applicant's/borrower's or grantee's file is located in the County Office through which the financial assistance is sought or was obtained, and the Finance Office in St. Louis, Missouri. A State Office version of the County Office file may be located in or be accessible by the State Office responsible for that County Office. Correspondence about borrowers is located in the National Office and State Office files.

A list of State Offices and any additional States for which an office is responsible follows:

Montgomery, AL
Phoenix, AZ
Little Rock, AR
Woodland, CA—HI, NV
Denver, CO
Newark, DE—MD, NJ
Gainesville, FL
Athens, GA
Boise, ID
Champaign, IL
Indianapolis, IN
Des Moines, IA
Topeka, KS
Lexington, KY
Alexandria, LA
Orono, ME
East Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Bozeman, MT
Lincoln, NE
Albuquerque, NM
Syracuse, NY
Raleigh, NC
Bismarck, MD
Columbus, OH
Stillwater, OK
Portland, OR—AK
Harrisburg, PA
Santurce, PR—VI
Columbia, SC
Huron, SD
Nashville, TN
Temple, TX
Salt Lake City, UT
Montpelier, VT—CT, MA, NH, RI
Richmond, VA
Wenatchee, WA
Morgantown, WV
Stevens Point, WI
Casper, WY

The addresses of State and County Offices are listed in the telephone directory of the appropriate city or town under the heading "United States Government, Department of Agriculture, Farmers Home Administration." The Finance Office is located at 1520 Market Street, St. Louis, Missouri 63103.

Categories of individuals covered by the system. Present and former FmHA borrowers/grantees and applicants including members of associations.

Categories of records in the system. The system consists of files containing applicant's/borrower's or grantee's characteristics such as gross and net income, sources of income, capital, assets and liabilities, net worth, age, observed race, number of dependents, marital status, credit report, reference material, and operating plans. In addition, a running record of observations concerning the operations of the person being financed is included at the County Office level. A record of deposits in and withdrawals from a person's supervised bank account is also contained in those files where appropriate or, in some County Offices, maintained in a separate folder containing only information relating to activity within supervised bank accounts. Some items of information are extracted from the person's file and placed in a card file for quick reference.

Authority for maintenance of the system. 7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq. and 42 U.S.C. 2706.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses. Referral to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

Information contained in borrowers' files may also provide the basis for USDA news releases citing borrowers' progress.

Referral to employers, businesses, landlords, creditors and others to determine repayment ability and eligibility for FmHA programs.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.—

Storage. Records are maintained in file folders at the State, County, and National Office. A limited subset of personal, financial, and characteristics data required for effective management of the programs and borrower repayment status is maintained on disc or magnetic tape at the Finance Office, accessible by each appropriate office.

Retrievability. Records are indexed by name, identification number and type of loan or grant. Data may be retrieved from paper records. A limited subset of data is available through telecommunications capability ranging from telephones to intelligent terminals. The telecommunications capability is available to all FmHA offices.

Safeguards. Records are kept in locked offices at the State, County, and National Office. A limited subset of data is also maintained in a properly managed tape and disc library and an online retrieval system at the Finance Office. Access is restricted to authorized FmHA personnel. A system of operator and terminal passwords and code numbers is used to restrict access to the online system. These codewords and numbers are changed as necessary.

Retention and disposal. Records are maintained subject to the Federal Record Disposal Act of 1943 (44 U.S.C. 366–380) and in accordance with FmHA's disposal schedules. Disposal of records at the State, County, and National Office is accomplished through deposit in office waste containers. Records at the Finance Office are disposed of by overprinting.

Applications which are rejected, withdrawn, or otherwise terminated are kept in the County Office one full fiscal year after the fiscal year in which final action was taken on the application.

The records of borrowers who have paid or otherwise satisfied their obligation are retained in the County Office one full fiscal year. In those instances where real estate has been acquired by the FmHA through foreclosure, conveyance of title, etc., and subsequently sold to a borrower not eligible for FmHA programs, the State Office folder for this borrower will be transferred to the National Office after the account has been paid in full. The folder will be retained at the Federal Records Center for 10 years. Correspondence records at the National Office which concern borrowers and applicants are retained for 3 fiscal years after the last year in which there was correspondence.

System manager(s) and address. The County Supervisor at the County Office level, the State Director at the State Office level, the Director of the Finance Office for Finance Office records, and the Administrator, FmHA, for the National Office file.

Notification procedure. Any individual may request information regarding this system of records, or information as to

whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address his request to the Administrator, (Attention: Freedom of Information Officer), USDA/FmHA, Washington, D.C. 20250, telephone (202) 447–2211. A request for information pertaining to an individual should contain: Name, address, FmHA office where loan/grant was applied for/approved and particulars involved (i.e., date of request/approved, which FmHA program, etc.).

Record access procedures. Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him by submitting a written request to one of the System Managers referred to in the preceding paragraph.

Contesting record procedures. Same as access.

Record source categories. Information in this system comes primarily from the applicant/borrower/grantee.

Dated: January 19, 1976.

EARL L. BUTZ,
Secretary.

[FR Doc.76–2062 Filed 1–22–76;8:45 am]

Rural Electrification Administration

NORTH-WEST TELEPHONE CO.

Proposed Loan Guarantee

Under the authority of Pub. L. 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320–22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the FEDERAL REGISTER, September 16, 1974, (Vol. 39 No. 180, pages 33228–33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $14,700,000 to North-West Telephone Company, Tomah, Wisconsin. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. Harris G. Allen, President, North-West Telephone Company, 901 Kilbourn Avenue, Tomah, Wisconsin 54660.

To assure consideration, proposals must be submitted on or before February 23, 1976, to Mr. Harris G. Allen. The right is reserved to give such considerations and make such evaluation or other disposition of all proposals received, as North-West Telephone Company and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320–22 are available from the Director, Information Service Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 19th day of January, 1976.

DAVID H. ASEGAARD,
Acting Administrator, Rural Electrification Administration.

[FR Doc.76–2105 Filed 1–22–76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

HARDWARE SUBCOMMITTEE OF THE COMPUTER SYSTEMS TECHNICAL ADVISORY COMMITTEE

Notice of Open Meetings

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. IV, 1974) and Office of Management and Budget Circular A–63 (Revised), Advisory Committee Management, effective May 1, 1974, notice was given (40 FR 52075) that a series of meetings of the Hardware Subcommittee of the Computer Systems Technical Advisory Committee would be held, covering the period December 1975 through March 1976. The meeting scheduled for March 9, 1976 at 1:30 p.m., in Room 5230 of the Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C., has been cancelled. The other meeting dates will remain as outlined (40 FR52075).

Dated: January 19, 1976.

RAUER H. MEYER,
Director,
Office of Export Administration.

[FR Doc.76–2010 Filed 1–22–76;8:45 am]

MANAGEMENT-LABOR TEXTILE ADVISORY COMMITTEE

Public Meeting

The Management-Labor Textile Advisory Committee will meet at 2:00 p.m. on February 24 and March 16, 1976, in Room 4833, Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230.

The Committee, which is comprised of 39 members, was established by the Secretary of Commerce on April 23, 1962 to advise U.S. Government officials on problems and conditions in the textile and apparel industry and furnish information on world trade in textiles and apparel.

The agenda for the meeting will be as follows:

1. Review of import trends.
2. Implementation of textile agreements.
3. Report on conditions in the domestic market.
4. Other business.

A limited number of seats will be available to the public. The public will be permitted to file written statements with the Committee before or after each meeting. To the extent time is available at the end of the meetings, the presentation of oral statements will be allowed.

Copies of the minutes of the meetings will be made available on written request addressed to the DIBA Freedom of Information Officer, Freedom of Information Control Desk, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

Further information concerning the Committee may be obtained from Arthur Garel, Director, Office of Textiles, U.S. Department of Commerce, Washington, D.C. 20230, telephone 202–967–5078.

Dated: January 22, 1976.

ALAN POLANSKY,
Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.76–2266 Filed 1–22–76;11:29 am]

National Oceanic and Atmospheric Administration

NATIONAL MARINE FISHERIES SERVICE

Notice of Receipt of Applications for Permits for Scientific Research and Scientific Purposes

Notice is hereby given that the following Applicant has applied in due form for a Scientific Research Permit, as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Regulations Governing the Taking and Importing of Marine Mammals, and a Scientific Purposes Permit, as authorized by the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), and the Regulations Governing Endangered Species.

Office of Resource Research, National Marine Fisheries Service, Washington, D.C. 20235, to conduct research on cetacean populations in the eastern Indian Ocean.

The proposed research will involve the tagging of 150 sperm whales (*Physeter catodon*), 10 sei whales (*Balaenoptera borealis*), 10 Bryde's whales *Balaenoptera edeni*), and 10 minke whales (*Balaenoptera acutorostrata*). The sperm whale and sei whale are listed as endangered under the Endangered Species Act of 1973.

The marking will be conducted from an Australian whale catcher boat. Marking will be done with Discovery-type whale marks. The mark is constructed of a stainless steel tube 23 cm. long and 1.6 cm. in diameter, with a conical lead point 3.8 cm. long. Minke whales are marked with a smaller version of the Discovery mark (13 cm. long and 0.8 cm. in diameter). The mark is recovered when the animal is processed after being killed in a whaling operation. Some of the tags are fitted with four "streamers", each seven feet long that will help in recognizing a tagged whale at sea, without the need for actual catching. The streamers are of a material which should remain visible for many years, specifically teflon coated, braided dacron line. Another modification in the tag will be the addition of quinacrine, a dye-like substance which leaves a discernible line in the earplugs of baleen whales which aids in age-determination. Tagging and observations will provide information on

distribution, abundance, and movements needed to formulate rational international conservation and management regulations, particularly for Southern Hemisphere stocks of commercial species of whales. Commercial species of whales will be marked. Sighting data will be collected on all cetaceans. Discovery marks will be used since these are the only available, dependable means of marking whales and retrieving the data through commercial harvest. The marks are recovered when the whales are processed and the information is collected by international observers aboard the whaling vessels or sent to the IWC by the recovering whaling company.

The application for the Marine Mammal Protection Act permit will be considered under the existing Marine Mammal Protection Act regulations. The application for the Endangered Species Act permit will be considered under the Endangered Species Act final regulations governing permit issuance.

Documents submitted in connection with these applications are available in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235.

Concurrent with the publication of this notice in the FEDERAL REGISTER, the Secretary of Commerce is sending copies of the application submitted under the Marine Mammal Protection Act to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views or requests for a public hearing on these applications should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235, on or before February 23, 1976. The holding of such a hearing is at the discretion of the Director.

Dated: January 22, 1976.

HARVEY M. HUTCHINGS,
Acting Associate Director for Resource Management, National Marine Fisheries Service.

[FR Doc.76-2238 Filed 1-22-76;10:07 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

OCCUPATIONAL SAFETY AND HEALTH

Applications for Certification of Certain Gas Detector Tube Units

In the FEDERAL REGISTER of May 8, 1973 (38 FR 11458), the Department adopted regulations which set forth the requirements and procedures for the evaluation and certification of gas detector tube units (42 CFR Part 84). In accordance with § 84.3(a) of the regulations, notice is hereby given that the National Institute for Occupational Safety and Health will accept applications for certification of gas detector tube units pursuant to the following schedule:

Gas	Dates for submittal	Test standard (parts per million)
Hydrogen chloride (HCl) CAS Registry No. 007647010.	Mar. 1 to 31, 1976.	5
Xylene (C_8H_{10}), CAS Registry No. 001330207.	Apr. 1 to 30, 1976.	100
Carbon disulfide (CS_2) CAS Registry No. 000075150.	May 1 to 31, 1976.	20
Ethyl benzene (C_8H_{10}) CAS Registry No. 000100414.	June 1 to 30, 1976.	100
n-hexane (C_6H_{14}), CAS Registry No. 000110543.	July 1 to 31, 1976.	500
Acetic acid ($C_2H_4O_2$), CAS Registry No. 000064197.	Aug. 1 to 31, 1976.	10

All applications and any questions concerning the certificate program should be submitted to the Institute's Testing and Certification Laboratory, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505.

Dated: January 16, 1976.

JOHN F. FINKLEA,
Director, National Institute for Occupational Safety and Health.

[FR Doc.76-2082 Filed 1-22-76;8:45 am]

Food and Drug Administration

OBSTETRICS AND GYNECOLOGY ADVISORY COMMITTEE

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), the Food and Drug Administration announces the renewal of the Obstetrics and Gynecology Advisory Committee by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond December 31, 1975.

Authority for this committee will expire December 31, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: January 16, 1976.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.76-2084 Filed 1-22-76;8:45 am]

[Docket No. CC-12]

Office of the Secretary

SOUTHERN ILLINOIS UNIVERSITY

Notice of Proposed Ineligibility (Debarment)

Pursuant to Sections 208 and 209 of Federal Executive Order 11246 and 41 C.F.R. § 60-1.26, Notice is hereby given that Southern Illinois University—Carbondale, hereinafter called Respondent, will be given an opportunity to be heard on the Allegations set forth below. A copy of Executive Order 11246, a copy of Parts 60-1, 60-3, and 60-20 of the Regulation of the Office of Federal Contract Compliance, and a copy of the Department's Procedural Rules for Proceedings under Executive Order 11246, are attached.[1]

Within fourteen (14) days from receipt of this notice, Respondent may file an answer to this notice and may request a hearing. The request for hearing shall be included as a separate paragraph of the answer. The answer shall admit or deny specifically and in detail the matters set forth in each alegation of the notice unless Respondent is without knowledge, in which case the answer shall so state, and the statement shall be deemed a denial. Matters alleged as affirmative defenses shall be separately stated and numbered. If Respondent fails to file an answer, request a hearing, or otherwise formally contest the allegations in this notice within the 14-day period following receipt hereof, the matters alleged herein are deemed admitted and Respondent's opportunity for hearing is deemed waived. The Director, Office for Civil Rights, may enter an order declaring Respondent ineligible for award of Federal and Federally-assisted contracts or subcontracts, or extensions or other modifications of existing contracts, until the Respondent has satisfied the Secretary of Labor that it has established and will carry out personnel and employment policies and practices in compliance with the Order.

The answer, request for hearing, and all other documents permitted to be submitted by Respondent in this proceeding must be mailed or delivered to the Civil Rights Hearing Clerk, Department of Health, Education, and Welfare, Room 4519 North Building, 330 Independence Avenue, SW., Washington, D.C. 20201. An original and two copies should be filed and an additional copy should be mailed or delivered to the attorneys in the Office of General Counsel whose address is indicated below his/her signature hereon.

ALLEGATIONS

The General Counsel of the Department of Health, Education, and Welfare, hereinafter called Department, acting on behalf of the Department alleges as follows:

I. STATEMENT OF JURISDICTION

1. During each calendar year beginning January 1, 1968, Respondent University directly held Federal contracts.

2. Each Federal contract from September 24, 1965, to the present has included the standard equal employment opportunity provisions set forth in Section 202 of Executive Order 11246.

3. Such contracts consist of agreements, or modifications thereof, between the University and the corresponding Federal contracting agencies, for the furnishing of supplies or services, including research services, or for the use of real or personal property, including lease arrangements.

[1] Certificate of service filed as part of the original document.

4. Section 401 of the Executive Order provides that the Secretary of Labor may delegate to any Executive Agency any function or duty ascribed to him under the Order, with the exception of his general lawmaking power. Pursuant to this authority, the Office for Civil Rights, Department of Health, Education, and Welfare, is a compliance agency within the definition of 41 CFR § 60–1.3 (d), and 41 CFR § 60–1.6, and is therefore responsible for enforcing the Executive Order and its implementing Regulations with regard to Universities which are Federal Contractors.

5. In assuming its role as a compliance agency, the Office for Civil Rights is empowered by Section 206(b) of the Executive Order to investigate complaints filed by employees of Universities which are Federal Contractors.

II. APPLICABLE LAW AND REGULATIONS

The following applicable law and regulations provide a basis for the proposed enforcement action:

6. Section 202 of Executive Order 11246 provides that all Federal agencies shall include in every Government contract the standard equal employment opportunity provisions set forth in Section 202 of Executive Order 11246.

7. 41 CFR § 60–20.3(c) provides that Federal Contractors must not make "any distinction based upon sex in employment opportunities, wages, hours, or other conditions of employment," and that under 41 CFR § 60–20.5(a) "wage schedules must not be related to or based on the sex of employees."

8. 41 CFR § 60–20.3(d) provides that "any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex will be considered to be a distinction made on the basis of sex.

9. 41 CFR § 60–3.11 provides that "disparate treatment . . . occurs where members of a group protected by Executive Order 11246, as amended, have been denied the same opportunities for hire, transfer or promotion as have been made available to other employees or applicants." Pursuant to this regulation, "(n)o new . . . selection standard can be imposed upon an individual or class of individuals . . . who, but for . . . prior discrimination, would have been granted the opportunity to qualify under less stringent selection standards previously in force."

10. 41 CFR § 60–1.32 provides that "(t)he sanctions and penalties contained in Subpart D of the Order may be exercised . . . against any prime Contractor, Subcontractor or applicant who fails to take all necessary steps to ensure that no person intimidates, threatens, coerces or discriminates against any individual for the purpose of interfering with . . . any . . . activity related to the Order. . . ."

11. 41 CFR § 60–1.24(c)(3) provides that "where any complaint investigation . . . indicates a violation of the equal opportunity clause and the matter has not been resolved by informal means," the Contractor shall be afforded an opportunity for a hearing. The procedures for a formal hearing are set forth at 41 CFR § 60–1.26(b).

12. Section 208(b) of the Executive Order provides that a hearing may be held before sanctions or penalties may be imposed under the Executive Order. Under this section, "(n)o order for debarment of any Contractor from further Government contracts under Section 209(a)(6) shall be made without affording the Contractor an opportunity for a hearing."

III. STATEMENT OF MATERIAL FACTS FURNISHING A BASIS FOR THE IMPOSITION OF SANCTIONS

13. On or about May 19, 1971, Dr. Marisa Canut-Amoros (hereinafter referred to as Dr. Canut-Amoros), a tenured Professor at Respondent's University teaching at the School of Engineering and Technology, filed a signed complaint with the Office for Civil Rights, Department of Health, Education, and Welfare, in which she alleged that Respondent had discriminated against her on the basis of her sex. Dr. Canut-Amoros was on Respondent University's faculty from February 1964 through June 11, 1971.

14. The complaint was investigated in Carbondale by a review team from the Chicago Office for Civil Rights on or about August 18 to 20, 1971, and January 19 to 21, 1972.

15. On or about March 20, 1972, Respondent was notified by the Office for Civil Rights that it was in violation of the Executive Order and its implementing regulations.

16. Dr. Canut-Amoros obtained her Master of Science degree in Physics in 1952 from the University of Barcelona, Spain; she obtained her Doctor of Science degree in Physics in 1955 from the University of Barcelona, Spain. Among her other achievements were the following: during the period of her employment by Respondent she obtained from the Office of Scientific Research, Air Force, three consecutive research grants totalling $117,391; as a member of the graduate faculty she directed eight masters' theses and one dissertation; she authored twenty-one papers and six scientific reports and coauthored three books in her specialty; she presented eleven papers to national and international scientific meetings; she was elected a member of Sigma Xi; she was awarded jointly with her husband J. L. Amoros the Spanish Francisco Franco Prize for Science; her scientific work was reported in at least eleven books and more than forty papers in international scientific journals; and she was listed in "American Men and Women of Science."

17. Dr. Canut-Amoros also received recognition for outstanding performance from Respondent University. In 1969, Dr. Canut-Amoros was granted, in collaboration with her husband, the first Annual Research Recognition Award of the Respondent's Graduate Council for outstanding research; in May, 1969 she received a letter from Chancellor Robert W. MacVicar recognizing her achievement and reputation; in June and July, 1970, she received letters from Acting Chancellor Willis E. Malone recognizing her achievement and reputation; and from President Delyte W. Morris she received recognition regarding her achievement and credit to the University.

18. Dr. Canut-Amoros began her employment with Respondent as an associate professor in Applied Science in the School of Engineering and Technology in February, 1964.

19. Dr. Canut-Amoros received tenure in the University in 1966.

20. Dr. Canut-Amoros was paid a salary lower than that of anyone else in the Department holding her rank during each year that she was employed by Respondent.

21. In 1964–65, Dr. Canut-Amaros received no salary increase; each subsequent year through 1969–70, Dr. Canut-Amoros received a salary increase substantially lower in dollar amount and percentage of salary than the average salary increase for male faculty members of the same or equivalent rank in the School of Engineering and Technology.

22. The differential between the salary of Dr. Canut-Amoros and the average salary of male faculty members of the same or equivalent rank in the School of Engineering and Technology increasingly widened, from a differential of $231 per month in 1964–65 to a differential of $359 per month in 1970–71.

23. Dr. Canut-Amoros was advised by officials of Respondent in the spring of 1969 that she lacked sufficient seniority to be promoted to full professor; yet in May, 1969, Drs. William Orthwein and Ju Wah Chen, both male faculty members, were promoted to full professor in the School of Engineering and Technology although they each had one year less seniority than Dr. Canut-Amoros.

24. Dr. Canut-Amoros was promoted to full professor in June, 1970, at which time a salary increase higher in dollar amount and percentage of salary than the average increase for similarly situated male faculty members for the following academic year was recommended; even with the higher salary increase, in 1970–71 Dr. Canut-Amoros received a salary substantially lower than that of any male full professor, lower than the salaries of three associate professors in the School of Engineering and Technology, and lower than the salaries of three assistant professors in the School of Engineering and Technology.

25. On April 23, 1971, Dr. Canut-Amoros sent a memorandum to the Dean of Respondent School of Engineering and Technology, Thomas B. Jefferson, alleging that the Respondent's failure to increase her salary so that it would comparable to the salaries paid to male faculty members constituted a violation of Executive Order 11246, as amended by Executive Order 11375.

26. Dean Jefferson advised Dr. Canut-Amoros on April 26, 1971 that her sex was not a factor in her salary.

27. Dr. Canut-Amoros requested that the Affirmative Action Officer investigate the impact of sex discrimination on her salary by letter to Jerome Lacey, Di-

rector of Respondent's Affirmative Action Program, on May 7, 1971.

28. At a meeting on May 14, 1971, Mr. Lacey advised Dr. Canut-Amoros that, among other things, there were some discrepancies in her salary when compared to the salaries of similarly situated males, but that he could only call these discrepancies to the attention of Dean Jefferson and Vice Chancellor Willis E. Malone.

29. By letters to Dr. Canut-Amoros and to Dean Jefferson dated May 27, 1971, Mr. Lacey reported that his investigation had revealed potential salary inequities.

30. Dr. Canut-Amoros requested the opportunity to engage in either research or a teaching position with Respondent during the summer of 1971.

31. Each male faculty member in the Respondent's School of Engineering and Technology who requested 1971 summer research and/or teaching positions was granted one or both by Respondent.

32. None of the four female faculty members, including Dr. Canut-Amoros, was granted a summer 1971 appointment.

33. Although Dr. Canut-Amoros was advised by officials of Respondent that her requests of March 15 and April 13, 1971 for summer employment were made too late to be considered, her husband, a full professor in Respondent's School of Engineering and Technology, was invited to discuss a possible summer appointment with Dean Jefferson on April 12, 1971 and was offered a summer appointment after the meeting.

34. Dr. Canut-Amoros filed a sex discrimination complaint on April 16, 1971 with the Director of the Respondent's Affirmative Action Program Unit, Jerome Lacey, concerning the denial of her request for summer employment in 1971 with Respondent.

35. At a meeting on May 14, 1971, with Mr. Lacey, Dr. Canut-Amoros was advised that, among other things, Mr. Lacey had not found evidence to substantiate the charge of sex discrimination in the assignment of summer employment.

36. On the following day, May 15, 1971, Dr. Canut-Amoros wrote to Dean Jefferson extending her "resignation as a full professor of your school."

37. Thereafter, within a three-day period, Respondent accepted this purported "resignation," and was informed by Dr. Canut-Amoros that she had intended only a resignation from the School of Engineering and Technology and not from Southern Illinois University. Subsequent to this exchange, the Respondent proceeded to treat the letter of May 15, 1971, as a "resignation" from Southern Illinois University, and Dr. Canut-Amoros continued to advise Respondent that she had not resigned from Southern Illinois University.

38. The Respondent's Board of Trustees "ratified" the alleged "resignation" of Dr. Canut-Amoros on July 16, 1971.

39. At no time did Dr. Canut-Amoros voluntarily or intentionally desire to relinquish her tenure status as a University Professor with Respondent.

40. Still considering herself a member of Respondent's faculty, Dr. Canut-Amoros attempted to continue her research work, but on September 27, 1971 was denied the right to do so by Dean Jefferson on the basis that she was no longer a member of the faculty by reason of the purported "resignation."

41. Dr. Canut-Amoros has not received any wages from the Respondent since June 11, 1971, and since September 27, 1971 Respondent has continued to deny Dr. Canut-Amoros any and all rights and privileges afforded to faculty members.

IV. Conclusions

42. The matters set forth in paragraphs 20 through 29, as well as other related matters, reveal that Respondent violated Executive Order 11246, as amended by Executive Order 11375, with regard to Dr. Canut-Amoros' salary.

43. The matters set forth in paragraphs 30 through 35, as well as other related matters, reveal that Respondent violated Executive Order 11246, as amended by Executive Order 11375, with regard to Dr. Canut-Amoros' opportunity for 1971 summer employment.

44. The matters set forth in paragraphs 36 through 41, as well as other related matters, reveal that Respondent violated Executive Order 11246, as amended by Executive Order 11375, with regard to Dr. Canut-Amoros' alleged "resignation."

V. Voluntary Compliance Efforts

45. The Department has made substantial and adequate efforts to achieve Respondent's voluntary compliance, but such efforts were unsuccessful in securing Respondent's compliance.

WHEREFORE, for the foregoing reasons, Respondent has failed to comply with Sections (1) and (4) of the Equal Opportunity Clause of its contract as prescribed by the Office of Federal Contract Compliance Regulations (see 41 CFR § 60–1.4(a)), and as prescribed by Federal Executive Order 11246 (Section 202), and with 41 CFR Part 60, including §§ 1.32, 3.11, 20.3 (c) and (d), and 20.5(a).

WHEREFORE, the General Counsel requests that the Hearing Officer recommend that an Order be entered, pursuant to 41 CFR § 60–1.26(b) (2) (vi):

1. Finding that Respondent failed to comply with Executive Order 11246, and the rules, regulations and orders issued and promulgated thereunder;

2. Finding that the Department has been unable to achieve the voluntary compliance of Respondent through in formal means;

3. Providing that currently-existing contracts or subcontracts funded in whole or in part with Federal funds, be cancelled and terminated; and

4. Providing that Respondent shall be ineligible for the award of any contracts or subcontracts or for the extension or other modification of any existing contracts funded in whole or in part with Federal funds until Respondent has satisfied the Secretary of Labor that it has established and will carry out personal and employment policies in compliance with the provisions of Executive Order 11246, and the rules, regulations and orders issued thereunder.

Respectfully submitted,

For the General Counsel, Department of Health, Education, and Welfare.

Marvin E. Gavin,
Regional Attorney.

Edward L. Koven,
General Attorney.

Dated: January 16, 1976.

Shirley L. Moscow,
General Attorney.

[FR Doc.76–2089 Filed 1–22–76;8:45 am]

OFFICE OF THE REGIONAL DIRECTOR, REGION X

Statement of Organization, Functions, and Delegations of Authority

Part I of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare, Office of the Secretary, Office of the Regional Director, Region X, headquartered in Seattle, Washington, 40 FR 41162–41168, dated September 5, 1975, is amended to place the Regional Director's grant and contract Review and Sign-off function under the Assistant Regional Director for Administration and Management (Section 1E91.20 H.11) rather than under the ARD for Financial Management (Section 1E91.20 I). Remove paragraph 1E91.20 H.11 and add it to paragraph 1E91.20 I as follows:

Section 1E91.20 I. Office of the Assistant Regional Director of Financial Management (1E9121).

7. Reviews grant and contract proposals for general adherence to program goals and management soundness and exercises Regional sign-off authority as appropriate.

Dated: January 16, 1976.

John Ottina,
Assistant Secretary for Administration and Management.

[FR Doc.76–2090 Filed 1–22–76;8:45 am]

Office of the Assistant Secretary for Health

NATIONAL COMMISSION FOR THE PROTECTION OF HUMAN SUBJECTS OF BIOMEDICAL AND BEHAVIORAL RESEARCH

Notice of Mettings and Public Hearing

Notice is hereby given that the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research has scheduled the public hearing and meetings listed below:

On February 13, 14, 15 and 16, 1976 the Commission will meet at the Smithsonian Institution's Belmont Conference Center, 6555 Belmont Woods Road, Elkridge, Maryland 21227. The meeting sessions will be held as follows: on February 13, the meeting will convene at 9 a.m. and end at 12 noon; on February 14 and 15, the meeting will convene at 2 p.m. and

end at 6 p.m.; on February 16, the meeting will convene at 9 a.m. and end at 1 p.m. Space for members of the public is limited; it will be available on a first-come basis.

The agenda for the meeting on February 13–16 will include discussion of issues identified in the legislative mandate to the Commission under Pub. L. 93–348, including the following: the identification of ethical principles; ethical principles which should underlie the conduct of biomedical and behavioral research involving human subjects; the boundaries between biomedical or behavioral research involving human subjects and the accepted and routine practice of medicine; the role of assessment of risk-benefit criteria in the determination of the appropriateness of research involving human subjects; and the nature and definition of informed consent. The following meetings and hearing will be held in Conference Room 6, C Wing, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20014. They will convene at 9:00 a.m. on the days noted and will be open to the public, subject to the limitations of available space.

On March 12, 13, and 14, 1976 the Commission will meet to discuss issues identified in the legislation mandate to the Commission under Public Law 93–348, including discussion of the final report of the National Minority Conference on Human Experimentation and deliberations on research involving prisoners. The meeting will be held on March 14 only if it is determined to be necessary at the session on March 13.

On April 9, 1976 the Commission will hold a public hearing on and time permitting will discuss the use of children and the mentally disabled as subjects in biomedical and behavioral research. Any person wishing to speak at the hearing must file a written request and receive prior approval from the Commission. Requests must include a summary of the proposed presentation, which shall be limited to 10 minutes. In order to be considered for approval, requests to speak at the hearing must be received not later than March 5, 1976 1976 at the following address: National Commission for the Protection of Human Subjects, Westwood Building, Room 125, 5333 Westbard Avenue, Bethesda, Maryland 20016.

Written materials of any length may be submitted to the Commission at any time.

On April 10, 1976 the Commission will meet to discuss issues identified in the legislative mandate to the Commission under Pub. L. 93–348, including discussion of the use of children and the mentally disabled as research subjects.

Requests for information should be directed to Ms. Anne Ballard (301–496–7776), Room 125, Westwood Building, 5333 Westbard Avenue, Bethesda, Maryland 20016.

Dated: January 14, 1976.

CHARLES U. LOWE,
Executive Director, National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research.

[FR Doc.76–2091 Filed 1–22–76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assistant Secretary for Housing Production and Mortgage Credit-Federal Housing Commissioner

[Docket No. N–76–476]

NATIONAL MOBILE HOME ADVISORY COUNCIL

Request for Nominations

Pursuant to the provisions of Section 605 of the National Mobile Home Construction and Safety Standards Act of 1974, Title VI of Public Law 93–383, notice is hereby given that members of the public wishing to nominate persons for appointment to the National Mobile Home Advisory Council should submit such nominations in writing to David S. Cook, Assistant Secretary for Housing Production and Mortgage Credit, Room 6100, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410, on or before February 29, 1976.

Title VI authorizes the Secretary of the Department of Housing and Urban Development (HUD) to establish Federal construction and safety standards for mobile homes. It provides for the appointment by the Secretary of a National Mobile Home Advisory Council composed of 24 members. One-third of the membership of the Council is to be selected from each of the following categories: (a) consumer organizations, community organizations, and recognized consumer leaders; (b) the mobile home industry and related groups including at least one representative of small business; and (c) government agencies including Federal, State and local governments. The National Mobile Home Advisory Council provides advice to the Secretary on the development of initial Federal Mobile Home Construction and Safety Standards and on changes in those standards.

Section 6(c) of the National Mobile Home Advisory Council Charter stipulates that of the initially appointed members, one-half shall be appointed for one year, and one-half for two years. The one and two year terms were evenly distributed among the three basic groups which make up the Council, so that four members of each group have one year terms and four members of each group have two year terms. The one year terms expire on April 30, 1976, and the initial two year terms expire on December 31, 1976. All future terms are for two years and expire on December 31 of the second year of the term.

Nominations are hereby solicited to fill the positions which will become open when the one year terms expire on April 30, 1976. The terms to which nominees will be appointed will end on December 31, 1977. Those members already serving on the Council whose terms are presently expiring and persons previously nominated but not appointed will automatically be considered for the pending vacancies. Nomination of such persons, therefore, is not necessary.

Nominations may be made for representatives of consumer, industry and Government organizations or agencies.

Nominations should include the following information:

1. Name of nominee.
2. Home address and telephone number of nominee.
3. Business address and telephone number of nominee.
4. Sector (i.e., consumer, industry or Government) that nominee represents.
5. Occupation, business or profession of nominee.
6. Pertinent experience and/or background of nominee that is believed to qualify the nominee as an appropriate member of the Advisory Council.
7. Name of group or person(s) making nomination if other than nominee.
8. The following additional data should be furnished for those nominated as official representatives of organized consumer or industrial groups or associations.
   a. Name and address of organization.
   b. Number of official members in organization.
   c. Nominee's position in organization.
9. The name of the Government agency, its location, and the nominee's position or title should be provided for those nominated to represent Governmental agencies.

The nominees selected by the Secretary will be announced by publication in the FEDERAL REGISTER at a later date and annually thereafter.

At this time, as the result of the resignation of one member and the deaths of two others, there are three vacancies on the Council. The three terms in question all expire on December 31, 1976. These positions will be filled shortly from among persons previously nominated for Council membership. Notice of the selection of these members will be published in the FEDERAL REGISTER.

Issued at Washington, D.C., January 16, 1976.

DAVID S. COOK,
Assistant Secretary for Housing Production and Mortgage Credit — Federal Housing Commissioner.

[FR Doc.76–2081 Filed 1–22–76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

EXEMPTIONS ISSUED

Pursuant to 49 CFR § 107.109 of the Department's Hazardous Materials Regulations, effective October 16, 1975 (40 F.R. 200), the following is a list of applications upon which action was completed during December 1975.

Application No.	Exemption No.	Issued to—Subject	Mode or modes of transportation
E75-13	DOT-E 2650	FMC Corporation, to ship Peracetic acid in DOT Specification 6D or 37M cylindrical steel overpack with inside DOT-2SL polyethylene container not over 55 gallons capacity.	Motor vehicle, Rail freight.
E75-10	DOT-E 3766	Stauffer Chemical Co., to ship Titanium trichloride in 16 gauge non-DOT Specification foreign-made steel drums complying with DOT Specification 17H except for marking.	Cargo vessel, Motor vehicle.
E75-14	DOT-E 5876	FMC Corporation, to ship a Class B posion, solid in DOT Specification 44D multi-wall paper bags not over 50 pounds net weight each.	Cargo vessel, Motor vehicle, Rail freight.
E75-15	DOT-E 5954	E. F. Houghton & Co., to ship Sodium nitrite mixtures in a non-DOT specification cross-plastic bag constructed from Valeron film and having a minimum thickness of 4 mils. Maximum net weight 100 pounds.	Motor vehicle, Rail freight.
E75-17	DOT-E 6122	Pennwalt Corporation, Philadelphia, Pa., to ship Lauroyl peroxide and decanoyl peroxide in DOT specification 12B fiberboard box having Special inside packaging.	Motor vehicle, Rail freight.
E75-16	DOT-E 6682	Foote Mineral Company, to ship Lithium metal in a DOT Specification 21C fiber drum having inside hermetically sealed inside tin-coated steel cans.	Motor vehicle, Rail freight.
E75-12	DOT-E 6917	Atlas Powder Company, to ship Barium azide wet in a DOT Specification 21C fiber drum having inside glass bottles of not over one pound capacity each.	Motor vehicle, Rail freight.
		Emergency exemptions	
EE75-208	DOT-E 7079	Deboer Aviation, Wichita, Kans., to transport two Oxygen cylinders, and two cylinders of pure air as part of a life support system.	Passenger-carrying aircraft.
EE75-51	DOT-E 7081	Electrochimica Corp., Mountain View, Calif., to ship Lithium batteries subject to certain qualifications and specialized packaging.	Cargo vessel, Motor vehicle, Rail freight, Cargo-only aircraft.
EE75-209	DOT-E 7084	Aero Service Corp., Houston, Tex., to transport a limited number of Blasting caps.	Cargo-only aircraft.
EE75-210	DOT-E 7086	Joseph Behr & Sons, Inc., Rockford, Ill., to ship one partially filled chlorine tank car.	Rail freight.

Note; Inadvertently omitted from the 40 F.R. 247 publication of Special Permits issued during November 1975 are the following:

Special permit No.	Issued to—Subject	Modes of modes o transportation
SP 7066	Proctor and Gamble Manufacturing Co., to ship a Flammable liquid, n.o.s. in a non-DOT specification stainless steel portable tank.	Motor vehicle.
SP 7073	Ethyl Corporation, to ship Antiknock compounds in non-DOT specification ISO Type 1C portable tank having a design pressure of 100 psig.	Cargo vessel, Motor vehicle.

ALAN I. ROBERTS,
Director, Office of Hazardous Materials Operations.

[FR Doc.76-1984 Filed 1-22-76;8:45 am]

National Highway Traffic Safety Administration

[Docket IP76-2; Notice 1]

ADVANCE MIXER, INC.

Petition for Exemption From Notice and Recall for Inconsequential Noncompliance

Advance Mixer, Inc. of Fort Wayne, Indiana, has petitioned to be exempted from the notification and recall requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1381 *et seq.*) for a noncompliance with 49 CFR 571.121, Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, on the basis that the noncompliance is inconsequential as it relates to motor vehicle safety.

Petitioner has manufactured 21 trucks since March 1, 1975, that it has concluded do not comply with Standard No. 121. The noncompliance "consists principally of the absence of anti-skid equipment and smaller (4" instead of 6") front axle brakes. Other design changes required to meet the provisions of the brake standard have been made". The company's arguments for inconsequentiality may be summarized as follows:

1. The unique rear-engine, front-discharge design of petitioner's vehicles results in stability in a panic stop, as the weight shift is materially lessened by the design.

2. The vehicles are geared for a top speed of only 50 to 55 miles per hour.

3. The 700 vehicles in service have experienced no difficulties in braking, and their drivers have made no complaints.

4. Temporary exemptions granted other manufacturers of front-discharge concrete mixer trucks (Rite-Way of Indiana Inc., Travel Batcher) represent an implicit determination by NHTSA that non-conforming vehicles "would not pose a consequential safety hazard to the public arising from their braking characteristics."

5. The efficiency and reliability of anti-skid equipment have been called into question by numerous heavy vehicle manufacturers and therefore its omission on petitioner's vehicles should not be termed consequential.

This notice of receipt of a petition is published under section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit written data, views, and arguments on the petition of Advance Mixer, Inc. described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date: March 8, 1976.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on January 19, 1976.

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

[FR Doc.76-2066 Filed 1-22-76;8:45 am]

NATIONAL MOTOR VEHICLE SAFETY ADVISORY COUNCIL

Public Meeting

As published on December 22, 1975 in the FEDERAL REGISTER, the National Motor Vehicle Safety Advisory Council will hold open meetings on January 27, 28 and 29, 1976 in the DOT Headquarters Building, 400 Seventh Street SW., Washington, D.C. The Advisory Council is composed of 25 members, a majority of whom are representatives of the general public, including representatives of State and local governments, with the remainder including representatives of motor vehicle manufacturers, motor vehicle equipment manufacturers, and motor vehicle dealers. The Advisory Council makes recommendations to the Secretary of Transportation on motor vehicle safety and property loss reduction programs carried out by the National Highway Traffic Safety Administration.

The following meetings are subject to the approval of the National Highway Traffic Safety Administrator.

On January 27 at 9:00 a.m. in room 2232 the Accident Avoidance and Operating Systems Committee and the Motorcycle Committee will hold a joint meeting with the following agenda:

Discussion of Future Accident Avoidance Committee Direction on Series 100 Standards.
Discussion of Preliminary Report on Second International ESM (Experimental Safety Motorcycle) Conference.

At 1:30 p.m. on January 27 in room 2232 the Crashworthiness Committee will meet with the following agenda:

Safety Belt Effectiveness.
Field Experience with VW's Passive Belt System.
Development of a Crashworthy Safety Vehicle.
New Business/Old Business.

On January 28 at 9:00 a.m. in room 2232 the full Council will meet with the following agenda:

Review of NHTSA's Safety Defects and Recall Program—Non-Federal Presentations.

On January 29 at 9:00 a.m. in room 2232 the full Council will meet with the following agenda:

Approval of December Minutes.
Briefing on NHTSA's Evaluation Program for Federal Motor Vehicle Safety Standards.
Report of Motorcycle Committee.
Report of Accident Avoidance and Operating Systems Committee.
Report of Crashworthiness Committee.
Interim Report on Truck Safety.
Plans for July Meeting.
New Business/Old Business.
Meeting Dates for Remainder of 1976.

At 12:00 noon on January 29 in room 2232 the Executive Committee will meet with the following agenda:

Discussion of Agenda for Future Council and Committee Meetings.

For further information contact the NHTSA Executive Secretary, Room 5215, 400 Seventh Street, S.W., Washington, D.C., telephone 202–426–2872.

This notice is given pursuant to section 10(a)(2) of Public Law 92–463, Federal Advisory Committee Act (FACA), effective January 5, 1973.

Issued: January 19, 1976.

WM. H. MARSH,
Executive Secretary.

[FR Doc.76–2069 Filed 1–22–76;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON JUDICIAL REVIEW

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Committee on Judicial Review of the Administrative Conference of the United States, to be held at 2:00 p.m., Friday, February 13, 1976 in the offices of Covington and Burling, 888 16th Street, N.W., Washington, D.C. 20006.

The Committee will meet to consider: (1) The revised version of the proposed recommendation regarding "Procedures in Addition to Notice and the Opportunity for Comment in Rulemaking" based on a report by Professor Stephen Williams [already published at 42 U. Chi. L. Rev. 401 (1975)] and (2) the proposed recommendations stemming from Professor Michael Botein's study of primary administrative jurisdiction.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least two days in advance. The Committee Chairman may, if he deems it appropriate, permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact Jeffrey Lubbers, (phone 202–254–7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

JANUARY 19, 1976.

[FR Doc.76–2096 Filed 1–22–76;8:45 am]

CIVIL AERONAUTICS BOARD

MISCELLANEOUS CORRECTIONS

In the issue for Tuesday, December 23, 1975, the order numbers for certain CAB documents in the Notices section were inadvertently omitted. The document numbers and corresponding order numbers are as follows:

Page No.	Federal Register document No.	CAB designation
59368	75–34599	[Docket 28657; order No. 75–12–88.]
59369	75–34598	[Dockets 24760, 24986, 25172, 28656; order No. 75–12–85.]
59370	75–34595	[Docket 27813; Agreement CAB 25550 R–1 through R–16; Agreement CAB 25564; order No. 75–12–68.]
59371	75–34597	[Dockets 21779, 24391, 26212, 26250, 27196, 27217, 27293, 27605, 28655; order No. 75–12–84.]

[Docket No. 28262]

AIR MIDWEST CERTIFICATION PROCEEDING

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on March 2, 1976 at 9:00 a.m. (local time), in the Board of Directors' Meeting Room, Wichita Area Chamber of Commerce Office Building, 350 West Douglas Avenue, Wichita, Kansas 67202, before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served January 2, 1976 and the supplementary prehearing conference report served January 14, 1976 and other documents which are in the docket of the proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 20, 1976.

[SEAL] BURTON S. KOLKO,
Administrative Law Judge.

[FR Doc.76–2101 Filed 1–22–76;8:45 am]

AMERICAN SAFE SYSTEM, INC., INDIRECT AIR CARRIER PERMIT APPLICATION (GERMAN)

[Docket No. 28522]

Notice of Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter, now assigned to be held on January 26, 1976, (41 F.R. 1615, January 9, 1976) is postponed until further notice.

Dated at Washington, D.C., January 21, 1976.

[SEAL] RICHARD V. BACKLEY,
Administrative Law Judge.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1976

Additions to Procurement List

Notices of proposed additions to Procurement List 1976, November 25, 1975 (40 FR 54742) were published in the FEDERAL REGISTER on July 25, 1975 (40 FR 31255) and August 8, 1975 (40 FR 33484).

Pursuant to the above notices the following commodities are added to the Procurement List:

CLASS 6532

	Price (each)
Shirt, operating, surgical, man's cotton-polyester, static resistant (SH):	
6532–00–149–0322	$3.47
6532–00–149–0323	3.63
6532–00–149–0324	3.63
6532–00–149–0325	3.80
Trousers, operating, surgical, man's cotton-polyester, static resistant (SH):	
6532–00–149–0327	4.56
6532–00–149–0328	4.56
6532–00–149–0329	4.56
6532–00–149–0330	4.56
Dress, woman's, cotton-polyester, static resistant, pleated front (SH):	
6532–00–149–0464	5.70
6532–00–149–0465	6.03
6532–00–149–0466	6.36
6532–00–149–1467	6.69
6532–00–149–0472	7.02
6532–00–149–0473	7.35

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76–2157 Filed 1–22–76;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

ADVISORY COMMITTEE ON DEFINITION AND REGULATION OF MARKET INSTRUMENTS

Meeting

Notice is hereby given, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. I., 10(a), that the Commodity Futures Trading Commission Advisory Committee on Definition and Regulation of Market Instruments ("Advisory Committee on Market Instruments") will conduct advisory

committee meetings on February 9, 10 and 11, 1976, at the Madison Hotel, 15th and M Streets, NW., Washington, D.C. beginning at 9:30 a.m. each day. The Cash Commodity Markets Subcommittee will meet on February 9 in the Arlington Room; The Commodity Options Subcommittee will meet on February 10 in the Arlington Room; and the Futures, Forward and Leverage Contracts Subcommittee will meet on February 11 in Executive Chamber 3. The Advisory Committee on Market Instruments was chartered to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Appropriate standards to be utilized by the Commission in regulating forms of transactions that are subject to the Commodity Exchange Act, as amended, including consideration of such matters as:

(i) Appropriate standards to be utilized by the Commodity Futures Trading Commission regarding the definition of commodity futures contracts; and

(ii) Appropriate restrictions or prohibitions for options relating to commodity transactions and margin or leverage transactions subject to Section 217 of the CFTC Act.

(2) Responsibilities of the Commission over cash commodity markets. This will include consideration of such matters as:

(i) Contracts for forward delivery;

(ii) Cash market manipulations; and

(iii) Data and reporting needs for cash markets.

The summarized agenda for each of the Subcommittee meetings is as follows:

Cash Commodity Market Subcommittee, February 9

The Subcommittee will discuss a draft recommendation to the Commission on solving current price and supply data deficiencies. Timely data regarding cash prices and the deliverable supplies of all commodities are necessary for proper market surveillance and for more effective public information.

Commodity Options Subcommittee, February 10

The Subcommittee will address the questions of whether commodity options trading should be permitted by the CFTC in the United States and, if so, the terms and conditions under which such trading should be allowed.

Futures, Forward and Leverage Contracts Subcommittee, February 11

The Subcommittee will discuss what specific types of regulations, if any, should be adopted by the Commission (a) to prevent fraud and manipulation in connection with the offer and sale of leverage contracts, and (b) to insure the financial integrity of leverage transactions. In connection with this discussion, the Subcommittee will consider the areas of: segregation of funds; minimum net worth or working capital requirements; repurchase of contracts by the issuer; disclosure of contract terms; coverage of leverage contracts, charges and fees imposed by leverage contract merchants; registration of leverage contract merchants and persons associated with leverage contract merchants; financial disclosure; use and contents of advertising and promotional literature; and margin requirements.

All meetings are open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgement, 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 Mrs. Harrison, The Advisory Committee on Market Instruments, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, by February 2, 1976.

The Commission is maintaining a list of persons interested in the operations of this advisory committee and will mail notice of the meetings to those persons. Interested persons may have their names placed on this list by writing DeVan L. Shumway, Director, Office of Public Information, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

Dated: January 20, 1976.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.76-2107 Filed 1-22-76;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Availability

Environmental impact statements received by the Council on Environmental Quality from January 12 through January 16, 1976. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability. (March 8, 1976) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, 202-447-3965.

FOREST SERVICE

Draft

Meadows Unit Land Use Plan, Payette N.F., Adams County, Idaho, January 15: Proposed is a land use plan for the 141,406 acre Meadows Planning Unit, Payette National Forest, Idaho. In the process of plan development the unit was divided into six management areas which were further divided into management units. Adverse effects include increases in noise and air pollution, increased sedimentation, and the displacement of some wildlife within the project area. (ELR Order No. 60062.)

Twisp-Winthrop-Conconully Unit Plan, Okanogan N.F., several counties, Wash., January 15: Proposed is a land use plan for the Twisp-Winthrop-Conconully Planning Unit, Okanogan National Forest. The unit includes about 1,478,000 acres of National Forest lands lying in Okanogan, Chelan, Skagit, and Whatcom Counties, Washington. The proposed action will result in a decrease of 5 million board feet of timber below the amount currently expected from the Planning Unit. Adverse effects to air, soil, and water resources will result from plan implementation. (ELR Order No. 60064.)

Final

Callahan Planning Unit, Kootenai N.F., Montana, Idaho, January 14: Proposed is the implementation of a revised multiple use plan for the 54,391 acre Callahan Planning Unit of the Kootenai National Forest. The Unit has been stratified into 8 resources, dispersed recreation, and big game habitat. Adverse impact will include continued soil and vegetation disturbance, as well as those conditions normally associated with the development of unroaded areas. Comments made by: DOI, EPA, and State, and local agencies. (ELR Order No. 60054.)

Dixie N.F. Timber Management Plan, several counties Utah, January 15: The statement concerns a timber management plan for the 609.557 acres of productive forest land in Dixie National Forest. The management direction provides for a programmed harvest of 19.4 million board feet of sawtimber per year. Temporary adverse effects will be on air, natural beauty, outdoor recreation, range wildlife, fire control, insect and disease control, and soil and water ocnditions because of the dust and noise from harvesting operations, slash created by harvesting, and increased activity in the forest. Comments made by: AHP, USDA, EPA, HEW, HUD, DOI, and State agencies and individuals. (ELR Order No. 60061.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Missouri Basin Power Project, Platte Co., Platte County Wyo., January 15: This action involves an application for loan guarantees to finance a portion of the Missouri Basin Power Project (Wheatland Generating Station, extensive transmission facilities, and Grayrock Reservoir). The plant and reservoir will be located in Platte County, Wyoming. Adverse effects include the release of some oxides of sulphur and nitrogen along with a small amount of particulate matter. There will also be flow changes in the Laramie River, which will affect the North Platte River. (ELR Order No. 60058.)

Final

Big Cajun No. 2 Power Station, Pointe Coupee, County La., January 15: This project involves the construction of a new 1080 megawatt coal-fired generating station on the Mississippi River near New Roads, Louisiana. The station will consist two 540 megawatt steam generating units and switching yards for related transmission. Adverse impacts include the release of some sulfur and nitrogen oxides and particulate matter into the atmosphere, removal of 1,714 acres of pasture land from agricultural productivity,

increased noise levels, slightly increased incidence of fogging, increased large traffic on the river, the discharge of liquid wastes into the river, increased coal mining, and temporary construction disruption. Comments made bby: EPA, COE, USDA, DOT, DOI, and 60059.)

SOIL CONSERVATION SERVICE

Final

Farm Brook Watershed, New Haven County, Conn., January 14: The purpose of the project is to provide flood damage reduction and recreation opportunities. The project consists of conservation land treatment, one floodwater retarding structure, recreational facilities and about 5,000 feet of stream channel work. Adverse impacts include the displacement of 50 people, three farms and one business, the inundation of 82 acres of land, and the disturbance of 4.6 acres of channel work. Comments made by: DOC, DOI, DOT, EPA, USDA, and one individual. (ELR Order No. 60056.)

East Upper Maple River Watershed, Schiawassee, Clinton, Gratiot, Counties Mich., January 12: This revised final eis for the East Upper Maple River Watershed project proposes conservation land treatment on 31,865 acres, 43.9 miles of channel improvement, 2.0 miles of dredging, 1.1 mile of floodway, 11.7 miles of levee, 10.6 miles of collection channels, 2 pumping stations, one dam, recreational development, and fish and wildlife development. Adverse effects include: loss of 1,320 acres of forest land; reduced wildlife habitat value of 2,375 acres; reduced fish cover and river bottom plants and invertebrates for several years; increased noise, air, visual, and solid waste pollution due to additional recreational vists; and increased flooding in one area. Comments made by: USA, DOI, DOT, EPA, and State agencies. (ELR Order No. 60047.)

Oak Orchard Creek Watershed, Genesee County, Orleans, N.Y., January 12: The statement refers to the Oak Orchard Creek Watershed project, which will consist of conservation land treatment measures on 12,050 acres and about 90.8 miles of channel work. Installation or structures will result in the loss of 10 acres of cropland and 28 acres of forest land. There will be disturbance to wildlife habitat, and temporary construction activities. Comments made by: HEW, DOI, DOT, EPA, AHP, and State and local agencies. (ELR Order No. 60050.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202-967-4335.

MARITIME ADMINISTRATION

Final

Vessels Engaged in Offshore Oil and Gas Drilling, January 16: The statement concerns a proposal for the Federal Government to guarantee financial obligations incurred by U.S. shipyards in the construction of offshore oil and gas drilling and support vessels. The pollution risk to the marine environment and shoreline is related to adverse impacts which may result from accidental or chronic oil spillage and the release of oily waste water resulting from operational procedures. (ELR Order No. 60067.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attn: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314. 202-693-6795.

Draft

Lake Pontchartrain, North Shore, Jefferson, Orleans, St. Bernard Counties, La., January 14: Proposed is the Federal assumption of maintenance dredging of the entrance channel and harbor area of Bayou Castine. Maintenance will be performed using a hydraulic dredge, and the dredged material placed as a base for beach construction at the Pontainebleau State Park. Adverse effects include the disturbance of approximately 7.5 acres of water bottom and its benthic fauna. Dredging and dredged material deposition will cause temporary increases in turbidity, forcing a reduction in primary production in the disturbed areas. (New Orleans District). (ELR Order No. 60055.)

Clinton River Dredging, Disposal Facility, Macomb County, Mich., January 15: Proposed is the construction of a diked disposal facility for maintenance dredging of the Clinton River Federal Navigation Channel. Placement of dredged material on the proposed site, 3 miles upstream of the mouth of the Clinton River, will restore 30 acres of unused, Federally-owned land to the local community. Adverse effects include the destruction of 30 acres of desirable vegetation. If accidental spills/leaks occur, impairment to water quality will occur in the waterfront area of adjacent residences. (Detroit District) (ELR Order No. 60063.)

Arkansas R., Keystone Lake to Webbers Falls, several counties, Okla., January 15: Proposed is the construction of stone dikes and toe trench revetment structures to prevent bank caving and to stabilize the channel of the Arkansas River in a 54 mile reach between the 51st Street bridge over the Arkansas River in Tulsa, Oklahoma at river mile 518, to river mile 464 in the upper pool of Webbers Falls Lock and Dam, Muskogee, Oklahoma. Adverse effects include the decrease of available wildlife habitat over the total life of the project. (Tulsa District) (ELR Order No. 60065.)

Final

Great Sodus Bay, Little Sodus Bay, Oswego, Harbors, several counties, N.Y., January 15: The statement proposes the periodic dredging of about 43,000 cubic yards from Great Sodus Bay Harbor, 37,000 cubic yards from Oswego Harbor for the continued safe deep draft navigation in the harbors. Unpolluted sediments dredged from the Sodus Bay Harbors will be deposited in designated areas of Lake Ontario; polluted sediments dredged from Oswego Harbor will be deposited in a confined disposal facility upon its completion. Dredging will disturb benthic communities and fish populations, resuspend toxic substances, increase turbidity levels, generate noise, odor and dust, and release air pollutants. (Buffalo District) Comments made by: USDA, DOC, HEW, DOI, DOT, EPA, and individuals. (ELR Order No. 60060.)

Southern Branch of Elizabeth River (2), Va., naJuary 12: The statement refers to the construction of a channel extension and a turning basin in the Southern Branch of Elizabeth River. Approximately 400 acres of land, on which levees and spillways will be constructed, will be used for disposal of spoil. Adverse impacts are the loss of three million cu. yds. of bottom biota, water turbidity during construction, localized alteration of annual salinity distribution, shoreline erosion, and the possible introduction of chemical pollutants through accidental spoil or by collisions. (Norfolk District) Comments made by: EPA, DOI. (ELR Order No. 60041.)

NAVY

Contact: Mr. Peter M. McDavitt, Special Assistant to the Assistant, Secretary of the Navy (Installations and Logistics), Washington, D.C. 20350. 202-692-3227.

Final

Abrasive Blasting of Naval Ship Hulls, January 12: The statement refers to the use of abrasive blasting for maintenance of the outside of naval ships hulls at the Naval Ship Repair Facility, Guam, and the Naval Shipyards. The operation results in air and water pollution from debris; noise pollution from the use of machines, and the use of land for residue disposal. Comments made by: BPA, HEW, DOI, DOC, and State and regional agencies. (ELR Order No. 60052.)

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Contact: Mr. W. Herbert Pennington, Office of Assistant Administrator, E-201, ERDA, Washington, D.C. 20545, 301-973-4241.

Draft

Synthetic Fuels Commercialization Program, January 16: Proposed is an incentive program to ensure production at commercial scale of the equivalent of 350,000 barrels per day of synthetic fuels from coal, oil shale, and biomass (urban and other wastes). Synthetic fuels conversion plants constructed with aid of the proposed incentives would create air and water pollution and solid waste and create noise and aesthetic degradation. Conjunctive development necessary to support the plants would include mining, pipelines, and transmission lines, each of which would also impact air, water, and land. Community development or expansion would be required to support conversion plants in remote areas. (ELR Order No. 50066.)

FEDERAL POWER COMMISSION

Contact: Dr. Jack M. Heinemann, Acting Asst. Director for Environmental Quality, 441 G Street NW., Washington, D.C. 20426, 202-275-4791.

Final

Trunkline Gas Co. Curtailment, January 12: The action consists of FPC's analysis of three permanent curtailment plans for the Trunkline Gas Company. Environmental impacts resulting from curtailment are the increased use of coal and oil to replace the curtailed natural gas and the associated cost increases, and increased pollution in the form of sulfur dioxide and particulates. Rate structure and deregulation are not included as alternatives to curtailment. Comments made by: State agencies. (ELR Order No. 60045.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street, SW., Washington, D.C. 20410, 202-755-6308. Section 104(h).

Final

Los Angeles Harbor Industrial Center Redevelopment Los Angeles County Calif., January 12: The statement concerns a redevelopment project for the 232 acre Los Angeles Harbor Industrial Center. The plan includes property acquisition, relocation assistance, demolition of buildings, modification of oil field operation facilities, and improvement of the streets network. Relocation and construction disruption will result. Comments made by: Local agencies and groups. (ELR Order No. 60051.)

Boston Demolition Plan, Mass., January 12: The action, under the Community Development Block Grant Program is to demolish 900 buildings over two years. The purpose of the program is to remove fire and health hazards from seven areas of Boston: Roxbury, Dorchester, Jamaica Plain, South Boston, Franklin Field, Upham's Corner, and Mattapan. Adverse impacts of the

project include traffic congestion at demolition sites, an increase in large-particle dust at demolition sites and an increase in ambient noise levels. Comments made by: EPA, DOI, HEW, and State and local agencies. (ELR Order No. 60044.)

Los Angeles Dam and Reservoir Project Los Angeles County, Calif., January 12: The project consists of the construction of a dam and reservoir to restore the pre-earthquake dam capacity, including flood protection, of the Van Norman dams and reservoirs. Adverse effects include: vegetation removal, dust blanketing of vegetation, general disturbance and some destruction of wildlife, disturbance of "man-made" freshwater marsh, influx of noxious rodents, rodent migration into residential neighborhoods, and the possibility of fire. (ELR Order No. 50752.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202–343–3891.

BUREAU OF RECLAMATION

Final

Coal Gasification Project, Navajo Mine, San Juan County, N. Mex., January 14: The Western Gasification Company proposes to construct and operate 4 gasification plants and the necessary support facities in northwestern New Mexico on the Navajo Indian Reservation 27 miles southwest of Farmington. On an annual average the first plant would have an initial output of 250 million cu.ft. per day (MMCFD) of substitute natural gas (SNG) and would become operational the winter of 1979–1980. The total production of 1000-MMCFD would be achieved when all 4 plants become operational in 1985. Adverse impacts include emissions of sulphur dioxide, nitrogen oxides, and particulate degradation of water quality, use of 28,000 acres of land, and the displacement of 9 families. Comments made by: AHP, AEC, USDA, USA, HEW, HUD, DOI, DOT, EPA, FEA, FPC. (ELR Order No. 60057.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street SW., Washington, D.C. 20590, 202–426–4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

East Locust Street, U.S. 141 to Oakland Avenue, Milwaukee County, Wis., January 12: The proposed project consists of reconstruction of 0.6 miles of local street located in the City of Milwaukee, Milwaukee County, Wisconsin. The project is part of a transportation corridor connecting the University of Wisconsin-Milwaukee with U.S. 141 (North-South Freeway). The segment of East Locust Street presently under consideration extends from North Buffum Street to the Milwaukee River. Adverse effects include acquisition of land for right-of-way, relocation of 49 families and 13 businesses, and increases in noise and air pollution. (ELR Order No. 60049.)

Final

SR 7, Ohio, Belmont County, Ohio, January 12: The proposed action consists of construction of a 4-lane limited access freeway in Bellaire, Ohio on the Eastern Route. The project is 3.4 miles in length. Adverse effects include the taking of a small portion of the 4.5 acre Bellaire City Park, and the displacement of 498 families, 30 businesses, 6 churches, 3 clubs, a firestation and a nursing home. Comments made by: DOI, DPA, HUD, COE. (ELR Order No. 60046.)

Head Road—Airport Road Section, Jackson County, Oreg., January 12: The proposed project is a 1.2 mile extension of Biddle Road from the intersection of Biddle Road with Airport Road to the intersection of Head Road with Hamrick Road. The purpose of the project is to improve access to the Medford-Jackson Airport. Adverse effects resulting from project implementation includes increased pressure for land use conversion of valuable agricultural lands, and the reduction of natural habitat now available to birds and small mammals by approximately 11 acres. Comments made by: USDA, COE, DOC, HUD, DOI, DOT, EPA, State and local agencies. (ELR Order No. 60048.)

URBAN MASS TRANSPORTATION ADMINISTRATION

Final

Bicentennial Transportation Program, District of Co., January 13: The statement concerns federal assistance for a two part Bicentennial Transportation Program. The program consists of a fringe parking lot/bus shuttle from RFK Stadium, North Parking Lot of the Pentagon, and Ft. Myer South Post to the Mall; and special radial bus service along 17 existing bus corridors from outlying areas to downtown. The program will be in effect from March to October 1976. Short term pollution in Fringe parking areas will result, and construction of the 4,000 car parking lot at Ft. Myer South Post will cause temporary negative effects. Comments made by: USCG, NCPC, DOT, USDA, DOI, DOD, State and local agencies. (ELR Order No. 60053.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.76–2087 Filed 1–22–76;8:45 am]

SMALL BUSINESS ADMINISTRATION

DENVER DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Denver District Advisory Council will hold a public meeting at 9:00 a.m., Friday, February 13, 1976, in the Board of Directors Room at the Colorado National Bank, 17th and Champa Streets, Denver, Colorado, to discuss such business as may be presented by members, the staff of the Small Business Administration, and others attending. For further information, write or call Douglas F. Graves, 721 19th Street, Room 407, Denver, Colorado 80202, (8) 327–3673.

Dated: January 19, 1976.

MARY LOU GRIER,
Deputy Advocate for Advisory Councils, Small Business Administration.

[FR Doc.76–2035 Filed 1–22–76;8:45 am]

[License Number 09/12–5155]

OPPORTUNITY CAPITAL CORPORATION

Notice of Filing of Application for Approval of Conflict of Interest Transaction Between Associates

Notice is hereby given that Opportunity Capital Corporation (OCC), 680 Beach Street, San Francisco, California 94109, a federal licensee under Section 301(d) of the Small Business Investment Act of 1958, as amended (Act), has filed an application pursuant to 13 C.F.R. 107.1004 (1975) for approval of a conflict of interest transaction.

It is proposed that OCC provide financing totaling $95,000 to New Ventures Group Company, Incorporated (Ventures) 680 Beach Street, San Francisco, California 94109. OCC will invest $20,000 for 80 percent of the stock and make a $75,000 subordinated loan which is nonamortizable for three years. Ventures, a new company, will supply short-term financing and management and technical assistance to socially or economically disadvantaged business in the San Francisco, area.

Ms. Yvonne Thompson, an officer, director and 20 percent stockholder, with the option to increase her ownership to 51 percent in a period of not less than 5 years, was manager of OCC's wholly-owned subsidiary Ventures Management, Inc., within six months from the date of the proposed financing.

Accordingly, the transaction falls within the purview of 13 C.F.R. 107.1004 (1975) requiring the prior written approval of the Small Business Administration (SBA).

Notice is further given that any interested person may, on or before February 9, 1976 submit to SBA, in writing, relevant comments on the proposed transaction. Any such communications should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

A copy of this notice shall be published by OCC in a newspaper of general circulation in San Francisco, California. (Catalog of Federal Domestic Assistance Programs Number 59.011, Small Business Investment Companies)

Dated: January 16, 1976.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.76–2036 Filed 1–22–76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

REFINERS BUY-SELL LIST

Crude Oil Allocation Notice for December 1975 Allocation Quarter; Correction

In accordance with the provisions of 10 CFR 211.65(e), the notice listing the sales obligations and purchase opportunities for refiners for the allocation quarter commencing December 1, 1975 was issued on November 11, 1975 (40 FR 53304, November 17, 1975).

The appendix below contains a corrected listing of the sales obligations of refiner-sellers for the December 1, 1975 allocation quarter. The listing of sales obligations has been changed to reflect revised unsold sales obligation carryforwards, which were not properly reflected in the first notice for the December 1, 1975 allocation quarter, due to the initial pro-rating of sellers' and buyers' amounts for the September 1, 1975 allocation quarter under Special Rule No. 5.

The transaction and directed sales periods set forth in the November 17, 1975 notice remain in effect for the December 1, 1975 allocation quarter.

FEA also gives notice hereby of its intent to make appropriate adjustments to

purchase opportunities of refiner-buyers for the June 1, 1976 and subsequent allocation quarters under § 211.65(a)(4) to reflect gain or loss of supplies of Federal royalty oil pursuant to the pending lottery for the sale thereof being conducted by the United States Geological Survey.

Issued in Washington, D.C., January 20, 1976.

MICHAEL F. BUTLER,
General Counsel.

APPENDIX

The list of refiner-sellers for the period December 1, 1975, through February 29, 1976 is revised to read as follows. The revised listing sets forth the identity of each refiner-seller, its fixed percentage share, and the volumes of crude oil (reflecting all adjustments required under § 211.65) that each refiner-seller is obligated to offer for sale, with a specification as to primary and secondary sales obligations.

December 1975 to February 1976 allocation quarter

	Share	Barrels	
		Primary obligation	Secondary obligation
Amoco Oil Co	0.099	5,126,003	3,357,031
Atlantic Richfield	.072	3,538,172	2,465,225
Cities Service Oil	.023	1,095,307	788,360
Continental Oil Co	.034	1,259,899	1,161,171
Exxon Corp	.112	7,832,046	3,797,217
Getty/Skelly	.020	955,314	679,947
Gulf Oil Corp	.086	5,903,133	2,920,180
Marathon Oil Co	.022	1,394,106	732,520
Mobil Oil Corp	.089	5,902,958	3,015,424
Phillips Petroleum	.039	1,889,626	1,326,070
Shell Oil Co	.107	8,680,701	3,641,505
Socal/Chevron	.006	5,873,756	3,255,219
Sun Oil Co	.052	4,273,812	0,778,711
Texaco, Inc	.107	8,223,960	3,644,465
Union Oil Co. of California	.043	3,052,207	1,465,007
Total		65,000,000	34,028,052
Total allocation obligation			99,028,052

[FR Doc.76-2156 Filed 1-21-76;11:19 am]

APPLIANCE LABELING AND ENERGY EFFICIENCY

Notice of Meeting

Notice is hereby given that a meeting to discuss appliance labeling and energy efficiency will be held at 10:00 AM February 6, 1976, in Room 3000A, Federal Energy Administration, 12th and Pennsylvania Avenues NW., Washington, D.C.

The purpose of the meeting will be to inform interested parties of the program that the Federal Energy Administration (FEA) plans to undertake in carrying out the provisions of Title III, Part B of the Energy Policy and Conservation Act (Pub. L. 94-163). Fact sheets on the program will be available at the meeting as well as FEA's projected timetable for the completion of various sections of the program.

The meeting is open to the public. There will be an opportunity for general questions from the public once the formal presentation has been completed.

A transcript of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C., on January 21, 1976.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.76-2262 Filed 1-22-76;10:54 am]

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY SUPPLY-TECHNICAL ADVISORY TASK FORCE-SYNTHESIZED GASEOUS HYDROCARBON FUELS

Meeting

Conference Room 5200; Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426; February 17, 1976, 8:30 a.m.; Presiding: Mr. William J. McCabe, FPC Coordinating Representative and Secretary, National Gas Survey.

1. Call to order and introductory remarks—Mr. William J. McCabe.

2. Remarks by Chairman and Vice Chairman—Dr. Alan G. Fletcher, Mr. Charles W. Margolf.

3. Subgroup Working Session—Room 5200.

(a) Subgroup I: Historic Review/Manufacturing Principles/Current Technology.

(b) Subgroup II: Environment/Siting.

4. Task Force Work Session.

(a) Review and Adopt (1) work scope, (2) assumptions, (3) study plan, (4) work schedule.

(b) Develop study plan for (1) economics, (2) feedstock use comparisons.

5. Subgroup I and Subgroup II working session.

6. Task Force assignment of additional work.

7. Selection of next meeting date.

8. Other business.

9. Adjournment—Wiliam J. McCabe.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-1882 Filed 1-22-76;8:45 am]

NATIONAL GAS SURVEY SUPPLY-TECHNICAL ADVISORY TASK FORCE-FOREIGN GAS SUPPLY

Meeting

Conference Room 5200; Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426; February 19, 1976; 9:30 a.m.; Presiding: Randolph E. Mathura, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to order and introductory remarks—Randolph E. Mathura.

2. Task Force Working Session—George D. Carameros, Jr.:

(a) Progress reports from each Subgroup and discussion thereof (Potential Foreign Gas Supply; Cost of Facilities; Environmental and Safety; International Ramifications; U.S. Markets; International Markets).

(b) Assignment of additional work.

(c) Selection of next meeting date.

(d) Other business.

(e) Comments and discussion from Non-Task Force attendees.

3. Adjournment — Randolph E. Mathura.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

MARY KIDD PEAK,
Acing Secretary.

[FR Doc.76-1880 Filed 1-22-76;8:45 am]

NATIONAL GAS SURVEY SUPPLY—TECHNICAL ADVISORY TASK FORCE—FOREIGN GAS SUPPLY STUDY SUBGROUPS

Meeting

Conference Room 5200; Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426; February 18, 1976, 9:30 a.m.; Presiding: Randolph E. Mathura, Coordinating Representative and Secretary, Federal Power Commission.

1. Call to order and introductory remarks—Randolph E. Mathura.

2. Remarks by Chairman and Vice Chairman—George D. Carameros, Jr., Amanullah R. Khan.

3. Meetings of Subgroups—(Rooms to be assigned on basis of attendance)

(a) Subgroup No. 1: Potential Foreign Gas Supply.

(b) Subgroup No. 2: Cost of Facilities.

(c) Subgroup No. 3: Environmental and Safety.

(d) Subgroup No. 4: International Ramifications.

(d) Subgroup No. 5: U.S. Markets.

(e) Subgroup No. 6: International Markets.

4. Other business.

5. Comments and discussions from Non-Task Force attendees.

6. Adjournment — Randolph E. Mathura.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-1881 Filed 1-22-76;8:45 am]

[Docket Nos. CP69-41 and CP72-35, *et al*]

ALGONQUIN GAS TRANSMISSION CO. AND ALGONQUIN SNG, INC., ET AL.

Order Scheduling for Hearing, Reopening Proceedings and Establishing Procedures

JANUARY 16, 1976.

On August 15, 1975, Algonquin Gas Transmission Company (Algonquin) filed

an Application to amend in Docket No. 69–41, pursuant to Section 7 of the Natural Gas Act (Act), requesting a limited term certificate to sell previously uncontracted capacity of its SNG plant volumes to three system customers. By letter order of November 13, 1975, we found that an emergency existed and granted Applicant a temporary certificant to perform the proposed service, subject to "such final disposition * * * as the record may require." At the same time, Texas Eastern Transmission Corporation (Tetco) and Transcontinental Gas Pipe Line Corporation (Transco) were issued temporary certificates to deliver and redeliver the subject gas, as requested in their respective applications filed in Docket Nos. CP76–67 and CP76–134. The temporary certificate was issued subject to certain specified terms and conditions concerning the volumes which shall be made available to the off-system customers, and the rate schedule under which such service shall be rendered.

On December 12, 1975, Algonquin filed an application for rehearing of our letter order granting the temporary certificate. By separate order issued in this docket, we are denying Algonquin's request for rehearing. As we state therein, however, Algonquin's objections to the temporary certificate raise issues which can best be resolved in a formal hearing. Therefore, in view of Algonquin's apparent unwillingness to accept the conditions of our temporary authorization, the Commission finds that a consolidated formal hearing shall be convened on the applications filed by Algonquin in Docket No. CP69–41, and by Transco in CP76–134. In addition, the propriety of the transportation rate proposed by Transco in its application has not been sufficiently supported in the filings made to date. Such hearing shall be for the purpose of determining whether the conditions imposed on the temporary certificate shall be continued in any permanent certificate which may be issued. Specifically, the issues include 1.) whether Algonquin's SNG sales to its off-system customers should be on a "best efforts" or firm basis; 2.) whether Algonquin's demand charge to its off-system customers should be applicable only on days when service is actually rendered, and only to those volumes which are tendered and 3.) the propriety of the transportation rate proposed by Transco, including whether refunds should be ordered for those charges already made and collected. Should Algonquin consider the continuation of such conditions to be unacceptable, it should, as part of its direct case, file evidence in support of the contentions made in its application for rehearing concerning the economic hardship such conditions allegedly impose.

In recent related filings requesting rate increases for sales of volumes from its SNG plant, Algonquin has increasingly questioned the applicability of Condition 6(iv) of the Initial Decision adopted by our Opinion No. 637[1] which *inter alia*, authorized Algonquin SNG, Inc. to sell and transport natural gas, and construct and operate apurtenant facilities related to volumes produced by its SNG plant. Condition 6(iv) provides, in essence, that the demand charge contained in Algonquin's Rate Schedule SNG–1 be based on the full design capacity of such plant, rather than the operational output. By our Order Granting Motion for Summary Disposition issued November 10, 1975 in Docket No. CP75–88, we rejected Algonquin's request for a rate increase as being inconsistent with the above-described Condition 6(iv), and ordered Algonquin to file a revised tariff sheet based on the full capacity of its SNG plant. Simultaneously with today's order, we are denying rehearing of our November 10 order. We therein spell out at length the reasons why Condition 6(iv) still applies to the sales from Algonquin's SNG plant. As we state therein, a Section 4 rate filing is vastly different from a proceeding under Section 7 of the Natural Gas Act *as would be required to amend a certificate condition* (Order Denying Rehearing, pp 3–4). Algonquin's arguments, in its Application for Rehearing of our November 10 order in RP75–88, and in its Application for rehearing of our November 13 temporary certificate order in CP69–41, merely advance legal reasons why the condition supposedly no longer applies. As we state in our companion Order Denying Rehearing in RP75–88, however:

> They are arguments which should be fully developed in any proceeding in which Algonquin seeks a change in the certificate condition relating to the basis for its fixed unit costs, but do not support the statement that the condition no longer applies. Algonquin has not sought, and we have not granted a change in its certificate condition to permit it to use less than full plant volumes as the basis for calculating fixed unit costs.

Short of a specific application to amend the certificate issued in Opinion No. 637, with the proper opportunity on a Section 7 record for parties to question such a proposed modification, that certificate cannot be altered, least of all via a Section 4 rate proceeding. This Commission simply shall not allow such a subversion of the requirements of the Natural Gas Act.

Algonquin's rate filings and abovementioned applications for rehearing have been accompanied by escalating charges and questioning of the Commission's motives in its treatment of Algonquin. We have been charged with being "arbitrary and capricious",[2] with being "unduly discriminatory",[3] with having "drawdled"[4] with following a pattern of "obstruction and spitefullness",[5] and generally with issuing a series of orders for the purpose of "penalizing" Algonquin.[6] Such allegations constitute serious charges which, were it not for the outstanding fact that they are conspicuously wholly lacking in substantiation and entirely void of supporting evidence, would require detailed response. It is sufficient at the present time, however, to remind Algonquin that if it believes the Commission to be acting in violation of the spirit and intent of the Natural Gas Act, which such accusations necessarily presume, it has proper recourse before the Court of Appeals under section 19 of the Natural Gas Act. Absent a filing detailing any basis for such vilifications, such comments do little to promote resolution of the public interest question raised by Algonquin's various filings.

As we have stated, the proper procedure for modifying a certificate application is to file for the requested amendment to the section 7 authorization. In view of Algonquin's continual reluctance to follow the normally prescribed course of action, however, the Commission on its own motion finds that the proceedings in Docket Nos. CP72–35 et al., shall be reopened on the issue of proposed amendment(s) to the certificate issued therein. We do so in order to afford Algonquin full opportunity to show why its certificate issued by Opinion No. 637 should be modified in any way. As part of its direct case in the hearing scheduled herein, Algonquin shall therefore file evidence concerning the circumstances which require such modification of Opinion No. 637. All parties will be accorded the opportunity to respond to and cross-examine any such evidence. In addition, we shall invite new petitions to intervene relating to the reopening of the CP72–35 proceedings. Due to the common issues of fact and law involved, we shall consolidate the reopened proceedings in Docket No. CP72–35, et al., with those in Docket Nos. CP69–41 and CP76–134.

The Commission finds: (1) The public interest requires that a formal hearing on these matters be scheduled to resolve the issues enumerated above.

(2) The proceedings in Docket No. CP72–35 et al., should be reopened for the purpose of determining whether any amendment to the certificate issued therein is required.

The Commission orders: (A) Docket Nos. CP69–41, and CP76–134 and the reopened proceedings in Docket Nos. CP72–35 *et al.*, are consolidated for the purpose of hearing and disposition. A formal hearing shall be convened in these proceedings for the purpose of resolving the above-defined issues. As part of its direct case, Algonquin shall file evidence in support of any proposed amendments to its certificate of authority previously granted.

(B) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for the purpose (See Delegation of Authority, 18, CFR 2.5(d)) shall preside at the hearing in this proceeding, with authority to establish and change all procedural dates, and to rule on all motions (with the sole exception of petitions to intervene, motions to consolidate and sever, and motions to dismiss, as provided for in the Rules of Practice and Procedure)."

[1] Issued December 7, 1972 in Docket Nos. CP72–35, et al; as amended by Opinion No. 637–A, issued February 6, 1973.

[2] Application for Rehearing filed in Docket No. CP69–41, on December 12, 1975, pp. 4 and 5.

[3] Id, p. 8.

[4] Id p. 3.

[5] Application for Rehearing filed in Docket No. RP75–88 on December 10, 1975.

[6] Footnote No. 2, supra, p. 2.

(C) The direct case of Algonquin, Transco, and all intervenors in support thereof shall be filed and served on all parties on or before January 30, 1976.

(D) A formal hearing in these consolidated proceedings shall be convened in a hearing room of the Federal Power Commission, 825 North Capitol St., NE., Washington, D.C. at 10:00 a.m. (e.s.t.) on February 23, 1976.

(E) Petitions to intervene in the reopened proceedings in Docket Nos. CP72–35, *et al.*, may be filed on or before February 13, 1976.

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76–2025 Filed 1–22–76;8:45 am]

[Project No. 271]

ARKANSAS POWER AND LIGHT CO.

Issuance of Annual License

JANUARY 16, 1976.

On February 4, 1970, Arkansas Power and Light Company, Licensee for Carpenter and Remmel Developments Project No. 271, located on the Ouichita River in Hot Spring and Garland Counties, Arkansas, filed an application for a new license under the Federal Power Act and Commision Regulations thereunder.

The license for Project No. 271 was issued effective February 7, 1923, for a period ending February 6, 1973. Since the original date of expiration, the project has been under annual license. In order to authorize the continued operation and maintenance of the project, pending completion of Commission action on Licensee's application, it is appropriate and in the public interest to issue an annual license to Arkansas Power and Light Company for continued operation and maintenance of Project No. 271.

Take notice that an annual license is issued to Arkansas Power and Light Company for the period February 7, 1976, to February 6, 1977, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Carpenter and Remmel Developments Project No. 271, subject to the terms and conditions of its present license.

MARY K. PEAK,
Acting Secretary.

[FR Doc.76–2026 Filed 1–22–76;8:45 am]

[Docket Nos. RP72–122 (PGA76–1); and RP75–86]

COLORADO INTERSTATE GAS CO.

Order Granting Application for Rehearing for the Purpose of Further Consideration and Staying Proceedings

JANUARY 15, 1976.

Colorado Interstate Gas Company (CIG) filed alternate PGA adjustments, both proposed to be effective October 1, 1975. By order issued September 29, 1975, we accepted the higher alternate tariff sheets for filing and suspended them for one day until October 2, 1975, when they became effective subject to refund. This action was taken because our review of the higher alternate tariff sheets had indicated that they contained small producer purchases in excess of the rate levels prescribed in Opinion No. 742.[1]

With regard to small producers sales in excess of the Opinion No. 742 rate levels we ordered that such producers be made respondents so that they might present evidence to show that their rates to CIG were just and reasonable. Accordingly, CIG was required to file a list of small producers making sales reflected in its PGA filing at rates in excess of the Opinion No. 742 rate levels. In the same order we instituted a Section 5 investigation against these small producers so that the just and reasonable small producer rate determined in this proceeding could be applied prospectively.

By order issued November 17, 1975, we made respondents of those small producers making sales in excess of the Opinion No. 742 rate levels as reported to us by CIG. Included in that list was Westates Petroleum Company (Westates). On December 16, 1975, Westates filed an application for rehearing and motion for clarification and extension. In its application for rehearing, Westates cites three specifications of error by the Commission: in instigating a new Section 5 investigation to determine whether to reduce prospectively the rate charged by Westates, a small producer, for sales of gas to CIG; in naming Westates a respondent in CIG's PGA proceeding for the purpose of submitting unspecified cost evidence on the issue of the reasonableness of CIG's purchases from Westates; and in failing to explain what cost evidence Westates should submit in these proceedings.

With respect to the first specification of error, Westates avers that the procedure is incompatible with the Commission's pending proceeding in Docket No. RM76–5,[2] wherein the Commission announced its proposal to require by rule that small producers reduce prospectively their above-ceiling rates to the applicable just and reasonable ceiling established in Opinion No. 742. Westates contends that our action in this proceeding duplicates the controversy in Docket No. RM76–5, in which a decision would dispose of the issue raised with respect to Westates' sales to CIG.

In addition, according to Westates, injecting the issue in Docket No. RM75–6 into the present proceeding contradicts the Commission's approach to small producer regulation stated in Order No. 428, 45 F.P.C. 454 (1971), wherein the Commission established a blanket certificate procedure for small producers and authorized certificated small producers to make their sales at contractual prices. The Commission regulates small producers sales indirectly through the review of each pipeline's purchased gas costs with respect to small producer sales. Westates claims that by instituting Section 5 proceedings with respect to small producers who have sold gas to CIG pursuant to Order No. 428, the Commission is restoring direct regulation of small producers without affording the latter an opportunity to vent their opposition. Specifically, Westates, claims it faces the erpenses and burdens of direct administrative regulation in rebutting attacks on the justness and reasonableness of their contract prices. Westates declares that the result of combining CIG's PGA proceeding with Section 5 proceedings with respect to 47 small producers will generate chaos and prevent any one small producer from receiving consideration of the peculiar facts of its case.

Finally, Westates submits that the Commission's order naming it a respondent in a Section 5 proceeding combined with CIG's PGA proceeding constitutes undue discrimination against Westates. In particular, Westates claims that the Commission's order subjects Westates to the possibility of prospective reduction in its rates beginning with the effective date of a final order in CIG's proceeding, whereas other small producers who happen to be selling to pipelines which have not yet had occasion to file for PGA increases are subject only to the outcome of the rulemaking in Docket No. RM76–5. Additionally, the latter small producers would not be subject to the regulatory burdens and expenses not imposed on those not named as Section 5 respondents.

In light of Westates' arguments presented above, we believe it is appropriate in the public interest and a proper exercise of our administrative discretion to stay the consolidated hearing procedings ordered in this docket pending Commission action on the proposed rulemaking in Docket No. RM76–5 [3] and the applications for rehearing of Opinion No. 742.[4] Accordingly, we shall grant Westates' application for rehearing and motion for clarification and extension for the purpose of further consideration and shall stay the proceedings instituted by order issued September 29, 1975. Similarly, by separate order, we shall stay that portion of all other pending pipeline rate proceedings related to a review of the propriety of small producer purchases pending Commission disposition of Docket No. RM76–5 and rehearing of Opinion No. 742.

The Commission finds: It is proper and appropriate in the public interest

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[1] With respect to those increased purchased gas costs associated with small producer purchases at or below the rate levels prescribed in Opinion No. 742, we permitted CIG to file revised tariff sheets to become effective October 1, 1975. (Mimeo, p. 8, Ordering Paragraph (G)).

[2] Notice of which was issued August 28, 1975.

[3] *Small Producers*, Notice of Proposed Rulemaking issued August 28, 1975.

[4] —— FPC ——, issued August 28, 1975, in Docket No. R–393.

that the consolidated hearing proceedings established by order issued September 29, 1975, in this docket, be stayed pending action by this Commission on the rehearing of Opinion No. 742 and on the proposed rulemaking in Docket No. RM76-5.

The Commission orders: (A) The consolidated hearing proceedings established by our order issued September 29, 1975, in this docket are hereby stayed pending further order of this Commission.

(B) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2023 Filed 1-22-76;8:45 am]

[Docket No. RP76-49]

COLUMBIA GAS TRANSMISSION CORP.

Extension of Time

JANUARY 16, 1976.

In the matter of: show cause proceeding in re pre-order 499 Alaskan Advances.

On January 13, 1976, Columbia Gas Transmission Corporation (Columbia) filed a motion to extend the time to show cause pursuant to order issued December 31, 1975, in the above-indicated proceeding.

Upon consideration, notice is hereby given that the time within which Columbia must show cause in the above-proceeding is extended from January 30, 1976 to and including February 27, 1976.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2032 Filed 1-22-76;8:45 am]

[Docket No. ER76-443]

DUQUESNE LIGHT CO.

Fuel Adjustment Clause

JANUARY 15, 1976.

Take notice that on December 28, 1975, Duquesne Light Company (Duquesne) tendered for filing a Fuel Cost Adjustment Clause to be designated as Supplement No. 2 to its Rate Schedule FPC No. 11. Duquesne states this will supersede the provisions of its present rate schedule.

Duquesne requests an effective date of December 31, 1975, for this fuel clause.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 28, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2012 Filed 1-22-76;8:45 am]

[Docket Nos. CP75-20; CI75-116]

FLORIDA GAS TRANSMISSION CO., ET AL.

Order Granting Application for Rehearing

JANUARY 15, 1976.

Tennessee Gas Pipeline Company, a Division of Tenneco, Inc. (Tennessee) on December 16, 1975, filed an application for rehearing of the Commission's order of November 19, 1975, in the above proceedings because of denying it intervention. In its order the Commission instituted a proceeding against Petroleum Management, Inc. (PMI), Skelly Oil Company, and Florida Gas Transmission Company to show cause why they were not in violation of Section 7(b) of the Natural Gas Act for not having obtained authorization to abandon jurisdictional sales.

The proceedings arose from a complaint filed by Florida Gas against Skelly and PMI, owners of natural gas wells in the East Aransas Pass Field, Aransas County, Texas. Florida Gas alleged that Skelly and PMI had failed to comply with the terms of a certificate of public convenience and necessity authorizing sales of gas to Florida Gas and had sold the gas to other purchasers. PMI alleged that production had declined and had elected not to install compression facilities which are required physically to introduce the low pressure gas into the Florida Gas system. PMI further alleged, as we stated in our order, that under the original contract either party had the option to install compression facilities but neither party was obligated to do so.

With respect to its petition for intervention the Commission said that Tennessee's only justification was that it had a contract containing provisions that are merely similar to those in issue, but under the rules Tennessee had not demonstrated that its right or interest might be directly affected or that any remote interest was not adequately represented by other parties.

In its application for rehearing Tennessee notes that many of its contracts provide that neither buyer nor seller shall be obligated to install compression facilities in order to deliver or receive gas, but either may do so at its option. Tennessee says that although the Commission's decision will immediately affect only Florida Gas and PMI, the decision could affect Tennessee and all natural gas companies in the event that the Commission determines that Florida Gas or PMI had an obligation to install compression regardless of its contractual obligations. It argues further that any decision made inevitably will become a general rule.

Upon further consideration we are of the opinion that Tennessee should be permitted to intervene. In our recent order of January 12, 1976, we determined that Florida Gas, Skelly or PMI should have the option of voluntarily installing compression facilities. If any of them do so, we provided that the hearing address the issue as to which party should bear the cost. On the other hand, if none of the parties exercise the option the hearing is to concern itself whether payback of gas should be ordered for the volumes of gas lost to the interstate market, what alternatives to abandonment are available, and other issues. These are matters which should concern Tennessee with a similar contract. Our Rules (see Section 1.8) permit intervention where the party has an interest which may be directly affected but also where it has "any other interest of such nature that [its] participation may be in the public interest."

By order of September 22, 1975, in *Pennzoil Producing Company, Shell Oil Company*, Docket Nos. RI76-8, RI76-10, cited by Tennessee, we allowed intervention by Michigan Wisconsin Pipe Line Company which pointed out that it had intervened in opposition to a similar application in *Roy M. Huffington, Inc.*, Docket Nos. CI75-602, where the producer had sought to abandon the sale of gas to Michigan Wisconsin.[1] It said that since similar issues were raised in the *Shell* case, approval of Shell's petition would create a dangerous precedent which would either deprive jurisdictional pipeline companies and their customers of previously-committed reserves or would unjustifiably increase rates to the ultimate consumer. See also *National Fuel Supply Corp.*, ____ FPC ____, Docket No. CP75-357, order issued November 17, 1975.

The Commission further finds: (1) Participation by Tennessee may be in the public interest.

(2) The application for rehearing filed by Tennessee on December 16, 1975, should be granted.

The Commission orders: (A) The application for rehearing filed by Tennessee on December 16, 1975, is granted and Tennessee is permitted to intervene in these proceedings 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.

(B) The intervention granted herein shall not be the basis for delaying or deferring any procedural schedules heretofore established for the orderly and expeditious disposition of this proceeding.

[1] See also orders of November 7, 1975, and December 4, 1975, in *Roy M. Huffington, Inc.*, Docket No. CI75-602.

(C) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2024 Filed 1-22-76;8:45 am]

[Docket No. ER76-416]

INDIANA & MICHIGAN ELECTRIC CO.

Fuel Clause Filing

JANUARY 15, 1976.

Take notice that Indiana & Michigan Electric Company (I&M) on December 31, 1975, submitted a proposed modification of the fuel adjustment clause contained in its FPC Rate Schedule Nos. 44-A and 44-B applicable to United Rural Electric Membership Corporation.

I&M claims in its letter of transmittal that under previous orders of the Federal Power Commission, its unilateral submission of a modification of a fuel adjustment clause is barred under the *Sierra Pacific-Mobile* doctrine, but that in order to avoid even a technical non-compliance with the requirements of the Commission's Order No. 517, it has submitted a modified fuel adjustment clause which conforms to the requirements of Section 35.14 of the Commission's Regulations. I&M also claims that it has special operating characteristics which warrant, upon the good cause showing made by it, a delay in the implementation of § 35.14 for a period not to exceed one year.

Copies of the submittal made were served upon the affected customer and upon the Public Service Commission of Indiana, I&M states.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 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 application are on file with the Commission and are available for public inspection.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2013 Filed 1-22-76;8:45 am]

[Docket No. ER76-417]

INDIANA & MICHIGAN LLECTRIC CO.

Fuel Clause Filing

JANUARY 15, 1976.

Take notice that Indiana & Michigan Electric Company (I&M) on December 31, 1975, submitted a proposed modification of the fuel adjustment clause contained in its FPC Rate Schedule No. 46, applicable to Fruit Belt Electric Cooperative.

I&M claims in its letter of transmittal that under previous orders of the Federal Power Commission its unilateral submission of a modification of a fuel adjustment clause is barred under the *Sierra Pacific-Mobile* doctrine, but that in order to avoid even a technical non-compliance with the requirements of the Commission's Order No. 517, it has submitted a modified fuel adjustment clause which conforms to the requirements of Section 35.14 of the Commission's Regulations. I&M also claims that it has special operating characteristics which warrant, upon the good cause showing made by it, a delay in the implementation of § 35.14 for a period not to exceed one year.

Copies of the submittal made were served upon the affected customer and upon the Michigan Public Service Commission, I&M states.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 1976. Protests will be considered by the Commission in determing the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2014 Filed 1-22-76;8:45 am]

[Docket No. ER76-418]

INDIANA & MICHIGAN ELECTRIC CO.

Fuel Clause Filing

JANUARY 15, 1976.

Take notice that Indiana & Michigan Electric Company (I&M) on December 31, 1975, submitted a proposed modification of the fuel adjustment clause contained in its FPC Rate Schedule No. 56 applicable to Whitley County Rural Electric Membership Corporation.

I&M claims in its letter of transmittal that under previous orders of the Federal Power Commission its unilateral submission of a modification of a fuel adjustment clause is barred under the *Sierra Pacific-Mobile* doctrine, but that in order to avoid even a technical non-compliance with the requirements of the Commission's Order No. 517, it has submitted a modified fuel adjustment clause which conforms to the requirements of Section 35.14 of the Commission's Regulations. I&M also claims that it has special operating characteristics which warrant, upon the good cause showing made by it, a delay in the implementation of § 35.14 for a period not to exceed one year.

Copies of the submittal made were served upon the affected customer and upon the Public Service Commission of Indiana, I&M states.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 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 application are on file with the Commission and are available for public inspection.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2015 Filed 1-22-76;8:45 am]

[Docket No. ER76-419]

INDIANA & MICHIGAN ELECTRIC CO.

Fuel Clause Filing

JANUARY 15, 1976.

Take notice that Indiana & Michigan Electric Company (I&M) on December 31, 1975, submitted a proposed modification of the fuel adjustment clause contained in FPC Rate Schedule No. 48 applicable to Jay County Rural Electric Membership Corporation.

I&M claims in its letter of transmittal that under previous orders of the Federal Power Commission its unilateral submission of a modification of a fuel adjustment clause is barred under the *Sierra Pacific-Mobile* doctrine, but that in order to avoid even a technical non-compliance with the requirements of the Commission's Order No. 517, it has submitted a modified fuel adjustment clause which conforms to the requirements of Section 35.14 of the Commission's Regulations. I&M also claims that it has special operating characteristics which warrant, upon the good cause showing made by it, a delay in the implementation of § 35.14 for a period not to exceed one year.

Copies of the submittal made were served upon the affected customer and upon the Public Service Commission of Indiana, I&M states.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 1976. Protests will be considered by the Commisison in determining the appropriate action to be taken, but will not serve to make pro-

testants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2016 Filed 1-22-76;8:45 am]

[Docket No. ER76-241]

INTERSTATE POWER CO.

Filing

JANUARY 15, 1976.

Take notice that on January 2, 1976, Interstate Power Company (Interstate) tendered for filing an Electric Service Agreement and a Transmission Services agreement between Interstate Power Company and the following:

The Public Utilities Commission of the City of Fairmont, Minnesota dated July 3, 1975.
Water, Light, Power & Building Commission of the City of New Prague, Minnesota dated December 16, 1975.
Public Utilities Commission of the City of Owatonna, Minnesota dated December 15, 1975.

The Company states that the purpose of this filing is to replace the present non-standard Electric Service Agreements with the standard form of Electric Service Agreement currently in use by the Company. The various optional categories of electric service available to these communities under the renewal agreements are the same as those contained in our agreements designated as Interstate Power Company Rate Schedule FPC Nos. 104, 106, 107, 110, 111, 112 and 114. The Company further states that the Transmission Service Agreement remains unchanged since that agreement has been renewed only to coincide with the Electric Service Agreement effective date for Fairmont and Owatonna, Minnesota.

Interstate also states that the Emergency Service provision of the agreements with the most recently signed Owatonna and New Prague agreements has been simplified and the revision more closely conforms to the rate stated in the Mid-Continent Area Power Pool Agreement of which Interstate is a member.

The Company notes that these renewal agrements supersede and cancel previous service agreements as follows:

Fairmont, Minnesota—Interstate Power Company Rate Schedule FPC No. 98, Agreement dated July 21, 1970 and Supplement No. 1 to Rate Schedule FPC No. 98, Agreement dated July 21, 1970.
New Prague, Minnesota—Interstate Power Company Rate Schedule FPC No. 34, Agreement dated February 10, 1958.
Owatonna, Minnesota—Interstate Power Company Rate Schedule FPC No. 100, Agreement dated November 24, 1970 and Supplement No. 1 to Rate Schedule FPC No. 100, Agreement dated July 19, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 28, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2017 Filed 1-22-76;8:45 am]

[Docket No. ER76-411]

LOUISIANA POWER & LIGHT CO.

Fuel Clause Tender

JANUARY 15, 1976.

Take notice that on December 30, 1975, Louisiana Power & Light Company (LP&L) tendered for filing pursuant to Section 35.14 of the Commission's regulations under the Federal Power Act, as amended by Order No. 517, a revised fuel cost adjustment clause applicable to the following rate schedules which LP&L has on file with the Commission:

FPC rate schedule number:	*Other party*
22	Town of Jonesville.
26	City of Winnfield.
29	City of Miden.
30	City of Ruston.
39	City of Thibodaux.
40	City of Monroe.
41	City of Vidalia.
43	City of Houma.
44	City of Plaquemine.
45	Town of Lake Providence.
47	Town of Homer.
51	Town of Rayville.
52	City of Minden.

LP&L states that the proposed fuel cost adjustment clause will not result in any change in revenues received by it from sales of electricity under such rate schedules.

LP&L has requested waiver of the requirements of Section 35.13 of the Commission's regulations regarding submittal of comparative billing information. LP&L has also requested waiver of the notice requirements of Section 35.3 of the Commission's regulations, so as to permit its proposed fuel cost adjustment clause to become effective as of January 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, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 C.F.R. 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2018 Filed 1-22-76;8:45 am]

[Docket No. RP75-96]

MICHIGAN WISCONSIN PIPE LINE CO.

Further Extension of Procedural Dates

JANUARY 16, 1976.

On December 30, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued May 18, 1975, as most recently modified by notice issued November 4, 1975, in the above-designated proceeding.

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

Service of Staff Testimony, March 19, 1976.
Service of Intervenor Testimony, April 16, 1976.
Service of Company Rebuttal, April 30, 1976.
Hearing, May 18, 1976 (10 a.m., e.d.t.).

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2027 Filed 1-22-76;8:45 am]

[Docket No. ER76-444]

MISSOURI UTILITIES CO.

Tender of Tariff Sheets

JANUARY 15, 1976.

Take notice that by letter dated December 4, 1975, Missouri Utilities Company (MU) tendered for filing on December 11, 1975, the following tariff sheets applicable to Original Volume No. 1 of Missouri Utilities Company's FPC Electric Tariff:

Substitute First Revised Sheet No. 3.
Substitute First Revised Sheet No. 4.
Substitute First Revised Sheet No. 5.

MU states that these sheets conform with the Commission's order issued in Docket No. E-9473 on August 15, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 28, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2019 Filed 1-22-76;8:45 am]

[Docket No. ER76-46]

MONTAUP ELECTRIC CO.

Further Extension of Procedural Dates

JANUARY 16, 1976.

On January 13, 1976, Staff Counsel filed a motion to extend the procedural dates fixed by order issued August 29, 1975, as most recently modified by notice issued December 1, 1975, in the above-designated proceeding.

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

Service of Staff Testimony, February 20, 1976.
Service of Intervenor Testimony, March 3, 1976.
Service of Company Rebuttal, March 17, 1976.
Hearing, April 6, 1976 (10 a.m., e.s.t.).

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2028 Filed 1-22-76;8:45 am]

[Docket Nos. ER76-228 and ER76-40]

NEVADA POWER CO.

Further Extension of Procedural Dates

JANUARY 16, 1976.

On January 9, 1976, Staff Council filed a motion to extend the procedural dates fixed by order issued October 15, 1975, as most recently modified by order issued December 5, 1975, in the above-designated proceeding. The motion states that the interested parties had been contacted and there was no opposition to the motion.

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

Service of Staff Testimony, March 3, 1976.
Service of Intervenor Testimony, March 17, 1976.
Service of Company Rebuttal, March 31, 1976.
Hearing, April 13, 1976 (10 a.m., e.s.t.).

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2029 Filed 1-22-76;8:45 am]

[Docket Nos. ER76-228 and ER 76-40]

NEVADA POWER CO.

Tender of Revised Rates

JANUARY 15, 1976.

Take notice that on January 2, 1975, Nevada Power Company (Nevada) tendered for filing revised rate schedules and statements which Nevada states excludes construction work in progress in compliance with Commission order issued December 5, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2020 Filed 1-22-76;8:45 am]

[Docket No. E-9379]

NIAGARA MOHAWK POWER CORP.

Further Extension of Procedural Dates

JANUARY 16, 1976.

On December 29, 1975, the Town of Massena, New York filed a motion to extend the procedural dates fixed by order issued November 13, 1975, as most recently modified by notice issued November 26, 1975, in the above-designated proceeding.

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

Service of Intervenor Testimony, February 27, 1976.
Service of Staff Testimony, March 15, 1976.
Service of Company Rebuttal, April 15, 1976.
Hearing, May 3, 1976 (10 a.m., e.d.t.).

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2030 Filed 1-22-76;8:45 am]

[Docket No. ER76-439]

POTOMAC ELECTRIC POWER CO.

Request for Delay With Respect to Order No. 517

JANUARY 15, 1976.

Take notice that on December 31, 1975, Potomac Electric Power Company (Pepco) filed a letter requesting that the Commission authorize Pepco not to file further in relation to Order No. 517 until January 31, 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, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.19). All such petitions or protests should be filed on or before January 27, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2021 Filed 1-22-76;8:45 am]

[Docket No. ER76-371]

PUBLIC SERVICE CO. OF OKLAHOMA

Order Accepting for Filing Fuel Adjustment Clause Upon Condition

JANUARY 16, 1976.

On December 18, 1975 Public Service Company of Oklahoma (PSCO) tendered for filing a fuel adjustment clause which complies with the standards for fuel adjustment clauses established in Section 35.14 of the Commission's regulations. PSCO requests waiver of the thirty notice requirements to permit an effective date of January 1, 1976 for the filing. Notice of the filing was issued January 6, 1976.

Although the fuel adjustment clause does comply with Section 35.14, there is an issue remaining concerning this clause. PSCO has excluded from base cost of fuel the power purchases from the Southwestern Power Administration (SPA) and directly assigned such costs to certain preference customers of SPA. This method of treating SPA purchases is the subject of litigation in Docket No. E-8242 which is currently pending before the Commission on exceptions to the Initial Decision of the Presiding Administrative Law Judge. We shall base our decision in this case on the result reached in Docket No. E-8242.

We shall grant waiver of the thirty day requirements to assign to the filing a proposed effective date of January 1, 1976 provided that PSCO agrees to refunds based on any modifications in the clause resulting from the resolution of Docket No. E-8242. Should PSCO refuse to accept the condition stated above, PSCO's filing will be accepted with a proposed effective date of January 17, 1976 (thirty days after filing) and suspended for one day to become effective January 18, 1976, subject to refund.

PSCO's fuel adjustment clause has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, or otherwise unlawful. Accordingly, we shall condition acceptance of the filing upon PSCO's agreement to make refunds if modification of the fuel adjustment clause is required upon the outcome of the proceeding in Docket No. E-8242.

The Commisssion finds: (1) Good cause exists to waive to the thirty day filing requirements and accept for filing effective January 1, 1976 PSCO's instant filing, as conditioned below.

The Commission orders: (A) PSCO's fuel adjustment clause is accepted for filing effective January 1, 1976 provided that PSCO agrees to refunds based on any modification ordered by the Commission as a result of its decision in Docket No. E-8242.

(B) Should PSCO refuse to accept the condition stated above, PSCO's filing is accepted with a proposed effective date of January 17, 1976 and suspended for one day to become effective January 18, 1976, subject to refund.

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

By the Commisssion.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2031 Filed 1-22-76;8:45 am]

[Docket Nos. ER76-177, ER76-207, ER76-208, and ER76-210]

SOUTHWESTERN ELECTRIC POWER CO.

Order Accepted for Filing

JANUARY 16, 1976.

On October 31, 1975, the Southwestern Electric Power Company (SWEPCO) tendered for filing in Docket Nos. ER76-207, ER76-208 and ER76-210, proposed changes in its existing fuel adjustment clauses applicable to service to the City of Bentonville, Arkansas,[1] the City of Siloam Springs, Arkansas,[2] and the Arkansas Electric Cooperative Corporation,[3] respectively. SWEPCO stated that the proposed changes were being made to conform each of the fuel clauses to Commission Order No. 517. The proposed effective date for these changes was January 1, 1976. Separate notices of the changes proposed in Docket Nos. ER76-207 and ER76-208 were issued on November 7, 1975. Notice of the changes proposed in Docket No. ER76-210 was issued on November 11, 1975. Each of these notices set November 24, 1975, as the deadline for filing protests or petitions to intervene. No protests or petitions to intervene were filed.

On November 24, 1975, two revised sheets were filed in each of the three dockets to correct errors in the original submittals. The revised sheets were also noticed with protests or petitions to intervene due on or before December 19, 1975. No responses were received.

A review of SWEPCO's filing indicated that base energy costs for the proposed new clauses are calculated as the product of the based fuel cost in the existing clauses and a conversion factor of 0.12 mills/kwh for each 1¢ variation in the base fuel cost for Bentonville and Siloam Springs and a conversion factor of 0.11 mills/kwh for each 1¢ variation in the base fuel cost for Arkco. By letter dated December 4, 1975, the Commission advised SWEPCO that to satisfy the filing requirements it would be necessary to submit comparative revenue data and to clarify the different base cost conversion factors. On December 19, 1975, SWEPCO filed the additional data requested, thereby completing its filing. In its December 19 filing SWEPCO stated that each of the conversion factors was redetermined at predetermined intervals (every 36 months). However, since the adjustment intervals for each of the three conversion factors did not coincide, two slightly different base energy costs resulted: $0.002160/kwh for Bentonville and Siloam Springs and $0.00198/kwh for Arkco.

Our review of the proposed fuel clauses indicates that they will result in reductions in estimated revenues from fuel adjustment billings of $38,283 (7.94%) for Siloam Springs and of $23,505 (9.24%) for Bentonville, based on the 12 months ending December 31, 1976. Fuel adjustment revenue for Arkco will increase by an estimated $133,365 (5.31%) over the same period. While the differing effects of the proposed fuel costs could result in part from the different base energy costs noted above and from different loss ratios applicable to the three customers, it does not appear that these reasons by themselves explain the revenue differences that would result under the new clauses.

Moreover, we note that a portion of SWEPCO's wholesale sales to Arkco and Bentonville are exempt from the operation of the fuel adjustment clauses. A portion of the sales SWEPCO makes to the Tex-La Electric Co-operative under Rate Schedule FPC No. 67 are similarly exempt from the operation of a fuel adjustment clause.[4] Sales to Siloam Springs do not enjoy such an exemption.

Our review of SWEPCO's proposed fuel adjustment clauses filed in Docket Nos. ER76-207, ER76-208 and ER76-210 lead us to conclude that they should be accepted for filing. While we will accept SWEPCO's proposed changes for filing, we note that several issues may require development in an evidentiary hearing. Moreover, the proposed changes have not been shown to be just and reasonable and may be unjust, unreasonable or otherwise unlawful. We shall therefore suspend the proposed changes in each of these dockets for one day and shall direct that a hearing be held on the justness and reasonableness of the proposed changes.

In view of the fact that a common question is presented in Docket Nos. ER76-177, ER76-207, ER76-208 and ER76-210—namely, whether certain wholesale sales should be exempted from the application of SWEPCO's fuel clause—we will consolidate these four dockets for purposes of the hearing hereinafter ordered and for all other purposes. We note that a prehearing conference in Docket No. ER76-177 has already been scheduled for February 5, 1976. This same prehearing conference shall also consider matters raised by the filings in Docket Nos. ER76-207, ER76-208 and ER76-210.

Evidence relevant to the issues raised by the instant filing should be submitted by all parties including the Commission Staff. Without limiting their right to present such further evidence as they deem relevant and material, the parties and our Staff should present evidence which considers the issues noted above.

The Commission finds: (1) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of SWEPCO's proposed fuel adjustment clauses filed in Docket Nos. ER76-207, ER76-208 and ER76-210, and that such proposed clauses be accepted for filing, suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the Federal Power Act that the Commission consolidate Docket Nos. ER76-177, ER76-207, ER76-208 and ER76-210 for hearing and for all other purposes.

The Commission orders: (A) Pending a hearing and decision thereon, SWEPCO's October 31, 1975, filings in Docket Nos. ER76-207, ER76-208 and ER76-210 are accepted for filing and suspended for one day until January 2, 1976, when they will become effective, subject to refund.

(B) Docket Nos. ER76-207, ER76-208 and ER76-210 are hereby consolidated for hearing and for all other purposes.

(C) A Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at an initial conference in this proceeding on February 5, 1976, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. Said Presiding Administrative Law Judge is hereby authorized to establish all procedural dates for this proceeding and to rule upon all motions (except petitions to intervene, motions for consolidation and severance, and motions to dismiss, as provided for in the Rules of Practice and Procedure).

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

By the Commission.

[SEAL] MARY KIDD PEAK,
Acting Secretary.

[FR Doc.76-2033 Filed 1-22-76;8:45 am]

TUCSON GAS & ELECTRIC CO.

[Docket No. ER76-440]

Interconnection Agreement

JANUARY 15, 1976.

Take notice that on January 5, 1976, Tucson Gas & Electric Company (Tucson), tendered for filing an Interconnection Agreement between it and Nevada

[1] Designated as Supplement No. 2 to SWEPCO's Rate Schedule FPC No. 69.

[2] Designated as Supplement No. 1 to SWEPCO's Rate Schedule FPC No. 66.

[3] Designated as Supplement No. 2 to SWEPCO's Rate Schedule FPC No. 58.

[4] On October 16, 1975, SWEPCO tendered for filing in Docket No. ER76-177 proposed changes in its FPC Electric Service Tariff, Rate Schedule FPC No. 67. Included among the proposed changes was the revision of SWEPCO's fuel adjustment clause to conform with Commission Order No. 517. By order issued December 31, 1975, we accepted the tendered changes for filing, suspended their operation for one month, until February 1, 1976, and allowed them to become effective thereafter, subject to refunds pending a hearing on the reasonableness of the proposed rates.

Power Company (Nevada) dated December 11, 1975. Tucson states the primary purpose of this Interconnection Agreement is to provide for pooling and the exchange of generating capacity and energy between the electric systems of the parties.

Tucson states that services may be provided under three Service Schedules:

1. Service Schedule A—Emergency Assistance.
2. Service Schedule—Economy Energy Interchange.
3. Service Schedule C—Banked Energy.

Tucson requests an effective date of December 11, 1975, for this Agreement with an initial term of one year.

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 January 30, 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.

MARY KIDD PEAK,
Acting Secretary.

[FR Doc. 76-2022 Filed 1-22-76;8:45 am]

[Docket No. CS71-287, *et al.*]

KADANE, EDWARD G. ET AL.

Applications for "Small Producer" Certificates [1]

JANUARY 13, 1976.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications 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 February 5, 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 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 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.

MARY KIDD PEAK,
Acting Secretary.

Docket No.	Date Filed	Applicant
CS71-287	Nov. 21, 1975	Edward G. Kadane (successor to G. E. Kadane and Sons), P.O. Drawer 1740, Wichita Falls, Tex. 76307.
CS76-349	Dec. 12, 1975	Chas. F. Hayes & Associates, Inc., 1908 Deposit Guaranty Plaza, Jackson, Miss. 39201.
CS76-350	do	Gary A. McDaniel, 1809 First National Center, West, Oklahoma City, Okla. 73102.
CS76-351	Dec. 15, 1975	Ilan L. Jacobs, d.b.a. Thunderbird Drilling Co., 710 Bunker Dr., Grand Junction, Colo. 81501.
CS76-352	do	Herbert Cathey, 500 Commercial National Bank Bldg., Shreveport, La. 71101.
CS76-353	do	Furth Oil Co., 2020 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.
CS76-354	do	M. G. Crain, P.O. Box 1764, Midland, Tex. 79701.
CS76-355	Dec. 12, 1975	B. J. Hickman, Box 130, Kimbal, Nebr. 69145.
CS76-356	Dec. 17, 1975	Dalton J. Woods, 1412 Mid South Towers, Shreveport, La. 71101.
CS76-357	do	R. Richard Rowan, P.O. Box 162, Midland, Tex. 79701.
CS76-358	Dec. 18, 1975	John H. Livingston (Livingston Enterprises, Inc.), P.O. Box 5822, Bossier City, La. 71010.
CS76-359	do	Pearson-Sibert Oil Co. of Texas, 901 West Missouri Ave., Midland, Tex. 79701.
CS76-360	do	Malvin Cain, Box 147, Winnsboro, Tex. 75494.
CS76-361	do	Edna Lou Robinson, 6705 East Ridge Dr., Shreveport, La. 71106.
CS76-362	do	Geo. A. Robinson, P.O. Box 432, Lake Charles, La. 70601.
CS76-363	Dec. 19, 1975	Justin R. Querbes, III, P.O. Box 5, Shreveport, La. 71161.
CS76-364	do	Glenwood, Inc. (Operator) et al., 820 Hamilton Bldg., Wichita Falls, Tex. 76301.
CS76-365	do	Claud P. Talbot, P.O. Box 345, Shreveport, La. 71161.
CS76-366	do	Harry M. Jarred, 1209 Commercial National Bank Bldg., Shreveport, La. 71101.
CS76-367	do	Cady & Beard, 808 Beck Bldg., Shreveport, La. 71101.
CS76-368	do	Paul H. Umbach, P.O. Box 1797, Boulder, Colo. 80302.
CS76-370	Dec. 22, 1975	Helen S. Arnold, 6726 Gilbert, Shreveport, La. 71106.
CS76-371	do	Alfred Lamson, P.O. Box 52109, Lafayette, La. 70502.
CS76-372	do	Lamson Petroleum Corp., P.O. Box 52109, Lafayette, La. 70502.
CS76-373	do	Sam P. Bennett, P.O. Box 51325, Lafayette, La. 70502.
CS76-374	do	John S. Terrell, P.O. Box 1094, Shreveport, La. 71130.
CS76-375	do	Judy Kemp Amonett, 29 Westlane, Houston, Tex. 77019.
CS76-376	do	Billy E. Musgrove, P.O. Box 241, Medicine Lodge, Kans. 67104.
CS76-377	do	Fay Greer, Drawer H, Aztec, N. Mex. 87107.
CS76-378	Dec. 24, 1975	Robert M. Bergstein, P.O. Box 721, Middletown, Ohio 44146.
CS76-379	do	Petro Grande, Inc., 4219 Sigma Rd., Dallas, Tex. 75240.
CS76-380	do	Cimarron Petroleum Corp., 1407 Main St., Dallas, Tex., 75240.
CS76-381	Dec. 29, 1975	Crane County Development Co., P.O. Box 753, Midland, Tex. 79701.
CS76-382	do	Harrington Transportation, Inc., U-2 Vantage Tower, 2525 Stemmons Freeway, Dallas, Tex. 75207.
CS76-383	do	Andrew Querbes III, P.O. Box 1607, Shreveport, La. 71165.
CS76-384	do	Drillamex, Inc., 65 Broadway, New York, N.Y. 10006.
CS76-385	do	Sentinel Resources Corp., Suite 140, Central Bldg., Midland, Tex. 79701.

[FR Doc.76-1823 Filed 1-22-76;8:45 am]

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

NATIONAL SCIENCE FOUNDATION

AD HOC GROUP ON SCIENCE COURT OF THE ADVISORY GROUP ON CONTRIBUTIONS OF TECHNOLOGY TO ECONOMIC STRENGTH

Notice of Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-46 the National Science Foundation announces the following meeting:

Name: Ad hoc Group on Science Court of the Advisory Group on Contributions of Technology to Economic Strength.
Date: February 9, 1976.
Time: 10 a.m. to 5 p.m.
Place: Room 543, National Science Foundation, 1800 G Street, NW., Washington, D.C.
Type of meeting: Open.
Contact person: Mr. William Montgomery, Special Assistant, Science and Technology Policy Office, National Science Foundation, Washington, D.C. 20550, telephone 202/632-4061. Anyone planning to attend the meeting should contact Mr. Montgomery by February 2, 1976.

Summary minutes: May be obtained from the Committee Management Coordination Staff, Management Analysis Office, Room 248, National Science Foundation, Washington, D.C. 20550.

Purpose of meeting: To consider possible experimental tests of a proposed mechanism for clarifying technical issues where there is controversy in the scientific community. Several members of the advisory group on Contributions of Technology to Economic Strength will meet with selected outside consultants and advisors to explore various aspects of the proposed "Science Court" mechanism and to develop a set of criteria for selection and conduct of an experiment to test this proposal. It is intended that the results of this review provide an input to the advisory group's discussion at a subsequent meeting.

Tentative agenda:

10:00—Convene. Welcome and Introductory Remarks—Dr. Arthur Kantrowitz and Dr. Russell C. Drew.

11:00—General Discussion, unstructured, of major "Science Court" issues by invited participants.

12:00—Lunch.

1:00—Continued Discussion.

5:00—Adjourn.

GAIL A. MCHENRY,
Acting Committee Management Officer.

JANUARY 19, 1976.

[FR Doc.76-2085 Filed 1-22-76;8:45 am]

ENERGY-RELATED GRADUATE TRAINEESHIPS EVALUATION SUBPANEL

Notice of Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Energy-Related Graduate Traineeships Evaluation Subpanel of the Advisory Panel for Science Education Projects.

Date: February 9 and 10, 1976.

Time: 9 a.m. each day.

Place: Rm. 540, National Science Foundation, 1800 G Street, NW., Washington, D.C.

Type of meeting: Closed.

Contact person: Dr. Terence L. Porter, Program Manager, Energy-Related Graduate Traineeships Program, Rm. 474, 5225 Wisconsin Avenue, NW., Washington, D.C. 20550.

Purpose of advisory panel: To provide advice and recommendations concerning applications for support in the Energy-Related Graduate Traineeships Program.

Agenda: To review and evaluate specific applications as part of the selection process for awards.

Reason for closing: The applications 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 applications. These matters are within the exemptions of 5 U.S.C. 552(b), (4), (5) and (6).

Authority to close meeting: The determination made on February 21, 1975, by the Director of the National Science Foundation pursuant to provisions of Section 10(d) of Pub. L. 92-463.

GAIL A. MCHENRY,
Acting Committee Management Officer.

JANUARY 20, 1976.

[FR Doc.76-2079 Filed 1-22-76;8:45 am]

NUCLEAR REGULATORY COMMISSION

FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972

Second Memorandum of Understanding and Policy Statement Regarding Implementation of Certain NRC and EPA Responsibilities

Correction

In FR Doc. 75-35138 appearing on page 60115 in the issue for Wednesday, December 31, 1975, make the following changes:

1. On page 60118, the middle column, the first complete paragraph, the ninth line, the word "on" should read "or".

2. On the same page, the same column, the fourth line from the bottom, the word reading "heeting" should read "meeting".

3. On page 60119, the middle column, the paragraph designated "(e)":

a. The following phrase should be added after the second line: "permit under Section 402, only those NEPA".

b. After the last line the following phrase should be added: "hearing process."

[Docket Nos. STN 50-556, STN 50-557]

PUBLIC SERVICE COMPANY OF OKLAHOMA AND ASSOCIATED ELECTRIC COOPERATIVE, INC.

Notice of Hearing on Application for Construction Permits

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," Part 51, "Licensing and Regulatory Policy and Procedures for Environmental Protection," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held before an Atomic Safety and Licensing Board (Board), to consider the application filed under the Act by Public Service Company of Oklahoma and Associated Electric Cooperative, Inc. (the applicants), for construction permits for two boiling water nuclear reactors designated as the Black Fox Station, Units 1 and 2 (the facilities), each of which will be designed for operation at 3579 thermal megawatts with a net electrical output of approximately 1150 megawatts. The proposed facilities are to be located in the Township of Inola, Oklahoma, 23 miles east of Tulsa on the east side of the Verdigris River in Rogers County.

The hearing, which will be scheduled to begin in the vicinity of the site of the proposed facilities, will be conducted by an Atomic Safety and Licensing Board (Board), which has been designated by the Chairman of the Atomic Safety and Licensing Board Panel. The Board consists of Dr. Paul W. Purdom, member, Frederick J. Shon, member and Ivan W. Smith, Esq., Chairman.

Pursuant to 10 CFR § 2.785, an Atomic Safety and Licensing Appeal Board will exercise the authority and the review function which would otherwise be exercised and performed by the Commission. Notice as to the membership of the Appeal Board will be published in the FEDERAL REGISTER at a later date.

Upon completion by the Commission's staff of a favorable safety evaluation of the application and an environmental review, and upon receipt of a report by the Advisory Committee on Reactor Safeguards, the Director of Nuclear Reactor Regulation will consider making affirmative findings on Items 1-3, a negative finding on Item 4, and an affirmative finding on Item 5 specified below as a basis for the issuance of construction permits to the applicants. In the event that a separate hearing is held with respect to a limited work authorization, Item 6 below describes the matters for consideration.

Issues Pursuant to Atomic Energy Act of 1954, as Amended

1. Whether in accordance with the provisions of 10 CFR § 50.35(a):

(a) The applicants have described the proposed design of the facilities including, but not limited to, the principal architectural and engineering criteria for the design, and have identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the applicants and the applicants have identified, and there will be conducted a research and development program reasonably designed to resolve any safety questions associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facilities, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether Public Service Company of Oklahoma is technically qualified to design and construct the proposed facilities;

3. Whether the applicants are financially qualified to design and construct the proposed facilities; and

4. Whether the issuance of permits for construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

Issue Pursuant to National Environmental Policy Act of 1969 (NEPA)

5. Whether, in accordance with the requirements of 10 CFR Part 51, the construction permits should be issued as proposed.

Issues Pursuant to 10 CFR § 2.761a (Limited Work Authorization)

6. Pursuant to 10 CFR § 2.761a, a separate hearing and partial decision by the Board on issues pursuant to NEPA and general site suitability and certain other possible issues may be held and issued prior to and separate from the hearing and decision on other issues. In the event the Board, after the hearing, makes favorable findings on such issues, the Director of Nuclear Reactor Regulation may, pursuant to 10 CFR § 50.10(e) authorize the applicants to conduct certain onsite work entirely at their own risk prior to completion of the remainder of the proceeding.

In the event that this proceeding is not a contested proceeding as defined by 10 CFR § 2.4(n), the Board will determine without conducting a *de novo* evaluation of the application: (1) whether the application and the record of the proceeding contain sufficient information, the review of the application by the Commission's staff has been adequate to support the proposed findings to be made by the Director of Nuclear Reactor Regulation on Items 1–4 above, and to support, insofar as the Commission's licensing requirements under the Act are concerned, the issuance of the construction permits proposed by the Director of Nuclear Reactor Regulation; and (2) whether the NEPA review conducted by the Commission's staff has been adequate.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as issues in this proceeding, Items 1–5 above as a basis for determining whether the construction permits should be issued to the applicants.

With respect to the Commission's responsibilities under NEPA, and regardless of whether the proceeding is contested or uncontested, the Board will, in accordance with § 51.52(c) of 10 CFR Part 51: (1) determine whether the requirements of section 102(2)(A), (C), and (D) of NEPA and Part 51 have been complied with in this proceeding; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding for the permits with a view to determining the appropriate action to be taken; and (3) determine after weighing the environmental, economic, technical and other benefits against environmental and other costs, and considering available alternatives whether the construction permits should be issued, denied, or appropriately conditioned to protect environmental values.

proceeding and persons who have filed petitions for leave to intervene, or their counsel, to be held within sixty (60) days after the notice of hearing is published or at such other time as the Board deems appropriate, for the purpose of dealing with the matters specified in 10 CFR § 2.751a.

The Board will convene a prehearing conference of the parties, or their counsel, to be held subsequent to any required special prehearing conference, and within sixty (60) days after discovery has been completed or at such other time as the Board may specify, for the purpose of dealing with the matters specified in 10 CFR § 2.752.

The Board will set the time and place for any special prehearing conference, prehearing conference and evidentiary hearing, and the respective notices will be published in the FEDERAL REGISTER.

Any person who does not wish, or is not qualified, to become a party to this proceeding may request permission to make a limited appearance pursuant to the provisions of 10 CFR § 2.715. A person making a limited appearance may make an oral or written statement on the record. He does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of Items 1–5 above. Limited appearances will be permitted at the time of the hearing at the discretion of the Board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission by March 23, 1976. The presiding Atomic Safety and Licensing Board may make further provision with respect to limited appearances subsequently during the course of this proceeding.

Any person whose interest may be affected by the proceeding, who wishes to participate as a party in the proceeding must file a written petition under oath or affirmation for leave to intervene in accordance with the provisions of 10 CFR § 2.714. A petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceedings, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A petition for leave to intervene must be filed with the Secretary of the Commission and others as specified below by February 23, 1976. A petition for leave to intervene which is not timely will not be entertained absent a determination by the Board that the petitioner, in addition to the matters specified in 10 CFR § 2.714(d), has made a substantial showing of good cause for failure to file on time. The reason for the tardiness in filing a petition for leave to intervene, as well as the factors specified in 10 CFR § 2.741(a)(1)–(4) shall be considered in making a determination whether there has been a substantial showing of good cause by the petitioner.

An answer to this notice, pursuant to the provisions of 10 CFR § 2.705, must be filed by the applicant by February 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 any petition for intervention should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Mr. R. L. Lawrence, General Counsel and Assistant Secretary, Public Service Company of Oklahoma, P.O. Box 201, Tulsa, Oklahoma, attorney for the applicant.

For further details, see the application for construction permits dated December 23, 1975, including site suitability information, and the applicants' environmental report dated December 23, 1975, which, along with any amendments or supplements thereto, are or will be available as noted above 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 and 5:00 p.m. on weekdays. Copies of those documents will also be available at the Tulsa City—County Library, 400 Civic Center, Tulsa, Oklahoma 74102 for inspection by members of the public between the hours of 9 a.m. and 9 p.m.

weekdays, from 9 a.m. and 5 p.m. Saturdays and from 1 to 5 p.m. on Sundays. As they become available, a copy of the safety evaluation report by the Commission's Office of Nuclear Reactor Regulation, the draft and final environmental statements, the report of the Advisory Committee on Reactor Safeguards (ACRS), the proposed construction permits, the transcripts of the prehearing conferences and of the hearing, and other relevant documents, will also be available at the above location. Copies of the proposed construction permits and the ACRS report may be obtained, when available, by request to the Director, Division of Reactor Licensing, United States Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the Office of Nuclear Reactor Regulation's safety evaluation report and final environmental statement may be obtained, when available, from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Washington, D.C. this 19th Day of January 1976.

UNITED STATES NUCLEAR REGULATORY COMMISSION,
SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.76-2037 Filed 1-22-76;8:45 am]

[Docket Nos. STN 50-556 & STN 50-557]

PUBLIC SERVICE COMPANY OF OKLAHOMA AND ASSOCIATED ELECTRIC COOPERATIVE, INC.

Notice of Receipt of Application for Construction Permits and Operating Licenses and Availability of Applicants Environmental Report

The Public Service Company of Oklahoma acting for itself and for Associated Electric Cooperative, Inc., pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, filed an application for licenses to construct and operate two boiling water nuclear reactors. The application consists of general and financial information and a Preliminary Safety Analysis Report accompanied by an Environmental Report. It was docketed on December 23, 1975 and assigned Docket Nos. STN 50-556 & STN 50-557. Notice of Receipt of the Antitrust Application was published in the FEDERAL REGISTER under Docket No. P-531-A on January 17, 1975 (40 FR 3030).

The proposed facilities will be named the Black Fox Station, Units 1 & 2 located in the Township of Inola, Oklahoma, 23 miles east of Tulsa on the east side of the Verdigris River in Rogers County. The reactor is designed for an initial output of 3579 megawatts thermal, with an equivalent net electrical output of approximately 1150 megawatts.

A Notice of Hearing is being published separately, setting forth the radiological and environmental issues to be considered during the review. A date for submitting Petitions for Leave to Intervene, with specific contentions, will be set forth in the Notice of Hearing.

This application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and at the Tulsa City County Library, 400 Civic Center, Tulsa, Oklahoma 74102.

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in Appendix D to 10 CFR Part 51 the applicants filed an Environmental Report, dated December 23, 1975. The report, which discusses environmental considerations related to the construction and operation of the proposed facility is, being made available at the following clearinghouses; Office of Community Affairs and Planning State Grant-in-Aid Clearinghouse, 4901 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105 and at the Northeast Counties of Oklahoma, Economic Development District, P.O. Drawer E, 215 South Wilson, Vinita, Oklahoma 74301 and at the addresses stated above.

After the environmental report has been analyzed by the Nuclear Regulatory Commission's staff, a draft environmental statement will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and state and local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

Dated at Bethesda, Maryland this 16th day of January 1976.

For the Nuclear Regulatory Commission.

WALTER R. BUTLER,
Chief, Light Water Reactors Branch 1-2, Division of Reactor Licensing.

[FR Doc.76-2038 Filed 1-22-76;8:45 am]

[Docket No. 50-346A etc.]

TOLEDO EDISON CO.

Establishment of an Atomic Safety and Licensing Board

Establishment of an Atomic Safety and Licensing Board for special proceedings concerning 10 CFR § 2.713 in the matter of the Toledo Edison Company and the Cleveland Electric Illuminating Company (Davis-Besse Nuclear Power Station, Units 1, 2 and 3), The Cleveland Electric Illuminating Co., Et. Al. (Perry Nuclear Power Plant, Units 1 and 2) (Docket Nos. 50-346A, 50-500A, 50-501A and Docket Nos. 50-440A, 50-441A).

Pursuant to 10 CFR § 2.721, as amended, the following Atomic Safety and Licensing Board is being established for the above special proceedings:

ELIZABETH S. BOWERS, ESQ., CHAIRMAN, EDWARD LUTON, ESQ., MEMBER, THOMAS W. REILLY, ESQ., MEMBER.

The address of all of the above is Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

It is so ordered.

Dated at Bethesda, Maryland this 19th day of January 1976.

JAMES R. YORE,
Acting Chairman, Atomic Safety and Licensing Board Panel.

[FR Doc.76-2039 Filed 1-22-76;8:45 am]

[Docket No. 50-312]

SACRAMENTO MUNICIPAL UTILITY DISTRICT

Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating License No. DPR-54 issued to Sacramento Municipal Utility District (the licensee) for operation of Rancho Seco Nuclear Generating Station Unit 1 (the facility), located in Sacramento County, California.

In accordance with the licensee's application for a license amendment dated December 19, 1975, the amendment would add provisions in the Technical Specifications relating to the design of the spent fuel storage racks. The licensee proposes to replace the existing spent fuel storage racks which have a capacity of 244 assemblies with racks which have a capacity of 579 assemblies. This increased capacity would be accomplished as a result of the reduced center-to-center spacing of assemblies in the design of the proposed spent fuel storage racks.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By February 23, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by the proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and Section 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Sec-

tion, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to David S. Kaplan, Secretary and General Counsel, 6201 S Street, P.O. Box 15830, Sacramento, California 95813, attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated December 19, 1975, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Business and Municipal Department. Sacramento City—County Library, 828 I Street, Sacramento, California. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations and copies 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 16th day of January, 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,
Chief, Operating Reactors Branch No. 4, Division of Reactor Licensing.

[FR Doc.76-1973 Filed 1-22-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

CONRAC CORP.

Notice of Suspension of Trading

JANUARY 19, 1976.

The common stock of Conrac Corporation being traded on the New York Stock Exchange and Pacific Coast Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Conrac Corporation being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from January 20, 1976, through January 29, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-2071 Filed 1-22-76;8:45 am]

[Rel. No. 9128; (811-1824)]

EDIE SPECIAL INSTITUTIONAL FUND, INC.

Application

JANUARY 19, 1976.

Notice is hereby given that Edie Special Institutional Fund, Inc., 530 Fifth Avenue, New York, New York 10036, ("Applicant"), an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on November 5, 1975, pursuant to Section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was incorporated under the laws of the State of Delaware on February 28, 1969 and registered under the Act by filing a Form N-8A Notification of Registration on March 6, 1969. Thereafter, it filed a Registration Statement under the Act on Form N-8B-1 and a Registration Statement under the Securities Act of 1933 on Form S-5. The Registration Statement on Form S-5 under the Securities Act of 1933 was filed on March 6, 1969, and became effective on August 21, 1969. Shares of Applicant were publicly offered on such date and until October 23, 1975.

On October 24, 1975, Applicant was merged with and into Edie Special Growth Fund, Inc. ("Growth") pursuant to an Agreement and Plan of Merger dated as of August 7, 1975, between Applicant and Growth also an open-end, diversified management investment company registered under the Act. This transaction was approved by the Boards of Directors of Applicant and of Growth on August 7, 1975, and was approved by the stockholders of Applicant and of Growth on October 23, 1975, at their respective annual meetings of stockholders. Pursuant to the Agreement and Plan of Merger, all of the outstanding shares of capital stock of Applicant were converted into a number of shares of Growth determined on the basis of the relative net asset values of Applicant and Growth. All assets and liabilities of Applicant were transferred by operation of law to Growth, and the separate corporate existence of Applicant was terminated by operation of law.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 12, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by an affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule O-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. 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 date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-2072 Filed 1-22-76;8:45 am]

[Release No. 9127]

HARRIS J. ASHTON

Filing of Application

JANUARY 19, 1976.

Notice is here given that Harris J. Ashton, % General Host Corporation, 245 Park Avenue, New York, New York 10017, has filed an application pursuant to Section 9(c) of the Investment Company Act of 1940 ("Act") for an order unconditionally exempting Ashton from the previous of Section 9(a) of the Act. All interested persons are referred to the

application on file with the Commission for a statement of the representations made therein which are summarized below.

On January 17, 1973, the Securities and Exchange Commission commenced a civil action against ten individual and corporate defendants, including Ashton, to enjoin violations of provisions of the cited statutes and rules thereunder.

On December 6, 1973, a stipuation of settlement was entered into between the Commission and Ashton; thereafter a final judgment of permanent injunction and mandatory relief (the "Judgment") was entered in the action permanently enjoining Ashton from violating the cited statutes and rules, and ordering certain ancillary relief. As a part of such relief, Ashton resigned as a Director of Franklin Custodian Fund on condition that he not reapply to became affiliated with a registered investment company for one year from the date of entry of the Judgment.

Section 9(a)(2) of the Act, makes it unlawful for any person who, by reason of any misconduct, is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security to serve or act in the capacity of employee, officer, director, member of advisory board, investment adviser or depositor of any registered investment company or principal underwriter for any registered open-end company, registered unit investment trust, or registered face amount certificate company.

Section 9(c) provides that upon application, the Commission shall by order grant such application, either unconditionally or on an appropriate temporary or other conditional basis, if it is established that the prohibitions of Section 9(a), as applied to the applicant, are unduly or disproportionately severe or that the conduct of such person has been such as not to make it against the public interest or protection of investors to grant such application.

Ashton submits pursuant to Section 9(c) that the prohibitions of Section 9(a) of the Act, to the extent applicable by virtue of the entry of Judgment, would be unduly and disproportionately severe as applied to Ashton and that the conduct of Ashton has been such as not to make it against the public interest or the protection of investors for the Commission to grant a permanent exemption from the provisions of Section 9(a) of the Act. In support thereof, Ashton states: The activities of Ashton with regard to the transactions complained of in the Commission's complaint were for the benefit of General Host Corporation and not for the direct pecuniary benefit of Ashton and there was no intent to violate the law; Ashton is in compliance with the terms of the judgment entered against him in the action; Ashton has never before been required to apply for an exemption from the provisions of Section 9(a) of the Act; The application of the law, the violation of which was charged against Ashton in the Commission's complaint, is complex, and, at the time of the transaction complained of, was uncertain; Ashton has never been disciplined by any bar association nor, to his knowledge, has there ever been a complaint filed against him. Except for the judgment on consent giving rise to this application, Ashton has never had judgment entered against him in any civil or criminal proceeding of any nature.

Notice is further given that any interested person may, not later than February 20, 1976 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Ashton care of Messrs. Cleary, Gottlieb, Steen & Hamilton, Edmund H. Kerr, Esq., 1 State Street Plaza, New York, New York 10004. Proof of such service (by affidavit or in the case of an attorney at law by certificate) shall be filed contemporaneously with the request. As provided in Rule 0-5 of the Rule and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission as of course following such date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. 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.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76-2070 Filed 1-22-76;8:45 am]

[Rel. No. 9130 (811-1789)]

INVENTURE CAPITAL CORP.

Filing of Application

JANUARY 19, 1976.

Notice is hereby given that Inventure Capital Corp., 411 Stuart Street, Boston, Massachusetts 02116 ("Applicant"), registered under the Investment Company Act of 1940 ("Act") as a closed-end, non-diversified management investment company, has filed an application on November 17, 1975 and an amendment thereto on December 19, 1975, 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. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant, a Massachusetts corporation, registered under the Act by filing its Notification of Registration on Form N-8A under the Act on November 22, 1968. On March 31, 1975, Applicant and Steadman American Industry Fund, Inc. ("Steadman"), also a registered investment company under the Act, entered into an Agreement and Plan of Reorganization (the "Agreement") providing for the acquisition of substantially all the net assets of Applicant by Steadman and the liquidation and subsequent dissolution of Applicant. On September 3, 1975, the shareholders of Applicant approved the Agreement by a vote of more than two-thirds of the outstanding voting securities of Applicant. The transactions contemplated by the Agreement were subsequently consummated on September 8, 1975. Pursuant to the Agreement, Steadman acquired substantially all of the assets of Applicant in exchange for shares of Steadman which have been credited to Applicant's shareholders.

Applicant states that since September 8, 1975, it has had no shareholders and has conducted no business. Applicant represents that at the present time it has no assets other than a cash reserve of $84,000 which has been retained to discharge any unpaid liabilities and to pay the expenses of dissolution. Applicant states that its Board of Directors has recently determined to pay $34,000 of such funds to Steadman to be allocated to Applicant's shareholders as of September 8, 1975. Pursuant to the Agreement, such allocation will be made in shares of Steadman at the same exchange ratio as shares were credited to such shareholders on the Closing Date of the Agreement. It is submitted that the balance of such cash reserve after all liabilities and expenses are paid will similarly be paid to Steadman to be credited on the same basis to shareholders of Applicant as of September 8, 1975. Former shareholders of Applicant who are no longer shareholders of Steadman at the time of such allocations will receive their pro rata share of the cash reserve in cash instead of in shares of Steadman. It is stated that the cash reserve is being held in a checking account at The First National Bank of Boston with the check book being maintained by Applicant's counsel, Choate, Hall & Stewart. Checks drawn on such account in an amount over $5,000 require the signature of two directors, one of whom must be an independent director of Applicant.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 13, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by

a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. 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 Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–2073 Filed 1–22–76;8:45 am]

[Rel. No. 19349; (70–4397)]

JERSEY CENTRAL POWER AND LIGHT CO. AND DELMARVA POWER AND LIGHT CO.

Proposed Changes in Terms of Guarantees of Loans to Unaffiliated Coal Supplier

JANUARY 19, 1976.

In the matter of Jersey Central Power & Light Company, Madison Avenue at Punch Bowl Road, Morristown, New Jersey 07960; Delmarva Power & Light Company; 800 King Street, Wilmington, Delaware 19899.

Notice is hereby given that Jersey Central Power & Light Company ("JCP&L"), an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, and Delmarva Power & Light Company ("Delmarva"), a combination gas and electric utility company and a registered holding company, have filed post effective amendments to their declaration previously filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6(a) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to the declaration, as further amended by said post-effective amendment, for a complete statement of the proposed transactions.

JCP&L and Delmarva own, as tenants in common, with five other nonassociated utility companies, an electric generating station known as the Keystone Steam Electric Station ("Keystone"), which is located in the vicinity of Johnstown, Pennsylvania. The owners each have an interest, proportionate to their ownership, in the electric energy output of Keystone. Keystone is adjacent to certain coal lands of Rochester & Pittsburgh Coal Company ("R&P") an nonaffiliated company, which is the principal supplier of Keystone's coal requirements.

By Commission orders dated August 1, 1966, April 19, 1972 and December 29, 1972 (HCAR Nos. 15533, 17548 and 17835), JCP&L and Delmarva were authorized to guarantee a portion of certain borrowings to be made by R&P. R&P was to use the proceeds of these loans in order to finance the operation and development of the coal mines dedicated to supplying coal to Keystone. These borrowings are secured by a mortgage from R&P to Manufacturers Hanover Trust Company dated as of July 29, 1966 ("mortgage").

By order dated November 18, 1975 (HCAR No. 19247), declarants were authorized to make certain changes in the terms of the loan guarantees in connection with the execution by R&P of a lease ("lease") of coal mining equipment from General Electric Credit Corporation ("GECC"). The November 18, 1975, order authorized, among other things, an agreement by the declarants that if R&P should fail to make rental payments under the lease, that the Keystone owners will pay directly to GECC amounts due to R&P as a "cost of production" under the Keystone Coal Sales Agreement. Rental payments under the lease were to be based in part on the prime lending rate.

It is now proposed to change the calculation of the rental payments so that the payments will be computed on a minimum prime lending rate of not less than 7½% per annum and a maximum prime of 10% per annum.

It is further stated that the lien of the mortgage covers substantially all of R&P's coal properties, including properties devoted or designated to supply coal to Keystone ("Keystone properties") and most of R&P's other coal properties ("commercial properties"). R&P has informed the Keystone owners that the mortgage lien on the commercial properties has interfered with R&P's ability to open and develop new coal mines for sale to others. R&P has accordingly requested that the Keystone owners consent to the execution by the Trustees under the mortgage of a release of the commercial properties from the mortgage lien.

Declarants request authorization to give the consent requested by R&P to release the commercial properties from the mortgage lien. Declarants state they believe that the borrowings secured by the mortgage will be adequately secured by the lien on the Keystone properties.

It is stated that the Board of Public Utility Commissioners of the State of New Jersey has jurisdiction over the proposed transaction with respect to JCP&L and two other Keystone owners and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction. Fees and expenses to be incurred in connection with the proposed transaction consist of legal fees of $3,500.

Notice is further given that any interested person may, not later than February 12, 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 declaration, as further amended by said post-effective amendments, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated addresses, 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 declaration, as further amended by said post-effective amendments, or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–2074 Filed 1–22–76;8:45 am]

[Rel. No. 9129; (811–2399)]

TAX EXEMPT BOND FUND

Proposal To Terminate Registration

JANUARY 19, 1976.

Notice is hereby given that the Commission proposes, pursuant to Section 8(f) of the Investment Company Act of 1940 ("Act"), to declare by order upon its own motion that Tax Exempt Bond Fund ("Bond Fund"), c/o Wellington Management Corporation, 28 State Street, Boston, Massachusetts 02109, registered under the Act as an open-end investment company, has ceased to be an investment company as defined in the Act.

Bond Fund registered under the Act on August 13, 1973, and it registered its common stock for a proposed public offering under the Securities Act of 1933 (File No. 2–48840). No public offering was actually made and the Commission, by order dated November 21, 1974, declared the registration statement aban-

doned pursuant to Rule 479 under the Securities Act of 1933. Information available to the Commission indicates that Bond Fund never had any assets and never engaged in any business, and has no intention of doing any business. The Commission accordingly believes it appropriate to deregister Bond Fund pursuant to Section 8(f) of the Act.

Section 8(f) of the Act provides, in pertinent part, that when the Commission on its own motion or upon application finds a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 12, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Bond Fund at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. 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 Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–2075 Filed 1–22–76;8:45 am]

[File No. 500–1]

TI CORPORATION (OF CALIFORNIA)

Notice of Suspension of Trading

JANUARY 14, 1976.

The common stock of TI Corporation (of California) being traded on the New York Stock Exchange, PBW Stock Exchange, Pacific Coast Stock Exchange and Boston Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of TI Corporation (of California) being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and 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 on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from 8:30 p.m. (e.s.t.) on January 14, 1976 through midnight (e.s.t) on January 23, 1976.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–2076 Filed 1–22–76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

CANADIAN BROADCAST STATIONS

Notification List

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941

Canadian List No. 349

December 16, 1975

Call letters	Location	Power kW	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencemen of operation
							Number of radials	Length (feet)	
		600 kHz							
CFCF	Montreal, Quebec, N. 45°23′34″, W. 73°41′55″ D, N. 45°13′01″, W. 73°48′40″ N.	5D/*50N*	*DA-2*	U	III				E.I.O. 12–16–76.
		900 kHz							
New (minor revision in coordinates).	Penticton, British Columbia, N. 49°*28′57*″, W. 119°*37′41*″.	1	DA-1	U	II				E.I.O. 12–16–76.
		1400 kHz							
CFLD (PO N. 54°14′03″, W. 125°46′27″, 0.25 kW, 1400 kHz, ND–175, 120, 120, 282).	Burns Lake, British Columbia, N. 54°15′20″, W. 125°45′24″.	*1D*/0.25N	ND–*181*	U	IV	120	120	*281*	E.I.O. 12–16–76.
		1470 kHz							
CKPB (correction to coordinates—Now in operation).	Bagotville, Quebec, N. 48°21′*44*′, W. 70°55′*49*″.	1	DA-1	U	III				
		1490 kHz							
New	Oliver, British Columbia, N. 49°10′17″, W. 119°35′30″.	1D/0.25N	ND-200	U	IV	200	120	264	E.I.O. 12–16–76.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc.76–1942 Filed 1–22–76;8:45 am]

MEXICAN BROADCAST STATIONS

Notification List

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Mexican standard broadcast stations modifying the assignments of Mexican broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941

Mexican List No. 275 October 1975

Call letters	Location	Power watts	Antenna radiation millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System		Proposed date of change or commencement of operation
							Number of Radials	Length (feet)	
		550 kHz							
XEACD (In operation)	Acapulco, Guerrero, No 16°50'21", W. 99°55'01".	500D/250N	ND-180	U	III	148	90	33-59	
		600 kHz							
(New) (under construction)	Palenque, Chiapas, N. 17°33'10", W. 91°58'10".	500D	ND-190	D	III	410	120	410	Dec. 31, 1976.
		620 kHz							
XEGH (under construction)	Rio Bravo, Tamaulipas, N. 25°58'00", W. 98°06'45".	250D	ND-175	D	III	*322*	*180*	*322*	Do.
		630 kHz							
XEJB (In operation)	Guadalajara, Jalisco, N. 20°40'33", W. 103°21'00".	*5,000D*/500N	*DA-D* ND-N-173.5	U	III	256	120	328	
		650 kHz							
(New) (under construction)	Merida, Yucatan, N. 20°59'00", W. 89°38'43".	250D	ND-*175*	D	II	*354*	*90*	*328*	Do.
		660 kHz							
XERPM (In operation)	Mexico, Federal District, N. 19°29'13", W. 99°02'33".	50,000D/ 5,000N.	ND-D-*190* DA-N	U	II	*367*	120	328	
(New) (under construction)	Jerez, Zacatecus, N. 22°38'51", W. 102°59'48".	1,000D	ND-D-190	D	II	373	120	373	Do.
		700 kHz							
Do	Tamazunchale, San Luis Potosi, N. *21°17'36"*, W. *98°46'30"*.	250D	ND-190	D	II	352	120	352	Dec. 30, 1976.
		710 kHz							
XEZC (under construction)	Rio Grande, Zacatecus, N. 23°49'40", W. 103°02'17".	500D/250N	ND-190	U	II	347	120	347	Dec. 31, 1976.
XEDP (under construction)	Cd. Cuauhtemoc, Chihauhua, N. *28°24'42"*, W. *106°52'24"*.	5,000D	ND-190	D	II	347	120	347	*Dec. 31, 1976.*
		760 kHz							
XEABC (In operation)	Los Reyes, Mexico, N. 19°*28'19"*, W. 98°*58'56"* (*PO 5 kW, U, DA*).	20,000D/ *5000*N.	DA-2	U	II				
		770 kHz							
(New) (under construction)	Juchitan, Oaxaca, N. 16°25'56", W. 95°01'31".	5,000D	ND-190	D	II	320	120	320	Do.
		780 kHz							
XEZN (In operation)	Celaya, Guanajuato, N. 20°31'24", W. 100°48'55".	500D	ND-175	D	II	157	120	72-131	
		810 kHz							
XEYM (under construction)	Morelia, Michoacána, N. 19°42'16", W. 101°11'30".	1,000D	ND-175	D	II	276	90	295	Do.
XERSV (In operation)	Cd. Obregon, Sonora, N.27°30'50", W. 109°56'26".	5,000D/250N	ND-D-190	U	II	299	90	262	
XEIM (under construction)	Saltillo, Coahuila, N. 25°*26'37"*, W. 100°50'26".	500D	DA-N ND-*175*	D	II	*318*	*90*	*318*	*Dec. 30, 1976.*
(New) (under construction)	Acapulco, Guerrero, N. 16°50'21", W. 99°55'01".	1,000/150N	ND-190	U	II	304	120	304	Dec. 31, 1976.
		830 kHz							
XEVQ (In operation)	Culiacan, Sinalsa, N. 24°45'25", W. 107°39'32".	1,000D	ND-184	D	II	297	90	297	
		870 kHz							
(New) (under construction)	Puerto Escondido, Oaxaca, N. *15°50'29"*, W. *97°05'19"*.	250D	ND-225	D	II	283	120	283	Do.
		900 kHz							
XEW (under construction)	Querétaro, Querétaro, N. 20°35'36", W. 100°23'11".	1,000D	ND-190	D	II	273	120	273	Do.
Do	Mazatlan, Sinaloa, N. 23°11'55", W. 106°25'20".	5,000D	ND-190	D	II	273	120	273	Do.
XEWB (In operation)	Veracruz, Veracruz, N. 19°12'02", W. 96°08'13".	50,000D/ 10,000N.	ND-190	U	II	273	120	273	
		920 kHz							
(New) (under construction—previously XEHC).	Ensenada, Baja California, N. 31°51'10", W. 116°38'09".	2,500D/200N	ND-190	U	III	213	120	225	Dec. 30, 1976.
		950 kHz							
XEFY (under construction)	Cortazar, Guanajuato, N. *20°28'55"*, W. *100°56'49"*.	500D/250N	ND-190	U	III	259	120	259	Do.
		970 kHz							
XEDF (In operation)	Mexico, Federal District, N. 19°28'30", W. 99°03'36".	10,000D/ 5,000N	ND-D-202 DA-N	U	III	*338*	*120*	*253*	
		1020 kHz							
(New) (under construction)	Alamo, Veracruz, N. 20°55'00", W. 97°40'00".	500D	ND-175	D	II	241	120	241	Dec. 31, 1976.
Do	Oaxaca, Oaxaca, N. 17°03'43", W. 96°43'18".	2000D	ND-190	D	II	*308*	120	*295*	*Dec. 31, 1976.*
		1030 kHz							
Do	Acapulco, Guerrero, N. *16°50'21"*, W. *99°55'01"*.	1,500D	ND-190	D	II	*240*	*90*	*240*	Dec. 31, 1976.
		1040 kHz							
Do	Colima, Colima, N. 19°14'29", W. 103°43'47".	250D	ND-190	D	II	*230*	*120*	*230*	*Dec. 31, 1976.*
		1060 kHz							
XEEP (In operation)	Mexico, Federal District N. 19°21'43", W. 99°01'34".	50,000D/ 5C,000N.	ND-D-190 DA-N	U	I-B	*236*	*120*	*230*	
		1070 kHz							
(New) (under construction)	Venustiano Carranza, Chiapas, N. 16°19 50", W. 92°34'10".	1,000D/100N	ND-190	U	II	230	120	230	Dec. 30, 1976.
Do	Zihuatanejo, Guerrero, N. 17°*38 14"*, W. *101°33 48"*.	2,000D	ND-*175*	D	II	*171*	*90*	*171*	*Dec. 31, 1976.*
Do	Guerrero Negro, B.C., N. 27°59'58", W. 114°03 12".	1,000D	ND-175	D	II	184	120	184	Dec. 31, 1976.

Call letters	Location	Power watts	Antenna radiation millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System: Number of Radials	Ground System: Length (feet)	Proposed date of change or commencement of operation
Do	San Luis Potosi, San Luis Postosi, N. 22°09'10", W. 100°58'38".	250D	ND-190	D	II	197	90	197	Dec. 31, 1976.
Do	Tantoyucan, Veracruz, N. 21°21'07", W. 98°13'31".	1,000D	ND-190	D	II	230	120	230	Dec. 31, 1976.
		1080 kHz							
Do	Aguascallentes, Aguascalientes, N. 21°52'43", W. 102°18'04".	250D	ND-175	D	II	230	120	230	Dec. 31, 1976.
Do	Cancun, Quintana Roo, N. 21°04'52", W. 86°46'18".	500D	ND-175	D	II	55, 55 182	120	182	Do.
Do	Los Mochis, Sinaloa, N. 25°46'15", W. 108°59'50".	1,000D	ND-190	D	II	228	120	228	Dec. 31, 1976.
		1090 kHz							
XEOD (in operation)	Boca Del Rio, Veracruz, N. 19°03'36", W. 96°04'40".	1,000D/1000N	ND-D-190 DA-N	U	II	240	120	240	
(New) (under construction)	Panuco, Veracruz, N. 22°02'33", W. 98°10'06".	5,000D	ND-190	D	II	226	120	226	Do.
Do	Ocotlan De Morelos, Oaxaca, N. 16°-48'03", W. 96°39'52".	250D	ND-175	D	II	226	120	226	Do.
		1110 kHz							
(New) (under construction—previously at Alamo, Veracruz on 1100 kHz).	Naranjos, Veracruz, N. 21°21'30", W. 97°41'10".	250D	ND-190	D	II	222	90	222	Do.
(New) (under construction)	Puerto Vallarta, Jalisco, N. 20°36'56", W. 105°14'48".	1,000D	ND-175	D	II	222	90	222	Dec. 30, 1976.
XERED (in operation)	Mexico, Federal District, N. 19°31'19", W. 99°12'17".	50,000D/ 50,000N	ND-200 DA-N	U	II	221	90	221	
XESON (under construction)	Navojoa, Sonora, N. 27°04'54". W. 109°27'19".	1,000D	ND-175	D	II	214	90	214	Dec. 30, 1976.
		1120kHz							
(New) (under construction)	Cancun, Quintana Roo N. 21°04'52", W. 86°46'18".	250D	ND-175	D	II	220	90	220	Dec. 31, 1976.
Do	Melchor Ocampo De Balsas, Michoacán, N. 17°55'30", W. 102°11'40".	500D	ND-190	D	II	220	120	220	Do.
		1140 kHz							
Do	Campeche, Campeche, N. 19°50'47", W. 90°32'14".	250D	ND-190	D	II	216	120	216	Dec. 31, 1976.
XEMR (in operation)	Monterrey, Nuevo León, N. 25°45'40", W. 100°15'17" (PO 10 kW, DA-N).	50,000D/ 50,000N	ND-D-225 DA-N	U	I-B	317	110	317	
		1150 kHz							
XEJP (in operation)	Mexico, Federal District N. 19°30'15", W. 99°04'56".	10,000D/ 10,000N	ND-D-190 DA-N	U	III	236	90	236	
XESO (under construction)	Cd. Obregon, Sonora, N. 27°29'35", W. 109°56'00".	5,000D/300N	ND-175	U	III	213	120	213	Dec. 31, 1976.
XEJS (in operation)	Hidalgo Del Parral, Chihuahua, N. 26°56'10", W. 105°38'00".	1,000D/500N	ND-175	U	III	213	90	213	
		1160 kHz							
XEIU (under construction—previously at Tehuantepec, Oaxaca).	Oaxaca, Oaxaca, N. 17°03'43", W. 96°43'18".	500D	ND-175	D	II	170	120	170	Dec. 31, 1976.
		1170 kHz							
XEIB (under construction)	Caborca, Sonora, N. 30°41'50", W. 112°09'29".	250D	ND-175	D	II	210	90	210	Dec. 30, 1976.
XEUVA (in operation)	Aguascallentes, Aguascalientes, N. 21°55'00", W. 102°18'50" (PO 0.5 kW, ND).	1,000D	ND-175	D	II	187	90	187	
(New) (under construction)	Bahia De Kino, Sonora, N. 28°49'45", W. 111°56'40".	1,000D	ND-175	D	II	210	90	210	Dec. 31, 1976.
		1180 kHz							
Do	Tuxtla Gutierrez, Chiapas, N. 16°45'20", W. 93°06'46".	1,000D	ND-175	D	II	167	120	167	Do.
		1150 kHz							
Do	Tampico, Tamaulipas, N. 22°13'00", W. 97°51'19".	5,000D	ND-175	D	II	210	120	210	Dec. 31, 1976.
XEVN (under construction)	Nogales, Sonora, N. 31°19'49", W. 110°56'42".	500D	ND-175	D	II	223	90	223	Do.
XEWK (in operation)	Guadalajara, Jalisco, N. 20°41'30", W. 103°20'15" (PO 50 kWD/10 kWN, ND).	50,000D/ 50,000N.	ND-235	U	I-B	300	120	164	
XEIV (under construction)	Oaxaca, Oaxaca, N. 17°03'49", W. 96°44'10".	500D	ND-190	D	II	207	120	207	Dec. 31, 1976.
		1200 kHz							
(New) (under construction)	Cosolapa, Oaxaca, N. 18°34'54", W. 96°39'06".	250D	ND-190	D	II	205	120	205	Dec. 31, 1976.
Do	Culiacan, Sinaloa, N. 24°48'36", W. 107°23'57".	1,000D	ND-190	D	II	208	120	208	Do.
Do	Hermosillo, Sonara, N. 29°04'29", W. 110°57'36".	1,000D	ND-190	D	II	213	90	213	Do.
		1250 kHz							
XESCT (under construction)	Ensenada, Baja California, N. 31°51'10", W. 116°38'09".	1,000D/250N	ND-190	U	IV	200	120	200	Dec. 31, 1976.
		1240 kHz							
XERAA (under construction)	Atoyac De Alvarez, Guerrero, N. 17°12'17", W. 100°26'34".	500D/250N	ND-150	U	IV	177	90	177	Dec. 31, 1976.
XEIF (under construction)	San Blas, Sinaloa, N. 26°04'38", W. 108°45'53".	1,000D/250N	ND-175	U	IV	164	90	197	Dec. 31, 1976.
		1250 kHz							
(New) (under construction)	Puruandiro, Michoacán, N. 20°05'21", W. 101°30'59".	250D	ND-175	D	III	207	90	207	Dec. 31, 1976.
XEUO (under construction)	Chetumal, Quintana Roo, N. 18°29'59", W. 88°17'56".	250D/250N	ND-175	U	III	197	90	197	Do.
		1260 kHz							
(New) (under construction)	Culiacan, Sinaloa, N. 24°48'40", W. 107°23'30".	5,000D/500N	ND-190	U	III	195	120	195	Do.
		1270 kHz							
XEHD (under construction)	Durango, Durango, N. 24°01'31", W. 104°40'11".	250D	ND-175	D	III	205	120	164	Dec. 31, 1976.
(New) (under construction)	Taxco, Guerrero, N. 18°33'17", W. 99°36'00".	250D/100N	ND-190	U	III	194	120	194	Do.
XEQH (under construction)	Ixmiquilpan, Hildalgo, N. 20°29'04", W. 99°13'06".	1,000D/100N	ND-175	U	III	177	90	174	Dec. 31, 1976.
(New) (under construction—previously XEYUC at Merida, Yucatán).	Uman, Yucatán, N. 20°52'30", W. 89°44'00".	2,500D/500N	ND-190	U	III	194	120	194	Do.
		1280 kHz							
(New) (under construction)	Guerrero Negro, Baja California, N. 27°58'48", W. 114°10'51".	500D	ND-175	D	III	174	90	174	Dec. 31, 1976.

Call letters	Location	Power watts	Antenna radiation millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System		Proposed date of change or commencement of operation
							Number of Radials	Length (feet)	
XEANA (under construction)	Caborca, Sonora, N. 30°41'50", W. 112°09'29".	500D	ND-175	D	III	190	90	197	Dec. 31, 1976.
		1300 kHz							
(New) (under construction)	Ramos Arispe, Coahuila, N. 25°27'30", W. 100°58'40".	1000D	ND-190	D	III	189	120	189	Dec. 31, 1976.
XEGA (under construction)	San Andres Tuxtla, Veracruz, N. 18°26'42", W. 95°11'53".	500D/500N	ND-175	U	III	177	120	177	Dec. 31, 1976.
XEHU (in operation)	Martinez De La Torre, Veracruz, N. 20°03'05", W. 97°00'03" (PO 0.5 kWD/0.1 kWN, ND-U).	5,000D/100N	DA-D ND-N-194	U	III	210	120	210	
		1310 kHz							
XETAP (under construction)	Tapachula, Chisapas, N. 14°54'30", W. 92°16'15".	1,000D	ND-175	D	III	289	90	289	Do.
		1320 kHz							
XERQ (under construction)	Montemorelos, Nuevo Leon, N. 25°11'34", W. 99°49'31".	1,000D/100N	ND-175	U	III	230	120	230	Do.
XENP (under construction)	Ocotlan, Jalisco, N. 20°21'33", W. 102°46'24".	500D/200N	ND-175	U	III	197	120	177	Do.
XESR (under construction)	Santa Rosalia, Baja California, N. 27°18'38", W. 112°17'03".	500D/500N	ND-190	U	III	186	120	186	Do.
XESY (under construction)	Magdalena, Sonora, N. 30°37'45", W. 111°03'42".	200D/200N	ND-190	U	III	186	120	186	Do.
		1330 kHz							
(New) (under construction)	Manzanillo, Colima, N 19°03'15", W. 104°19'46".	500D	ND-175	D	III	148	120	148	Do.
XEBO (in operation)	Irapuato, Guanajuata, N. 20°40'31", W. 101°20'54".	5,000D/1,000N	ND-D-184 DA-N	U	III	185	90	187	
		1340 kHz							
XFBCC (under construction)	Cd. Del Carmen, Campeche, N. 18°38'22", W. 91°50'16".	250D/250N	ND-175	U	IV	230	90	230	Dec. 31, 1976.
XEYR (under construction)	Teapa, Tabasco, N. 17°33'14", W. 92°57'12".	500D/150N	ND-150	U	IV	197	90	197	Do.
XEZE (under construction)	Santiago Ixcuintla, Nayarit, N. 21°47'00", W. 105°12'00".	250D/300N	ND-150	U	IV	184	90	184	Do.
(New) (under construction)	Apatzingan, Michoacán, N. 19°04'54", W. 102°15'31".	1,000D/250N	ND-190	U	IV	184	120	184	Dec. 31, 1976.
Do	Villa De Seris, Sonora, N. 29°03'30", W. 110°58'40".	1,000D	ND-150	D	IV	184	90	184	Do.
XECI (in operation)	Acapulco, Guerrero, N. 16°51'03", W. 99°54'22" (PO 0.5 kWD).	1,000D/250N	ND-158.5	U	IV	131	90	131	
XEDKT (in operation)	Guadalajara, Jalisco, N. 20°43'20", W. 103°18'29".	1,000D/250N	ND-235	U	IV	180	120	180	
		1350 kHz							
XEYS (under construction)	Yajalon, Chiapas, N. 17°11'21", W. 92°20'56".	500D	ND-175	D	III	197	90	197	Dec. 31, 1976.
(New) (under construction)	Leon, Guanajuato, N. 21°07'20", W. 101°41'00".	1,000D	ND-190	D	III	182	120	182	Dec. 31, 1976.
		1360 kHz							
XEAGV (under construction)	Cd. Mendoza, Veracruz, N. 18°48'46", W. 97°10'54".	250D	ND-175	D	III	308	120	308	Dec. 31, 1976.
XEFBF (under construction)	Martinez De La Torre, Veracruz, N. 20°03'58", W. 97°02'36".	500D/100N	ND-175	U	III	230	120	230	Do.
XETP (under construction)	Cd. Valles, San Luis Potosi, N. 21°59'04", W. 99°00'58".	5,000D	ND-175	D	III	295	120	295	Do.
(New) (under construction)	Piedras Negras, Coahuila, N. 28°42'25", W. 100°31'02".	500D/250N	ND-175	U	III	197	90	197	Dec. 31, 1976.
		1370 kHz							
XEMON (under construction).	Monterrey, Nuevo León, N. 25°40'11", W. 100°18'26".	10,000D/10,000N0	ND-D-175 DA-N	U	III	230	90	230	Dec. 31, 1976.
XESV (under construction)	Morelia, Michoacán, N. 19°41'19", W. 101°12'07".	500D	ND-175	D	III	162	90	162	Do.
XERPU (under construction).	Durango, Durango, N. 24°01'54", W. 104°37'32".	1,000D/100N	ND-175	U	III	180	90	115	Do.
(New) (under construction)	Cd. Obregon, Sonora, N. 27°29'35", W. 109°56'00".	10,000D/5,000N.	ND-D-175 DA-N	U	III	295	120	295	Do.
		1380 kHz							
XENSM (in operation)	LaPaz, Baja California, N. 24°09'41", W. 110°20'44".	250	ND-175	U	III	177	120	177	
XEVD (under construction)	Cd. Allende, Coahuila, N. 28°20'36", W. 100°51'06".	500D	ND-170	U	III	180	90	180	Dec. 12, 1976.
XEZW (under construction)	Cd. Hidalgo, Chiapas, N. 14°40'67", W. 92°08'55".	1,000D/250N	ND-175	U	III	178	90	178	Do.
(New) (under construction—previously Las Cruces, Guerrero).	Atoyac De Alvarez, Guerrero, N. 17°10'00", W. 100°25'40".	5,000D	ND-190	D	III	178	120	178	Dec. 31, 1976.
(New) (under construction)	Tepic, Nayarit, N. 21°30'47", W. 104°53'42".	1,000D/500N	ND-190	U	III	178	120	178	Dec. 12, 1976.
XEYB (under construction)	Cosamaloapan, Veracruz, N. 18°21'46", W. 95°48'32".	1,000	DA-2	U	III				Do.
		1390 kHz							
XEV (under construction)	Chihuahua, Chihuahua, N. 28°38'12", W. 106°04'42".	1,000D/500N	ND-190	U	III	177	120	53, 95 177	Do.
(New) (under construction)	Guamuchil, Sinaloa, N. 25°06'57", W. 108°50'67".	1,000D/100N	ND-190	U	III	177	120	177	Do.
		1400 kHz							
XEARO (under construction)	Nueva Rosita, Coahuila, N. 27°57'55", W. 101°13'48".	1,000D/250N	ND-160	U	IV	177	120	177	Do.
XEOJ (under construction)	Melchor Ocampo, Michoacán, N. 17°57'36", W. 102°08'38".	1,000D/100N	ND-170	U	IV	134	120	134	Do.
XELRY (under construction)	Linares, Nuevo León N. 24°51'39", W. 99°34'05".	250D/100N	ND-150	U	IV	109	90	109	Do.
XESG (under construction)	Navojoa Sonora, N. 27°04'52", W. 109°27'13".	500D/200N	ND-170	U	IV	184	120	134	Do.
XEAC (under construction)	Aguascalientes, Agguascalientes, N. 21°52'19", W. 102°18'04".	500D/200N	ND-160	U	IV	115	120	115	Oct. 30, 1976.
		1410 kHz							
XEKB (in operation)	Atemajac, Jalisco, N. 20°43'31", W. 103°18'34".	5,000D/150N	ND-184.5	U	III	177	120	161	
(New) (under construction)	Zihuatanejo, Guerrero, N. 17°38'14", W. 101°33'48".	500	ND-175	D	III	166	120	166	Dec. 12, 1976.
		1430 kHz							
XEIA (under construction)	Cd. Allende, Coahuila, N. 28°20'36", W. 100°51'06".	1,000D/250N	ND-175	U	III	197	120	197	Do.

Call letters	Location	Power watts	Antenna radiation millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System		Proposed date of change or commencement of operation
							Number of Radials	Length (feet)	
(New) (under construction)	Colima, Colima N. 19°15'08", W. 103°42'55".	1,500D/100N	ND-175	U	III	172	120	172	Do.
Do	San Cristobal De Las Casas, Chisapas, N. 16°44'09", W. 92°39'46".	300D/200N	ND-190	U	III	172	120	172	Do.
(New) (under construction—previously XETUN at San Luis Potosí, San Luis Potosí.	Rio Verde, San Luis Potosí, N. 21°55'-52", W. 99°59'38".	250	ND-190	D	III	172	120	172	Do.
		1440 kHz							
(New) (under construction)	Parras De La Fuente, Coahuila, N. 25°27'00", W. 102°10'00".	5,000	ND-175	D	III	180	90	180	Do.
XEEA (under construction)	Cd. Camargo, Chihuahua, N. 27°41'-49", W. 105°10'09".	5,000D/1,000N	ND-175	U	III	197	90	197	Do.
XEHE (under construction)	Zapotlanejo, Jalisio, N. 20°37'24", W. 103°03'49".	500D/100N	ND-190	U	III	171	120	171	Do.
XEEC (under construction)	Tlapacoyan, Veracruz, N. 19°58'43", W. 97°12'55".	250	ND-175	D	III	197	120	197	Do.
XEOB (under construction)	Pichucalco, Chisapas, N. 17°31'46", W. 93°07'24".	1,000D/150N	ND-175	U	III	197	120	197	Dec. 31, 1976.
(New) (under construction—previously XEEK at Cheran, Michoacán).	Uruapan, Michoacán, N. 19°24'56", W. 102°03'40".	5,000D	ND-190	D	III	171	120	171	Do.
		1450 kHz							
XEFK (under construction)	Torreon, Coahuila, N. 25°33'18", W. 103°27'55".	1,000D/250N	ND-175	U	IV	230	90	230	Dec. 12, 1976.
XEIN (under construction)	Cintalapa, Chisapas, N. 16°41'58", W. 93°43'24".	1,000/200N	ND-175	U	IV	246	120	246	Do.
XEQU (under construction)	Ojinaga, Chihuahua, N. 29°33'53", W. 104°25'23".	1,000/250N	ND-175	U	IV	230	120	230	Do.
XERY (In operation)	Arcelia, Grouerrero, N. 18°21'36", W. 100°17'36".	1,000D/100N	ND-190	U	IV	170	120	170	
XEIE (under construction)	Matehuala, San Luis Potosí, N. 23°38'41", W. 100°38'26".	1,000D/800N	ND-174	U	IV	197	90	197	Do.
XEZC (In operation)	Rio Grande, Zacatecas, N. 23°52'30", W. 103°02'00" (Vide 710 kHz).	500D/250N	ND-165	U	IV	154	90	115	
		1460 kHz							
(New) (under construction)	Cd. Jimenez, Chihuahua, N. 27°07'52", W. 104°55'29".	5,000D/250N	ND-190	D	III	169	120	169	Do.
EXUJ (under construction)	Cd. Del Carmen, Campeche, N. 18°38'22", 91°50'16".	250	ND-175	U	III	230	90	230	Do.
XEPD (under construction)	Nueva Rosita, Coahuila, N. 27°57'56", W. 101°13'48".	1,000	ND-175	D	III	246	90	197	Do.
(New) (under construction)	Guadalupe Victoria, Durango, N. 24°27'40", W. 104°07'30".	200D/100N	ND-190	U	III	169	120	169	Do.
XEJH (under construction)	Jalapa, Veracruz, N. 19°31'35", W. 96°54'51".	500	ND-175	D	III	197	120	197	Dec. 12, 1976.
		1470 kHz							
XEAY (under construction)	Parras De La Fuente, Coahuila, N. 25°27'00", W. 102°10'00".	1,000/250N	ND-175	U	III	230	120	230	Dec. 12, 1976.
(New) (under construction)	Reforma, Chisapas, N. 17°59'02", W. 93°09'40".	500D/150N	ND-190	U	III	167	120	167	Do.
XELOM (under construction)	Loma Bonita, Oaxaca, N. 18°06'00", W. 95°53'00".	5,000	ND-175 DA-N	U	III	262	90	262	Do.
XEQS (under construction)	Fresnillo, Zacatecas, N. 23°10'30", W. 102°52'30".	1,000	ND-175	D	III	230	90	230	Do.
		1480 kHz							
XEMCA (under construction).	Cd. Morelos, Baja California, N. 32°58'00", W. 114°52'01".	500D/100N	ND-188	U	III	174	120	174	Do.
XEXU (under construction)	Villa Frontera, Coahuila, N. 26°56'02", W. 101°26'28".	1,000	ND-175	D	III	262	120	262	Do.
XEMC	Salvatierra, Guanajuato, N. 20°12'50", W. 100°53'46".	250	ND-175	D	III	116	90	116	Do.
(New) (under construction)	Atlixco, Puebla, N. 18°54'32", W. 98°26'27".	1,000	ND-190	D	III	166	120	166	Do.
Do	Hermosillo, Sonora, N. 29°05'30", W. 110°56'10".	250	ND-190	D	III	166	120	166	Do.
Do	Rio Blanco, Veracruz, N. 18°50'11", W. 97°08'34".	350	ND-175	D	III	100	90	100	Do.
		1490 kHz							
XEIB (under construction)	Todos Santos, Baja California, N. 23°26'45", W. 110°14'30".	250	ND-175	U	IV	197	120	197	Do.
(New) (under construction)	Cd. Cuauhtemoc, Chihuahua, N. 28°24'49", W. 106°52'24".	1,000D/100N	ND-175	U	IV	149	90	149	Do.
Do	Cd. Cuauhtemoc, Chihuahua, N. 28°38'12", W. 106° 04'42".	1,000D/100N	ND-175	U	IV	149	90	149	Do.
XEJR (under construction)	Hidalgo Del Parral, Chihuahua, N. 26°56'04", W. 105° 39'58".	1,000D/200N	ND-175	U	IV	262	132	262	Do.
XEVP (under construction)	Guasave, Sonora, N. 25°33'00", W. 108°28'00".	500D/200N	ND-175	U	IV	164	120	164	Do.
(New) (under construction)	Benjamin Hill, Sonora, N. 30°07'30", W. 111°08'40".	500D/100N	ND-175	U	IV	149	90	149	Do.
XEGG (under construction)	Cd. Mante, Tamaulipas, N. 22°44'30", W. 98°58'24".	250D/100N	ND-175	U	IV	164	120	164	Do.
XEAR (under construction)	Tampico, Tamaulipas, N. 22°13'00", W. 97°51'19".	250D/150N	ND-175	U	IV	197	90	197	Do.
XEME (In operation)	Valladolid, Yucatián, N. 20°41'55", W. 88°12'24".	500	ND-175	U	IV	148	90	148	
		1500 kHz							
XEEP (under construction)	Ensenda, Baja California, N. 31°51'10", W. 116°38'09".	500	ND-175	D	II	262	120	262	Do.
XERH (in operation)	Mexico, Federal District, N. 19°23'41", W. 99°07'59" (PO 20 kWD/5 kWN, ND).	20,000	ND-190 DA-N	U	II	246	120	246	

Call letters	Location	Power watts	Antenna radiation - millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System		Proposed date of change or commencement of operation
							Number of Radials	Length (feet)	
XEUV (under construction)	Villahermosa, Tabasco, N. 17°59'15", W. 92°55'00".	500D/250N	ND-175	U	II	164	90	164	Do.
		1510 kHz							
XEOF (in operation)	Cortazar, Guanajuato, N. 20°30'48", W. 100°59'55".	5,000	DA-D	D	II				
(New) (under construction)	Puerto Vallarta, Jalisco, N. 20°36'56", W. 105°14'42".	500	ND-175	D	II	164	120	164	Do.
Do	Melchor Ocampo, Michoacán, N. 17°55'30", W. 102°11'40".	500	ND-175	D	II	148	90	148	Dec. 31, 1976.
		1520 kHz							
XEVUC (under construction)	Villa Union, Coahuila, N. *28°14'00"*, W. *100°34'30"*.	1,000	ND-*190*	D	II	*164*	*120*	*164*	Dec. 12, 1976.
(New) (under construction)	Guadalajara, Jalisco, N. 20°40'32", W. 103°23'09".	1,000	ND-175	D	II	*197*	*90*	*197*	Do.
XECGP (under construction)	Morelia, Michoacan, N. 19°42'16", W. 101°11'30".	500	ND-175	D	II	*164*	*120*	*164*	Do.
XEACC (under construction)	Cd. Camargo, Chihuahua, N. *27°41'49"*, W. *105°10'09"*.	1,000	ND-*175*	D	II	*162*	*90*	*162*	Do.
XESZ (under construction)	Cholula, Puebla, N. 19°03'45", W. W. 98°18'15".	250	ND-160	D	II	*148*	*120*	*148*	Do.
XEATP (under construction)	Tehuacan, Puebla, N. *18°27'51"*, W. *97°25'20"*.	250	ND-*175*	U	II	162	120	162	Do.
XEVU (under construction)	Mazatlan, Sinaloa, N. *23°11'53"*, W. 106°25'20".	500	ND-175	D	II	213	120	213	Do.
(New) (under construction)	Empalme, Sonora, N. 27°55'30", W. 110°50'20".	1,000	ND-190	D	II	162	120	162	Do.
		1530 kHz							
Do	Chihuahua, Chihuahua, N. 28°38'12", W. 106°04'42".	250	ND-190	D	II	161	120	161	Do.
Do	Oaxaca, Oaxaca, N. 17°03'49", W. 96°44'10".	500	ND-190	D	II	161	120	161	Do.
		1540 kHz							
Do	Torreon, Coahuila, N. 25°32'18", W. 103°27'55".	250	ND-190	D	II	160	120	160	Do.
Do	Durango, Durango, N. *24°01'31"*, W. *104°40'11"*.	250	ND-*190*	D	II	*160*	*120*	*160*	Do.
Do	Cuernavaca, Morelos, N. 18°54'54", W. 99°14'14".	250	ND-190	D	II	160	120	160	Do.
Do	Santa Catarina, Nuevo León, N. 25°38'01", W. 100°26'36".	5,000	ND-190	D	II	160	120	160	Do.
Do	Matehuala, San Luis Potosí, N. 23°38'47", W. 100°38'32".	1,000	ND-175	D	II	149	120	149	Do.
XE&N (under construction)	Hermosillo, Sonora, N. 29°04'29", W. 110°57'36".	5,000D/5,000N	ND-*175*	U	II	*213*	*120*	*213*	Do.
(New) (under construction)	Coahuayana, Michoacán N. 18°45'09", W. 103°40'30".	500D	ND-190	D	II	*164*	*90*	*164*	Feb. 12, 1976.
Do	Villahermosa, Tabasco, N. 17°59'15", W. 92°55'00".	500	ND-175	D	II	230	90	230	Dec. 12, 1976.
XEAVR (under construction)	Alvarado, Veracruz, N. 18°46'14", W. 95°45'56".	5,000D/1,000N	ND-*175* DA-N	U	II	*230*	*120*	*230*	Do.
(New) (under construction)	Panuco, Veracruz, N. *22°03'33"*, W. *98°10'06"*.	3,000	ND-175	D	II	164	90	164	Do.
Do	Cd. Delicias, Chihuahua, N. 28°11'27", W. 105°30'12". W. *97°29'14"*.	1,000	ND-175	D	II	164	90	164	Do.
Do	Poza Rica, Veracruz, N. *20°32'14"*, W. *97°29'14"*.	1,000	ND-190	D	II	160	120	160	Do.
Do	Motul, Yucatan, N. 21°06'00", W. 89°26'35".	500	ND-*175*	D	II	161	90	161	Do.
Do	Fresnillo, Zacatecas, N. 23°10'35", W. 102°52'39".	250	ND-190	D	II	160	120	160	Do.
		1550 kHz							
XEXB (under construction)	Jalapa, Veracruz, N. 19°31'35", W. 96°54'51".	10,000	ND-175	U	I-B	*131*	*90*	*131*	Do.
		1560 kHz							
(New (under construction)	Cd. Cuauhtemoc, Chihuahua, N. 28°24'42", W. 106°52'24".	2,000D/250N	ND-175	U	II	230	120	230	Do.
Do	Arandas, Jalisco, N. 20°42'32", W. 102°21'06".	250D	ND-190	D	II	158	120	158	Do.
XEVIP (in operation)	San Rafael Chamapa, Mex., N. 19°30'00", W. 99°13'03",	10,000/10,000	ND-223 DA-N	U	II	297	90	297	
XEMAS (in operation)	Salamanca, Guanajuato, N. 20°34'03", W. 101°13'00".	1,000D/250N	ND-182	U	II	*157*	90	164	
XEDD (in operation)	Montemorelos, Nuevo Leon, N. *25°11'39"*, W. *99°49'31"*.	500	ND-175	D	II	322	120	157	
(New) (under construction)	Guaymas, Sonora, N. 27°55'30", W. 110°50'20".	250	ND-*190*	D	II	*158*	*120*	*158*	Do.
XEEC (under construction)	Panzacola, Tlaxcala, N. 19°08'30", W. 98°12'00".	1,000	DA-D	D	II				Do.
XERIO (previously XERMM) (in operation).	Ixtlan Del Rio, Nayarit, N. 21°02'15.1", W. 104°22'44".	1,000	ND-190	D	II	155	120	155	
		1580 kHz							
XEGOL (under construction)	Campeche, Campeche, N. *19°50'47"*, W. *90°32'14"*.	250D/150N	ND-175	U	II	*230*	*90*	*230*	Do.
(New) (under construction)	Saltillo, Coahuila, N. 25°26'37", W. 100°59'22".	250	ND-190	D	II	156	120	156	Do.
XEAF (under construction)	Apaseo El Grande, Guanajuato, N. *20°32'56"*, W. *100°41'18"*.	1,000	ND-175	D	II	*148*	*90*	*148*	Do.
(New) (under construction)	Valle De Bravo, Mex., N. *19°11'28"*, W. *100°08'06"*.	250	ND-175	D	II	*164*	*120*	*164*	Do.

Call letters	Location	Power watts	Antenna radiation millivolt per meter per kilowatt	Schedule	Class	Antenna height (feet)	Ground System		Proposed date of change or commencement of operation
							Number of Radials	Length (feet)	
Do	Mazatlan, Sinaloa, N. 23°11'55", W. 106°25'20".	250	ND-190	D	II	156	120	156	Do.
Do	Tierra Blanca, Veracruz, N. 18°27'03", W. 96°21'28".	250	ND-190	D	II	156	120	156	Do.
		1590 kHz							
Do	Aguascalientes, Aguascallentes, N. 21°52'43", W. 102°18'04".	250	ND-190	D	III	155	120	155	Do.
Do	Pihuamo, Jalisco, N. *19°15'00"*, W. *103°25'00"*.	500	ND-175	D	III	139	90	139	Do.
XEART (under construction).	Zacatepec, Morelos, N. *18°39'10"*, W. *99°11'48"*.	1,000D/1,000N	DA-2	U	III				Do.
(New) (under construction)	Tepic, Nayarit, N. 21°30'47", W. 104°53'42".	250	ND-190	D	III	155	120	155	Do.
Do	Matehuala, San Luis Potosí, N. 23°38'51", W. 100°38'24".	250	ND-190	D	III	155	120	155	Do.
Do	Culiacan, Sinaloa, N. 24°51'24", W. 107°23'47".	250	ND-190	D	III	155	120	155	Do.
Do	Cd. Obregon, Sonora, N. 27°28'30", W. 109°58'00".	250	ND-190	D	III	156	120	156	Do.
Do	Cd. Madero, Tamaulipas, N. 22°14'30", W. 97°50'10".	1,000D	DA-D	D	III				Do.
XENMB (under construction).	Valladolid, Yucatán, N. *20°41'24"*, W. *88°12'25"*.	10,000	ND-*175*	D	III	*164*	*90*	*164*	Do.
(New) (under construction)	Irapuato, Guanajuato, N. 20°40'28", W. 101°20'51".	250D	ND-*175*	D	III	*151*	*120*	*151*	Dec. 31, 1976.
		1600 kHz							
Do	Torreon, Coahulla, N. 25°32'18", W. 103°27'55".	1,000	ND-190	D	III	*157*	*90*	*157*	Dec. 12, 1976.
XEAK (under construction)	Acambaro, Guanajuato, N. *20°02'01"*, W. *100°43'24"*.	500D/200N	ND-*175*	U	III	184	120	184	Do.
XEQA (under construction)	Autlan De Navarro, Jalisco, N. *19°46'13"*, W. *104°22'04"*.	1,000	ND-*175*	D	III	138	90	138	Do.
XERCP (under construction.	Purepero, Michoacán, N. 19°57'00', W. 102°00'30".	200	ND-175	D	III	154	120	154	Do.
(New) (under construction)	Poza Rica, Veracruz, N. 20°32'30", W. 97°27'48".	1,000	ND-190	D	III	154	120	154	Do.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc.76-1943 Filed 1-22-76;8:45 am]

DEPARTMENT OF LABOR

Office of the Secretary

[TA-W-309]

AMBASSADOR CLOTHES, INC. AND FASHION TAILORS

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-309: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on November 4, 1975 in response to a worker petition received on November 4, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sport coats and slacks at Ambassador Clothes, Inc. of New York, New York. The investigation was expanded to include workers of Fashion Tailors, New York, New York, a subsidiary of Ambassador Clothes. The notice of investigation was published in the FEDERAL REGISTER November 19, 1975 (40 FR 53639). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Fashion Tailors and Ambassador Clothes, their customers, the Clothing Manufacturers Association of the U.S.A., the Department of Commerce, the International Trade Commission and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated or are threatened to become totally or partially separated,

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations.

The average number of production workers at Ambassador Clothes and and Fashion Tailors declined 22 percent in 1974 compared to 1973 and declined 64 percent in the first nine months of 1975 compared to the like period in 1974.

Sales or Production, or Both, Have Decreased Absolutely.

Over 95 percent of the production at Ambassador Clothes and Fashion Tailors is of men's suits and sportcoats.

Production at Ambassador Clothes and Fashion Tailors declined 49 percent in 1974 compared to 1973. Production declined 20 percent in the first nine months of 1975 compared to the first nine months of 1974.

Increased Imports Contributed Importantly.

Imports of boys' and men's suits increased from 1.4 million units in 1970 to 1.9 million units in 1974.

The ratios of imports to domestic consumption and production increased from 8.6 percent and 9.4 percent, respectively in 1972 to 9.0 percent and 9.9 percent, respectively in 1974. The imports to production ratio rose from 7.7 percent in the first seven months of 1974 to 22.1 percent in the first seven months of 1975.

Imports of men's and boys' sportcoats increased from 4.2 million units in 1972 to 4.8 million units in 1974. The ratios of imports to consumption and production increased from 14.6 percent and 17.1 percent, respectively in 1972 to 18.2 percent and 22.3 percent, respectively in 1974. The imports to production ratio increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Evidence developed during the Department's investigation indicates that the men's domestic clothing industry has been adversely affected by increased imports from low wage areas.

Because of the demand for a European look at lower prices not offered by domestic manufacturers, customers in the U.S. switched from the domestic clothing to imported clothing. Major customers of Ambassador Clothes decreased orders because of increased purchases of less expensive imported clothing with greater styling appeal to consumers. This resulted in decreased production and employee separations at Ambassador Clothes, Inc. and Fashion Tailors beginning in the third quarter of 1974.

Conclusion.

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits and sportcoats produced at the New York plant of Ambassador Clothes and Fashion Tailors contributed importantly to the total or partial separation of the workers at that plant.

In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers at the New York, New York plant of Ambassador Clothes and Fashion Tailors who became totally or partially separated from employment on or atfer October 14, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of January 1976.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.76-2093 Filed 1-22-76;8:45 am]

[TA-W-294]

EDUARDO BONNELLI AND COMPANY, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-294: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on November 4, 1975 in response to a worker petition received on November 4, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's sportcoats at Eduardo Bonelli of New York, New York.

The notice of investigation was published in the FEDERAL REGISTER on November 17, 1975 (40 FR 53326). No public hearing was requested and one was held.

The information upon which the determination was made was obtained principally from officials of Eduardo Bonelli, Delton Ltd., their customers, the Clothing Manufacturers Association of the U.S.A., the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Seperations.

The average number of production workers at Eduardo Boneilli declined 33 percent in 1974 compared to 1973. The average number of production workers declined 41 percent in the first nine months of 1975 compared to the first nine months of 1974.

Sales or Production, or Both, Have Decreased Absolutely.

Production at Eduardo Bonelli declined 8 percent in 1974 compared to 1973. Production declined 44 percent in the first nine months of 1975 compared to the first nine months of 1974.

Increased Imports Contributed Importantly.

Imports of men's and boys' sport coats increased from 4.2 millions units in 1972 to 4.8 million units in 1974. The ratios of imports to consumption and production increased from 14.6 percent and 17.1 percent, respectively in 1972 to 18.2 percent and 22.3 percent, respectively in 1974. The imports to production ratio increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

The evidence developed during the Department's investigation indicates that the men's domestic clothing industry has been adversely affected by increased imports from low wage areas. Decreased production and separations of employees in 1974 and 1975 at Bonelli's were the direct result of decreased retail sales of men's sport coats because of import competition. Eduardo Bonelli obtained all of the men's sport coats it sewed from one men's clothing manufacturer. Customers of the manufacturer have decreased purchases of sport coats while switching to less expensive imported men's clothing with greater styling appeal to consumers.

Conclusion.

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with sport coats produced by the New York, New York plant of Eduardo Bonelli contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers at the New York, New York plant of Eduardo Bonelli and Company, Inc. who became totally or partially separated from employment on or after October 14, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 16th day of January 1976.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76-2094 Filed 1-22-76;8:45 am]

[TA-W-251]

MAJESTIC SWEATER MILLS, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-251: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 15, 1975 in response to a worker petition received on that date which was filed by the International Ladies' Garment Workers' Union (AFL-CIO) on behalf of workers and former workers producing men's and boys' sweaters at Majestic Sweater Mills, Inc., Philadelphia, Pennsylvania.

The notice of the investigation was published in the FEDERAL REGISTER on October 28, 1975 (40 FR 50164). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Majestic Sweater Mills, its customers, the U.S. Department of Commerce, and the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations.

The average number of production workers at Majestic declined 37 percent in 1974 from 1973; all production-related employment was terminated by the end of February 1975. Average weekly hours for production workers declined nine percent in 1974 from 1973 and declined 29 percent in the first four months of 1975 as compared to the first four months of 1974.

Sales or Production, or Both, Have Decreased Absolutely.

Sales of men's and boys' sweaters by Majestic declined 49 percent in value in 1974 from 1973. Sales in the first four months of 1975 were 89 percent below sales in the first four months of 1974.

Increased Imports Contributed Importantly.

Domestic production of knit sweaters has been adversely affected by both the economic downturn and increased import competition. With the exception of one year during 1970–1974, imports of men's and boys' sweaters increased in each year in both absolute and relative terms.

The evidence developed in the investigation of Majestic Sweater Mills indicates that the manufacturers for whom Majestic performed contract operations experienced sales declines at the retail level due to increased competitive imports. The resultant cutback in orders for Majestic caused the firm to cease all manufacturing operations in February 1975.

Conclusion.

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's and boys' sweaters produced by Majestic Sweater Mills contributed importantly to the total or partial separation of the workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers of Majestic Sweater Mills, Philadelphia, Pennsylvania who became totally or partially separated from employment on or after October 8, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 16th day of January 1976.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.76–2095 Filed 1–22–76;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Rule 19; Ex Parte No. 241; 7th Rev. Exemption No. 90]

AKRON, CANTON & YOUNGSTOWN RAILROAD CO. ET AL.

Exemption 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 10, 50-ft. plain boxcars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 397, 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).

The Akron, Canton & Youngstown Railroad Company, Reporting Marks: ACY
Atlanta & Saint Andrews Bay Railway Company, Reporting Marks: ASAB
The Baltimore and Ohio Railroad Company, Reporting Marks: BO
The Chesapeake and Ohio Railway Company, Reporting Marks: CO–PM
Chicago & Eastern Illinois Railroad Company, Reporting Marks: C&EI–CEI
[1] Elgin, Joliet and Eastern Railway Company, Reporting Marks: EJE
[1] Illinois Terminal Railroad Company, Reporting Marks: ITC
Missouri-Illinois Railroad, Reporting Marks: MI
Missouri-Kansas-Texas Railroad Company Reporting Marks: BKTY–MKT
Missouri Pacific Railroad Company Reporting Marks: MP
Norfolk and Western Railway Company Reporting Marks: N&W–NKP–WAB
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: SERA
Soo Line Railroad Company Reporting Marks: SOO
The Texas and Pacific Railway Company Reporting Marks: T&P
Tidewater Southern Railway Company Reporting Marks: TS
[1] Union Pacific Railway Company Reporting Marks: UP
WCTU Railway Company Reporting Marks: WCTR
Western Maryland Railway Company Reporting Marks: WM

Effective January 9, 1976, and continuing in effect until further order of this Commission.

Issued at Washington, D.C., January 9, 1976.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc. 76–2117 Filed 1–22–76;8:45 am]

[Rule 19; Ex Parte No. 241; 7th Rev. Exemption No. 99]

BURLINGTON NORTHERN INC. ET AL.

Exemption Mandatory Car Service Rules

It appearing that the U.S. railroads own numerous plain gondolas less than 61 ft.; that under present conditions, there are substantial surpluses of these cars on the lines of the car owners; that return of these cars to the car owners would result in their being stored idle on these lines; 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 plain gondolas, 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, plain gondola cars described in the Official Railway Equipment Register, I.C.C. R.E.R. No. 397, issued by W. J. Trezise, or successive issues thereof, as having mechanical designation "GA", "GB", "GD", "GH", "GS", and "GW", which are less than 61 ft. 0 in. long, and which bear the reporting marks assigned to United States Railroads, shall be exempt from the provisions of Car Service Rules 1(a), 2(a), and 2(b). (See Exceptions 1, 2 and 3)

Exception 1: This exemption does not supersede United States customs regulations applicable to cars owned by Canadian or Mexican railroads.

Exception 2: This exemption shall not apply to cars subject to service orders issued by the Interstate Commerce Commission or to directives issued by the Car Service Division of the Association of American Railroads, restricting the use of designated cars.

Exception 3: This exemption shall not apply to plain gondola cars owned by the railroads named below:

Burlington Northern Inc. Reporting Marks: BN–CBQ–GN–NP–SPS
The Central Railroad Company of New Jersey Robert D. Timpany, Trustee Reporting Marks: CNJ
Chicago, Milwaukee, St. Paul and Pacific Railroad Company Reporting Marks: MILW
The Denver and Rio Grande Western Railroad Company Reporting Marks: DRGW
Florida East Coast Railway Company Reporting Marks: FEC
Grand Trunk Western Railroad Company Reporting Marks: GTW
[1] Illinois Terminal Railroad Company Reporting Marks: ITC
The Kansas City Southern Railway Company Reporting Marks: KCS
Louisiana & Arkansas Railway Company Reporting Marks: LA
Maine Central Railroad Company Reporting Marks: MEC
Penn Central Transportation Company Robert W. Blanchette, Richard C. Bond and John H. McArthur, Trustees Reporting Marks: PC–PRR–NYC
Reading Company Andrew L. Lewis, Jr. and Joseph L. Castle Trustees Reporting Marks: RDG
Richmond, Fredericksburg and Potomac Railroad Company Reporting Marks: RFP
Union Pacific Railroad Company Reporting Marks: UP

Effective January 15, 1976.

Expires February 29, 1976.

Issued at Washington, D.C., January 8, 1976.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76–2118 Filed 1–22–76;8:45 am]

[1] Addition.

[1] Addition

[Amdt. No. 3; I.C.C. Order No. 145; Rev. S.O. No. 994]

ASSOCIATION OF AMERICAN RAILROADS, CAR SERVICE DIVISION

Rerouting and Diversion of Traffic

Upon further consideration of I.C.C. Order No. 145 (RI and FWD), and good cause appearing therefor:

It is ordered, That:

I.C.C. Order No. 145 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., April 15, 1976, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., January 15, 1976, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C. January 12, 1976.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Agent.

[FR Doc.76-2119 Filed 1-22-76;8:45 am]

[AB 12 (Sub-No. 15)]

SOUTHERN PACIFIC TRANSPORTATION CO.

Abandonment Between Colusa and Ordbend, in Colusa and Glenn Counties, California

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.;* and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Colusa and Glenn Counties, Calif., on or before February 6, 1976 and certify to the Commission that this has accomplished.

And it is furthed 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 Commmission, 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 14th day of January, 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 12 (Sub-No. 15)]

SOUTHERN PACIFIC TRANSPORTATION COMPANY ABANDONMENT BETWEEN COLUSA AND ORDBEND, IN COLUSA AND GLENN COUNTIES, CALIFORNIA

The Interstate Commerce Commission hereby gives notice that by order dated January 14, 1976, it has been determined that the proposed abandonment by the Southern Pacific Transportation Company of its line of railroad between Colusa and Ordbend, Calif., a distance of 28.2 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321, *et seq.*, and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that, due to present low levels of rail traffic, area environmental quality will only be degraded slightly due to increased energy consumption, highway traffic, and air pollution resulting from diversion to motor carrier transport. There are no indications of developmental plans which would be affected by loss of direct rail service.

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 February 23, 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.76-2120 Filed 1-22-76;8:45 am]

[AB 46 (Sub-No. 6)]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY AND FORT WORTH AND DENVER RAILWAY COMPANY

Abandonment Between Teague and Mexia, in Limestone and Freestone Counties, Texas

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, *et seq.;* and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Limestone and Freestone Counties, Tex., on or before February 3, 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 12th day of January, 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 46 (Sub-No. 6)]

CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY AND FORT WORTH AND DENVER RAILWAY COMPANY ABANDONMENT BETWEEN TEAGUE AND MEXIA, IN LIMESTONE AND FREESTONE COUNTIES, TEXAS

The Interstate Commerce Commission hereby gives notice that by order dated January 12, 1976, it has been determined that the proposed abandonment by the Chicago, Rock Island and Pacific Railroad Company and the Fort Worth and Denver Railway Company of their line of railroad between Teaque and Mexia, Tex., a distance of 14.7 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, *et seq.*, and that preparation of a detailed environmental impact statement will not be required under section 4332 (2)(C) of the NEPA.

It was concluded, among other things, that due the present low levels of rail traffic, area environmental quality will only be degraded slightly due to increased energy consumption, highway traffic, and air pollution resulting from diversion to motor carrier transport. Developmental activities which are taking place or planned in the adjacent counties should not be affected by the proposed abandonment.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available 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 February 18, 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.76-2121 Filed 1-22-76;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 20, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 43113—*Insulating Material from Fruita, Colorado.* Filed by Western Trunk Line Committee, Agent, (No. A-2722), for interested rail carriers. Rates on insulating material, in carloads, as described in the application, from Fruita, Colorado, to points in official territory.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Supplement 58 to Western Trunk Line Committee, Agent, tariff 134-R, I.C.C. No. A-4949. Rates are published to become effective on February 25, 1976.

By the Commission.

[SEAL] H. GORDON HOMME, JR.,
Acting Secretary.

[FR Doc.76-2122 Filed 1-22-76;8:45 am]

[Notice No. 168]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

DECEMBER 23, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before February 12, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35468. By order entered January 19, 1976, for a period ending March 31, 1976, the Motor Carrier Board approved the lease by Copper Freight Lines, Inc., Anchorage, Alaska, of the operating rights set forth in Certificate No. MC 119402 (Sub-No. 2), issued June 19, 1970, in the name of Freman L. Strickland and Eileen Strickland, doing business as Aurora Delivery, and acquired by Aurora Delivery, Inc., Anchorage, Alaska, pursuant to No. MC-FC-76191, approved by order of the Commission, Motor Carrier Board, entered December 9, 1975, and consummated January 19, 1976, authorizing the transportation of general commodities (with the usual exceptions), (1) between Anchorage, Alaska, and Wasilla, Alaska, serving all intermediate points; and (2) between all points within 100 air miles of Anchorage, Alaska, which are north of a line drawn in an east-west direction through Anchorage, Alaska.

R. Robert Hahn, Jr., 542 Second Avenue, Anchorage, Alaska 99501, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-2123 Filed 1-22-76;8:45 am]

[Notice No. 169]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 23, 1976.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76309. By application filed January 9, 1976, MORRIS JENKINS AND JOHN AMERMAN, doing business as A. J. TRUCKING, 458 N. 7th St., Clinton, IN 47824, seeks temporary authority to lease the operating rights of the ESTATE OF RALPH ARRASMITH, 723 E. Jefferson St., Chrisman, IL, under section 210a(b). The transfer of MORRIS JENKINS AND JOHN AMERMAN, doing business as A. J. TRUCKING, of the operating rights of the ESTATE OF RALPH ARRASMITH, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-2124 Filed 1-22-76;8:45 am]

[Notice No. 170]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 23, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76310. By application filed January 9, 1976, TEXAS INTERSTATE MOTOR EXPRESS, INC., 711 Main St., Suite 520, Houston, TX 77002, seeks temporary authority to lease the operating rights of BATES TRUCK LINE, INC., 802 N. Nagle St., Houston, TX 77002, under section 210a(b). The transfer of TEXAS INTERSTATE MOTOR EXPRESS, INC., of the operating rights of BATES TRUCK LINE, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-2125 Filed 1-22-76;8:45 am]

[Notice No. 171]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 23, 1976.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76311. By application filed January 12, 1976, HAMILTON CITY LINES, INC., 2003 North Western Avenue, Dayton, OH 45427, seeks temporary authority to lease the operating rights of MIAMI VALLEY BUS LINES, INC., 4828 Wolf Creek Pike, Dayton, OH 45427, under section 210a(b). The transfer of HAMILTON CITY LINES, INC., of the operating rights of MIAMI VALLEY BUS LINES, INC., is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.76-2126 Filed 1-22-76;8:45 am]

[Notice No. 957]

ASSIGNMENT OF HEARINGS

JANUARY 20, 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.

AB 1 Sub 31, Chicago & North Western Transportation Company Abandonment between Bingham Lake and Currie, In Cottonwood and Murray Counties, Minnesota, now being assigned March 9, 1976 (2 days), at Windom, Minn., in a hearing room to be later designated.

MC 44735 Sub 24, Kissick Truck Lines, Inc., and MC 107295 Sub 765, Pre-Fab Transit Co., A Corp., now being assigned March 12, 1976, at Kansas City, Mo., (1 Day), in a hearing room to be later designated.

MC 51146 Sub 444, Schneider Transport, Inc., now being assigned March 15, 1976, (1 day) Kansas City, Mo., in a hearing room to be later designated.

MC 140704 Sub 1, Oklahoma Asphalt Company, now being assigned March 16, 1976, at Kansas City, Mo. (2 days), in a hearing room to be later designated.

MC 128469 Sub 17, DONCO Carriers, Inc., now being assigned March 18, 1976 (2 days), at Kansas City, Mo., in a hearing room to be later designated.

W–78 (Sub-No. 12), The Valley Line Company, W–104 (Sub-No. 28), Union Mechling Corp. and W–377 (Sub-No. 15), Dixie Carriers, Inc., now assigned February 9, 1976, at Washington, D.C., canceled and transferred to Modified Procedure.

MC–F–12611, Al Zeffiro Transfer & Storage, Inc.—Control—Detroit-Pittsburgh Motor Freight, Inc., now being assigned March 10, 1976, at the offices of the Interstate Commerce Commission, Washington, D.C.

MC 140700 (Sub-No. 1), H. D. Walls, d/b/a H. D. Walls Trucking, application dismissed.

MC 72243 Sub 52, The Aetna Freight Lines, Inc.; MC 115730 Sub 6, The Mickow Corp.; MC 125708 Sub 142, Thunderbird Motor Freight Lines, Inc., and MC 141108, D & C Express, Inc., now being assigned March 24, 1976, at St. Paul, Minn., in a hearing room to be later designated.

MC 2900 Sub-267, Ryder Truck Lines, Inc., now assigned February 19, 1976, at Buffalo, N.Y., will be held in Room 226, Federal Bldg., 111 West Huron Street.

MC 123744 Sub-20, Butler Trucking Company, a Corporation, now assigned February 25, 1976, at Buffalo, N.Y., will be held in Room 226, Federal Bldg., 111 West Huron Street.

MC 139539 Sub-4, Afro-Urban Transportation, Inc., now assigned February 11, 1976, at New York, N.Y., will be held in Room 238, Court Room A, Court of Claims, 26 Federal Plaza.

MC 71593, Sub-3, C. G. Potter, d.b.a. Maumee Express, now assigned February 9, 1976, at New York, N.Y., will be held in Room 238, Court Room A, Court of Claims, 26 Federal Plaza.

MC 12826 Sub-2, Travel Conventions International, Inc., now assigned February 19, 1976, at Portland, Oregon, will be held in Room 103, Pioneer Courthouse, 555 SW Yamhill Street.

W–1289 Sub-1, Raz Inland Navigation Co., Inc., now assigned February 23, 1976, at Portland, Oregon, will be held in Room 103, Pioneer Courthouse, 555 SW Yamhill Street.

No. 36213, Precision Wood Products, Incorporated V the Akron, Canton & Youngstown Railroad Company, et al, now assigned March 1, 1976, at Seattle, Washington, will be held in Room 514, Federal Bldg., 915 2nd Avenue.

[SEAL] H. G. HOMME, JR.,
Acting Secretary.

[FR Doc.76–2127 Filed 1–22–76;8:45 am]

federal register

FRIDAY, JANUARY 23, 1976

PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

NURSE PRACTITIONER TRAINING

Proposed Grant Program

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 57]

GRANTS FOR NURSE PRACTITIONER TRAINING PROGRAMS

Notice of Proposed Rulemaking

Section 822 of the Public Health Service Act, as added by P.L. 94–63, Title IX, "The Nurse Training Act of 1975," authorizes the Secretary of Health, Education, and Welfare to award grants to public or nonprofit private schools of nursing, medicine, and public health, public or nonprofit private hospitals, and other public or nonprofit private entities to meet the costs of projects to (1) plan, develop, and operate, (2) significantly expand, or (3) maintain existing programs for the training of nurse practitioners.

Notice is hereby given that the Assistant Secretary for Health, with the approval of the Secretary of Health, Education and Welfare, proposes to add a new subpart Y entitled "Grants for Nurse Practitioner Training Programs," to Part 57 of Title 42, Code of Federal Regulations, to implement this authority by setting forth the requirements for applications and eligible projects, the criteria to be used by the Secretary in evaluating applications, and the terms and conditions under which grants will be made pursuant to this authority.

Further, under section 822(a)(2)(B) of the Act the Secretary is required to prescribe guidelines for such nurse practitioner training programs, after consultation with appropriate educational organizations and professional nursing and medical organizations, and no grant may be made for such programs unless the application contains assurances satisfactory to the Secretary that the program meets such guidelines. Section 932 of P.L. 94–63 required the Secretary to prescribe such guidelines wihin 90 days of the enactment of the statute. Appendix A of the proposed regulations sets forth the guidelines which the Secretary has prescribed pursuant to section 822 (a)(2)(B) of the Act. In accordance with the statutory requirement for consultation with appropriate educational organizations and professional nursing and medical organizations, the Department has held several meetings for that purpose with representatives of the American Nurses' Association, National League for Nursing, American Association of Colleges of Nursing, American Medical Association, Association of American Medical Colleges, American Public Health Association, and American Hospital Association, and with individuals currently involved in the administration of nurse practitioner training programs.

Interested persons are invited to submit written comments, data, views, and arguments relating to these proposed regulations (including the Appendix A Guidelines) to the Director, Bureau of Health Manpower, Health Resources Administration, 9000 Rockville Pike, Building 31, Room 5C02, Bethesda, Maryland 20014.

All comments received in response to this request will be available for public inspection at the Office of Program Operations, Bureau of Health Manpower, Health Resources Administration, 9000 Rockville Pike, Building 31, Room 4C07, Bethesda, Maryland 20014 on weekdays (Federal holidays excepted) between the hours of 8:30 a.m. and 5:00 p.m. All relevant material received on or before February 23, 1976.

It is therefore proposed to amend Part 57 of Title 42, Code of Federal Regulations, by adding thereto to read as set forth below.

Dated: January 9, 1976.

THEODORE COOPER,
Assistant Secretary for Health.

Approved: January 14, 1976.

DAVID MATHEWS,
Secretary.

Subpart Y—Grants for Nurse Pracitioner Training Programs

Sec.

57.2401 Applicability.
57.2402 Definitions.
57.2403 Eligibility.
57.2404 Application.
57.2405 Project requirements.
57.2406 Evaluation and grant awards.
57.2407 Grant payments.
57.2408 Expenditure of grant funds.
57.2409 Nondiscrimination.
57.2410 Human subjects.
57.2411 Grantee accountability.
57.2412 Publications and copyright.
57.2413 Applicability of 45 CFR Part 74.
57.2414 Additional conditions.
Appendix A—Guidelines for Nurse Practitioner Training Programs

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); sec. 822, 89 Stat. 361 (42 U.S.C. 296m).

§ 57.2401 Applicability.

The regulations of this subpart are applicable to the award of grants to public or nonprofit private schools of nursing, medicine, and public health, public or nonprofit private hospitals, and other public or nonprofit private entities under section 822 of the Public Health Service Act (42 U.S.C. 296m) to meet the cost of projects to (a) plan, develop, and operate, (b) significantly expand, or (c) maintain existing programs for the training of nurse practitioners.

§ 57.2402 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(c) "Council" means the National Advisory Council on Nurse Training (established by section 851 of the Act).

(d) "School of nursing" means a school of nursing as defined in section 853(b) of the Act and which is accredited as provided in section 853(f) of the Act.

(e) "School of medicine" means a school which provides training leading to a degree of doctor of medicine and which is accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education.

(f) "School of public health" means a school which provides training leading to a graduate degree in public health and which is accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education.

(g) "Nonprofit" as applied to any school, agency, organization, or institution means one which is a corporation or association, or is owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(h) "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

(i) "Program director" means a qualified individual designated by the grantee and approved by the Secretary who is to be functionally responsible for the training program being supported under this subpart.

(j) "Project period" means the total time for which support for a project has been approved, as specified in the grant award document.

(k) "Budget period" means the interval of time into which the approved activity is divided for budgetary purposes, as specified in the grant award document.

(l) "Program for the training of nurse practitioners" or "nurse practitioner training program" means an educational program for registered nurses (irrespective of the type of school of nursing in which the nurses received their training) which meets the guidelines prescribed by the Secretary in Appendix A of this subpart and which has as its objective the education or nurses (including pediatric and geriatric nurses) who will, upon completion of their studies in such program, be qualified to effectively provide primary health care, including primary health care in homes and in ambulatory care facilities, long-term care facilities, and other health care institutions.

(m) "Nurse practitioner" means a registered nurse who has successfully completed a formal program of study designed to prepare registered nurses to deliver primary health care including the ability to:

(1) Assess the health status of individuals and families through health and medical history taking, physical examination, and defining of health and developmental problems;

(2) Institute and provide continuity of health care to clients (patients), work with the client to insure understanding of and compliance with the therapeutic regimen within established protocols, and recognize when to refer the client to a physician or other health care provider;

(3) Provide instruction and counseling to individuals, families, and groups in the areas of health promotion and maintenance, including involving such persons in planning for their health care; and

(4) Work in collaboration with other health care providers and agencies to provide, and where appropriate, coordinate services to individuals and families.

(n) "Primary health care" means care which may be initiated by the client or provider in a variety of settings and which consists of a broad range of personal health care services including:

(1) Promotion and maintenance of health;

(2) Prevention of illness and disability;

(3) Basic care during acute and chronic phases of illness;

(4) Guidance and counseling of individuals and families; and

(5) Referral to other health care providers and community resources when appropriate.

In providing such services (1) the physical, emotional, social, and economic status, as well as the cultural and environmental backgrounds, of individuals, families, and communities (where applicable) are considered; (2) the client is provided access to the health care system; and (3) a single provider or team of providers, along with the client, is responsible for the continuing coordination and management of all aspects of basic health services needed for individual and family care.

§ 57.2403 Eligibility.

(a) *Eligible applicants.* To be eligible for a grant under this subpart the applicant shall:

(1) Be a public or nonprofit private school of nursing, medicine, or public health, public or nonprofit private hospital, or other public or nonprofit private entity; and

(2) Be located in a State.

(b) *Eligible projects.* A grant under this subpart may be made to an eligible applicant to meet the cost of:

(1) A project to plan, develop, and operate a program for the training of nurse practitioners (which will be in operation no later than 12 months after the award of a grant under this subpart);

(2) A project to significantly expand a program for the training of nurse practitioners through one or a combination of the following activities:

(i) a planned increase in student enrollment,

(ii) the addition to the program of one or more fields of clinical practice, or

(iii) the addition of a new training site for the total program; or

(3) A project to maintain an existing program for the training of nurse practitioners.

§ 57.2404 Application.

(a) Each eligible applicant desiring a grant under this subpart shall submit an application in such form and at such time as the Secretary may prescribe.[1]

(b) The application shall be executed by an individual authorized to act for the applicant and to assume on behalf of the applicant the obligations imposed by the terms and conditions of any award, including the regulations of this subpart.

(c) In addition to such other pertinent information as the Secretary may require, an application for a grant under this subpart shall contain the following:

(1) A full and adequate description of the proposed project, including:

(i) Information concerning the need for and signficance of the proposed project.

(ii) A description of the setting in which the training program will be conducted and the primary health care needs to which such program will be responsive.

(iii) A detailed description of the planning and developmental activities to be carried out or which have been accomplished by the applicant.

(iv) A detailed time plan for each year of the project period, identifying target dates for project activities and including any plans for continuing such activities beyond the project period.

(v) A description of specific measurable objectives for the proposed project consistent with the purposes of section 822 of the Act.

(vi) A detailed plan for achieving the stated objectives of the proposed project.

(vii) A description of the program curriculum, including course content and the number of hours of classroom instruction, supervised laboratory, and clinical practice.

(viii) A plan and methodology for evaluating the training program in accordance with the requirements of § 57.2405(c).

(ix) Where the training includes a preceptorship, a description of such preceptorship, including length, type of practice, and amount of faculty supervision.

(x) A description of recruitment plans and criteria for the selection and admission of students.

(xi) An estimate of the number of students to be enrolled during the project period.

(xii) In the case of a project to significantly expand a nurse practitioner training program, a description of the manner in which the program is to be expanded and a plan for achieving such expansion during the project period.

(2) Evidence satisfactory to the Secretary that the applicant has secured any required institutional clearances and approvals for the planning, development, and operation of the program.

(3) Information concerning the background and qualifications of the program director, staff, and consultants.

(4) Evidence satisfactory to the Secretary that the applicant will have available adequate faculty, staff facilities, clinical practice settings, and equipment for the conduct of the proposed project.

(5) A description of any written agreements with other institutions or organizations for carrying out the proposed project.

(6) A detailed budget for the proposed project and a justification of the amount of grant funds requested.

(7) A description of financial resources available to the applicant to assure the sound establishment, maintenance, and continuation of the proposed project beyond the project period.

(8) Where the proposed project includes the cost of providing nurse faculty members with the clinical preparation necessary to meet the guidelines set forth in Appendix A of this subpart, a description of the faculty to be trained, the type of training required, and the manner in which such training will be obtained.

(d) The application shall contain an assurance satisfactory to the Secretary that (1) in the case of a project to plan, develop, and operate a program for the training of nurse practitioners, such program will upon its development meet the guidelines set forth in Appendix A of this subpart, or (2) in the case of a project to significantly expand or maintain an existing program for the training of nurse practitioners, such program meets the guidelines set forth in Appendix A of this subpart.

§ 57.2405 Project requirements.

A project supported under this subpart shall be conducted in accordance with the following requirements:

(a) The project shall conduct its program for the training of nurse practitioners in accordance with the guidelines prescribed by the Secretary and set forth in Appendix A of this subpart.

(b) The program director shall be responsible for the conduct of the training program unless replaced by another individual found by the Secretary to be qualified to carry out such responsibilities. Where the program director becomes unable to function in such capacity, the Secretary shall be notified as soon as possible.

(c) In accordance with the plan set forth in its approved application, the project shall collect, evaluate, and make available to the Secretary data concerning the training program being conducted. Such data collection and evaluation shall include, at a minimum:

(1) Systematic evaluation by faculty and students of the program curriculum in relation to the purposes, objectives, and conceptual framework of the program.

(2) Evaluation of the effectiveness of the program in relation to its purposes and objectives.

[1] Applications and instructions may be obtained from the Division of Nursing, Bureau of Health Manpower, Health Resources Administration, Department of Health, Education, and Welfare, 9000 Rockville Pike, Bethesda, MD 20014.

(3) Information concerning the number of student applicants and students enrolled, student characteristics (such as age, sex, race, educational background, and previous work experience, including type of position, specialty, and work setting), and student performance in classroom work and clinical practice.

(4) Information concerning the number of graduates per class, the attrition rate, characteristics of graduates (such as age, sex, race, educational background, and previous work experience, including type of position, specialty, and work setting), employment after graduation (including setting and location), and utilization and performance of graduates (including employer assessment).

§ 57.2406 Evaluation and grant awards.

(a) *Evaluation.*

(1) Within the limits of funds available for such purpose, the Secretary, after consultation with the Council, may award grants to those applicants whose projects will in his judgment best promote the purposes of section 822 of the Act, taking into consideration:

(i) The degree to which the project plan adequately provides for meeting the requirements set forth in § 57.2405 and Appendix A of this subpart;

(ii) The potential effectiveness of the proposed project in carrying out the training purposes of section 822 of the Act and this subpart;

(iii) The capability of the applicant to carry out the proposed project;

(iv) The extent to which the project has joint program direction by qualified nurse and physician educators;

(v) The soundness of the fiscal plan for assuring effective utilization of grant funds; and

(vi) The potential of the project to continue on a self-sustaining basis after the period of grant support.

(2) Pursuant to section 822(a)(1) of the Act, the Secretary will give special consideration to projects for training programs which emphasize training respecting the special problems of geriatric patients and training to meet the particular needs of nursing home patients.

(3) The Secretary will also give special consideration to projects for nurse practitioner programs which will award academic credit to students who successfully complete the training program.

(b) *Grant awards.*

(1) The amount of any award under this subpart will be determined by the Secretary on the basis of his estimate of the sum necessary for all or a designated portion of the direct costs of the project plus an additional amount for indirect costs, if any, which will be calculated by the Secretary either (i) on the basis of his estimate of the actual indirect costs reasonably related to the project, or (ii) on the basis of a percentage of all or a portion of, the estimated direct costs of the project when there are reasonable assurances that the use of such percentage will not exceed the approximate actual indirect costs. Such award may include an estimated provisional amount for indirect costs or for designated direct costs (such as fringe benefit rates) subject to upward (within the limits of available funds) as well as downward adjustments to actual costs when the amount properly expended by the grantee for provisional items has been determined by the Secretary.

(2) All grant awards shall be in writing and shall set forth the amount of funds granted and the period for which such funds will be available for obligation by the grantee.

(3) Neither the approval of any project nor the award of any grant shall commit or obligate the United States in any way to make any additional, supplemental, continuation, or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate application at such times and in such form as the Secretary may prescribe.

§ 57.2407 Grant payments.

The Secretary will from time to time make payments to the grantee of all or a portion of any grant award, either by way of reimbursement for expenses incurred in the budget period, or in advance for expenses to be incurred, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 57.2408 Expenditure of grant funds.

(a) Any funds granted pursuant to this subpart shall be expended solely for carrying out the approved project in accordance with section 822 of the Act, the regulations of this subpart, the terms and conditions of the award, and the applicable cost principles prescribed by Subpart Q of 45 CFR Part 74; *Provided,* That such funds shall not be expended for sectarian instruction or for any religious purpose.

(b) Funds granted pursuant to this subpart may be used in accordance with an approved application for the clinical training of nurse faculty members in order to meet the guidelines set forth in Appendix A.

(c) Any unobligated grant funds remaining in the grant account at the close of a budget period may be carried forward and be available for obligation during subsequent budget periods of the project period. The amount of a subsequent award will take into consideration the amount remaining in the grant account. At the end of the last budget period of the project period, any unobligated grant funds remaining in the grant account must be refunded to the Federal Government.

§ 57.2409 Nondiscrimination.

(a) Attention is called to the requirements of section 855 of the Act and 45 CFR Part 83 which together provide that the Secretary may not make a grant, loan guarantee, or interest subsidy payment under Title VIII of the Act to, or for the benefit of, any entity unless the application for the grant, loan guarantee, or interest subsidy payment contains assurances satisfactory to the Secretary that the entity will not discriminate on the basis of sex in the admission of individuals to its training programs.

(b) Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. 2000d et seq.), and in particular to section 601 of such Act which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such Title VI, which is applicable to grants made under this subpart, has been issued by the Secretary with the approval of the President (45 CFR Part 80).

(c) Attention is called to the requirements of Title IX of the Education Amendments of 1972 and in particular to section 901 of such Act which provides that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. A regulation implementing such Title IX, which is applicable to grants made under this subpart, has been issued by the Secretary with the approval of the President (45 CFR Part 86).

(d) Attention is called to the requirements of section 504 of the Rehabilitation Act of 1973, as amended, which provides that no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(e) Grant funds used for alteration or renovation shall be subject to the condition that the grantee shall comply with the requirements of Executive Order 11246, 30 FR 12319 (Sept. 24, 1965) as amended, and with the applicable rules, regulations, and procedures prescribed pursuant thereto.

(f) The grantee shall not discriminate on the basis of religion in the admission of individuals to its training programs.

§ 57.2410 Human subjects.

No award may be made under this subpart unless the applicant has complied with 45 CFR Part 46 and any other applicable requirements pertaining to the protection of human subjects.

§ 57.2411 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other funds, including funds derived from the other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for costs meeting the requirements of this subpart; *Provided,*

That when the amount awarded for indirect costs was based on a predetermined fixed percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total or selected elements of the reimbursable direct costs incurred.

(b) *Accounting for royalties.* Royalties received by grantees from copyrights on publications or other works developed under the grant, or from patents or inventions conceived or first actually reduced to practice in the course of or under such grant shall be accounted for as follows:

(1) *State and local governments.* Where the grantee is a State or local government as those terms are defined in 45 CFR 74.3, royalties shall be accounted for as provided in 45 CFR 74.44.

(2) *Grantees other than State and local governments.* Where the grantee is not a State or local government as so defined, royalties shall be accounted for as follows:

(i) Patent royalties, whether received during or after the grant period, shall be governed by agreements between the Assistant Secretary for Health, Department of Health, Education, and Welfare, and the grantee, pursuant to the Department's patent regulations (45 CFR Parts 6 and 8).

(ii) Copyright royalties, whether received during or after the grant period, shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials, and any royalties in excess of the costs of publishing or producing the materials shall be distributed in accordance with Chapter 1–420, Department of Health, Education, and Welfare Grants Administration Manual.[2]

(c) *Grant closeout.*

(1) *Date of final accounting.* A grantee shall render, with respect to each approved project, a full account, as provided herein, as of the date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) *Final settlement.* There shall be payable to the Federal Government as final settlement with respect to each approved project the total sum of (i) any amount not accounted for pursuant to paragraphs (a) and (b) of this section; and (ii) any other amounts due pursuant to Subparts F, M, and O of 45 CFR Part 74. Such total sum shall constitute a debt owed by the grantee to the Federal Government and shall be recovered from the grantee or its successors or assigns by setoff or other action as provided by law.

[2] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department's and Regional Offices' information centers listed in 45 CFR 5.31 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

§ 57.2412 Publications and copyright.

(a) *State and local governments.* Where the grantee is a State or local government as those terms are defined in 45 CFR 74.3, the Department of Health, Education, and Welfare copyright requirement set forth in 45 CFR 74.140 shall apply with respect to any book or other copyrightable materials developed or resulting from a project supported by a grant under this subpart.

(b) *Grantees other than State and local governments.* Where the grantee is not a State or local government, as so defined, except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publications, films, or similar materials developed or resulting from a project supported by a grant under this subpart, subject to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose of such materials, and to authorize others to do so.

§ 57.2413 Applicability of 45 CFR Part 74.

The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this subpart to State and local governments as those terms are defined in Subpart A of Part 74. The relevant provisions of the following subparts of Part 74 shall also apply to all other grantee organizations under this subpart:

Subpart
- A General.
- B Cash depositories.
- C Bonding and insurance.
- D Retention and custodial requirements for records.
- F Grant-related income.
- K Grant payment requirements.
- L Budget revision procedures.
- M Grant closeout, suspension, and termination.
- O Property.
- Q Cost principles.

§ 57.2414 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the public health, or the conservation of grant funds.

APPENDIX A

GUIDELINES FOR NURSE PRACTITIONER TRAINING PROGRAMS

The guidelines set forth below have been prescribed by the Secretary after consultation with appropriate educational organizations and professional nursing and medical organizations, as required by section 822(a)(2)(B) of the Public Health Service Act.

A. *Definitions.* 1. "Program for the training of nurse practitioners" or "nurse practitioner training program" means an educational program for registered nurses (irrespective of the type of school of nursing in which the nurses received their training) which meets the guidelines prescribed herein and which has as its objective the education of nurses (including pediatric and geriatric nurses) who will, upon completion of their studies in such program, be qualified to effectively provide primary health care, including primary health care in homes and in ambulatory care facilities, long-term care facilities, and other health care institutions.

2. "Nurse practitioner" means a registered nurse who has successfully completed a formal program of study designed to prepare registered nurses to deliver primary health care including the ability to:

a. Assess the health status of individuals and families through health and medical history taking, physical examination, and defining of health and developmental problems;

b. Institute and provide continuity of health care to clients (patients), work with the client to insure understanding of and compliance with the therapeutic regimen within established protocols, and recognize when to refer the client to a physician or other health care provider;

c. Provide instruction and counseling to individuals, families and groups in the areas of health promotion and maintenance, including involving such persons in planning for their health care; and

d. Work in collaboration with other health care providers and agencies to provide, and where appropriate, coordinate services to individuals and families.

3. "Primary health care" means care which may be initiated by the client or provider in a variety of settings and which consists of a broad range of personal health care services including:

a. Promotion and maintenance of health;

b. Prevention of illness and disability.

c. Basic care during acute and chronic phases of illness;

d. Guidance and counseling of individuals and families; and

e. Referral to other health care providers and community resources when appropriate.

In providing such services (i) the physical, emotional, social, and economic status, as well as the cultural and environmental backgrounds of individuals, families, and communities (where applicable) are considered; (ii) the client is provided access to the health care system; and (iii) a single provider or team of providers, along with the client, is responsible for the continuing coordination and management of all aspects of basic health services needed for individual and family care.

B. *Organization and administration.* 1. A nurse practitioner training program shall have active collaboration with nurses and physicians who have expertise relevant to the nurse practitioner role and primary health care, to assist in the planning, development, and operation of such a program. In addition, where the institution or organization conducting the program is other than a school of nursing, medicine, or public health, such collaboration shall be with nurses and physicians who are affiliated with either a collegiate school of nursing, school of medicine, or school of public health.

2. Co-program directors from nursing and medicine are recommended.

C. *Student enrollment.* 1. A nurse practitioner training program shall have an enrollment of not less than eight full-time students in each class.

2. Registered nurses who have received their initial nursing preparation from a school of nursing as defined in section 853 of the Public Health Service Act and who are currently licensed to practice nursing are eligible for enrollment.

3. The policies for the recruitment and selection of students shall be consistent with the requirements of the sponsoring institution and developed in cooperation with the faculty responsible for conducting the training. Admission criteria shall take into consideration the educational background and work experience of applicants.

D. *Length of program.* A nurse practitioner training program shall be a minimum of one academic year (or nine months) in length and shall include at least four months (in the aggregate) of classroom instruction.

E. *Curriculum.* 1. A nurse practitioner training program shall be a discrete program consisting of classroom instruction and faculty-supervised clinical practice designed to teach registered nurses the knowledge and skills needed to perform the functions of a nurse practitioner specified in the definition of that term as set forth in these guidelines. The curriculum shall be developed and implemented cooperatively by nurse educators, physicians, and appropriate representatives of other health disciplines. The following are examples of broad areas of program content which should be included: Communications and interviewing (history taking); basic physical examination including basic pathophysiology; positive health maintenance; care during acute and chronic phases of illness; management of chronic illness; health teaching and counseling; role realignment and establishment of collaborative roles with physicians and other health care providers; and community resources. The program content, both classroom instruction and clinical practice, should be developed so that the nurse practitioner is prepared to provide primary health care as defined in these guidelines.

2. The curriculum may include a preceptorship, in which the student is assigned to a designated preceptor (a nurse practitioner or physician) who is responsible for teaching, supervising, and evaluating the student and for providing the student with an environment which permits observation and active participation in the delivery of primary health care. If a preceptorship is included, it shall be under the direction and supervision of the faculty.

F. *Faculty qualifications.* A nurse practitioner training program shall have a sufficient number of qualified nursing and medical (and other related professional) faculty with academic preparation and clinical expertise relevant to their areas of teaching responsibility and with demonstrated ability in the development and implementation of educational programs.

G. *Resources.* 1. A nurse practitioner training program shall have available sufficient educational and clinical resources including a variety of practice settings, particularly in ambulatory care.

2. Clinical practice facilities shall be adequate in terms of space and equipment, number of clients, diversity of client age and need for care, number of students enrolled in the program, and other students using the facility for training purposes.

3. Where the institution or organization conducting the program does not provide the clinical practice settings itself, it shall provide for such settings through written agreements with other appropriate institutions or organizations.

4. Where the institution or organization conducting the program is other than a school of nursing, medicine, or public health, it shall provide for sufficient educational expertise through written agreements with a collegiate school of nursing, school of medicine, or school of public health.

[FR Doc.76-1664 Filed 1-22-76;8:45 am]

federal register

FRIDAY, JANUARY 23, 1976

PART III:

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions and Index

DEPARTMENT OF LABOR

Employment Standards Administration

Minimum Wages for Federal and Federally Assisted Construction

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Pre-determination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

Modifications to general wage determination decisions. The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

California:	
CA75–5141; CA75–5142	Dec. 5, 1975.
CA75–5151	Jan. 5, 1975.
Connecticut:	
CT75–2113; CT75–2114	Oct. 3, 1975.
Louisiana:	
LA75–4200	Dec. 5, 1975.
New York:	
NY75–3124	Dec. 29, 1975.
Ohio:	
AR–3038	Aug. 23, 1974.
Texas:	
TX75–4088	May 16, 1975.
TX75–4165; TX–4166; TX75–4167.	Oct. 24, 1975.
TX75–4183; TX75–4184; TX75–4185; TX–4186; TX75–4187.	Nov. 7, 1975.
TX75–4188; TX75–4195; TX75–4196.	Nov. 21, 1975.
TX75–4201	Dec. 5, 1975.
TX75–4203	Dec. 19, 1975.

Supersedeas decisions to general wage determination decisions. The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State. Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

Arizona:	
AZ75–5076(AZ76–5007); AZ75–5077(AZ76–5008); AZ75–5078(AZ76–5009).	July 3, 1975.
Florida:	
AP–178(FL76–1017); AP–179(FL76–1018); AP–180 (FL76–1016).	May 4, 1973.
FL75–1075(FL76–1014)	Aug. 15, 1975
Georgia:	
AQ–4085(GA76–1015)	Apr. 8, 1974.
Idaho:	
ID75–5140(ID76–5010)	Dec. 12, 1975.
Indiana:	
AP–668(IN76–2005)	May 18, 1973.
Kansas:	
MO75–4145(MO76–4008)	Aug. 1, 1975.
Maryland:	
MD75–3100(MD76–3140)	Sept. 26, 1975.
Minnesota:	
MN75–2042(MN76–2004)	Feb. 21, 1975.
MN75–2058(MN76–2002); MN75–2059(MN76–2003).	Apr. 11, 1975.
Missouri:	
MO75–4145(MO76–4008)	Aug. 1, 1975
New York:	
AR–2097(NY76–3132)	Dec. 27, 1974.
NY75–3032(NY76–3135); NY75–3034(NY76–3138); NY75–3038(NY76–3139); NY75–3041(NY76–3124); NY75–3042(NY76–3136); NY75–3043(NY76–3131); NY75–3044(NY76–3133); NY75–3045(NY76–3137); NY75–3046(NY76–3130); NY75–3047(NY76–3125); NY75–3048(NY76–3126).	Apr. 11, 1975.
NY75–3063(NY76–3129)	June 20, 1975.
Oklahoma:	
AQ–124(OK76–4012)	June 28, 1974.
OK75–4069(OK76–4011)	Mar. 28, 1975.
Texas:	
TX75–4162(TX76–4009)	Oct. 24, 1975.
Virginia:	
MD75–3100(MD76–3140)	Sept. 26, 1975.

Cancellation of general wage determination decisions. General Wage Determination Decision No. AP–668, pertaining to Boone, Hamilton, Hancock, Hendricks, Johnson, Morgan, and Shelby Counties, Indiana only is cancelled. Agencies with residential construction projects pending in these locations should utilize the project determination procedure by submitting form SF–308. See Regulations Part 1 (29 CFR), § 1.5. Contracts for which bids have been opened shall not be affected by this notice, and consistent with 29 CFR 1.7(B)(2), the incorporation of Decision No. AP–668 in contract specifications the opening of bids for which is within ten (10) days of this notice need not be affected.

Signed at Washington, D.C., this 16th day of January 1976.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. CA75-5141 - Mod. #1					
(40 FR 57079 - December 5, 1975)					
San Diego County, California					
Change:					
Cement Masons:					
Cement Masons	$ 8.43	.75	$ 1.21	$ 1.16	.07
Color Work; Composition, Mastic or epoxy; Finishing Machine; Curb Machine	9.73	.75	1.21	1.16	.07
Electricians:					
Electricians	11.15	.70	1% +.73		.02
Cable Splicers	11.45	.70	1% +.73		.02
Marble Setters	9.64	.62	1.00	.75	
Marble & Tile Setters' Helpers	7.64	.40	.65	.75	
Painters:					
Brush; Paint burners	9.82	.74	1.10	.75	.07
Swing stage, brush; Spray; Iron, steel and bridge painter	10.07	.74	1.10	.75	.07
Paperhanger; Spray, swing stage; Sandblaster; Iron, steel and bridge, swing stage; Iron, steel and bridge, spray (ground); Riggers, Climbing steel; Brush, Climbing steel and bridge	10.32	.74	1.10	.75	.07
Sandblaster, swing stage; Iron, steel & bridge, spray swing stage; Spray, Climbing steel and bridge	10.57	.74	1.10	.75	.07
Steeplejack	11.22	.74	1.10	.75	.07
Terrazzo Workers; Tile Setters	9.64	.62	1.00	.75	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. CA75-5141 (Cont'd)					
Change:					
Power Equipment Operators: (Except Piledriving and Steel Erection)					
Group 1:	$ 9.02	.95	$ 1.75	.30	.04
Group 2:	9.29	.95	1.75	.30	.04
Group 3:	9.56	.95	1.75	.30	.04
Group 4:	9.69	.95	1.75	.30	.04
Group 5:	9.90	.95	1.75	.30	.04
Group 6:	10.00	.95	1.75	.30	.04
Group 7:	10.12	.95	1.75	.30	.04
Group 8:	10.28	.95	1.75	.30	.04
Group 9:	10.40	.95	1.75	.30	.04
Add:					
Laborers:					
Flagman	6.97	.60	1.47	.50	.13
Form man; Operators & tenders of pneumatic and electric tools, concrete pumps, vibrating machines and similar mechanical tools not separately classified herein	7.18	.60	1.47	.50	.13
Fence Erectors:					
Class 1	7.47	.60	1.47	.50	.13
Class 2	7.22	.60	1.47	.50	.13
Class 3	6.97	.60	1.47	.50	.13
Housemovers	6.965	.60	1.47	.50	.13

DECISION NO. CA75-5142 - Mod. #1 (40 FR 57[illegible] - December 5, 1975) San Diego County, California	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Cement Masons:					
Cement masons	$ 8.43	.75	$ 1.21	$ 1.16	.07
Color Workers; Composition, Mastic or Epoxy; Finishing Machine Rub machine	9.73	.75	1.21	1.16	.07
Electricians:					
Electricians	11.15	.70	1%+.73		.02
Cable Splicers	11.45	.70	1%+.73		.02
Marble Setters	9.64	.62	1.00	.75	
Marble & Tile Setters' Helpers	7.64	.40	.65	.75	
Painters:					
Brush; Paint burners	9.82	.74	1.10	.75	.07
Swing stage, brush; Spray; Iron, steel & bridge	10.07	.74	1.10	.75	.07
Paperhangers: Spray, swing stage; Sandblasters; Iron steel & bridge, swing stage; Iron steel & bridge, spray (ground); Riggers, climbing steel; Brush, climbing steel & bridge	10.32	.74	1.10	.75	.07
Sandblasters, swing stage; Iron, steel & bridge, spray swing stage; Spray, climbing steel & bridge	10.57	.74	1.10	.75	.07
Steeplejacks	11.22	.74	1.10	.75	.07
Terrazzo workers; Tile Setters	9.64	.62	1.00	.75	.07

DECISION NO. CA75-5142 (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Power Equipment Operators: (Except Piledriving and Steel Erection)					
Group 1:	$ 9.02	.95	$ 1.75	.30	.04
Group 2:	9.29	.95	1.75	.30	.04
Group 3:	9.56	.95	1.75	.30	.04
Group 4:	9.69	.95	1.75	.30	.04
Group 5:	9.90	.95	1.75	.30	.04
Group 6:	10.00	.95	1.75	.30	.04
Group 7:	10.12	.95	1.75	.30	.04
Group 8:	10.28	.95	1.75	.30	.04
Group 9:	10.40	.95	1.75	.30	.04
Add:					
Laborers:					
Flagman	6.97	.60	1.47	.50	.13
Form man; Operators & tenders of pneumatic and electric tools, concrete pumps, vibrating machines and similar mechanical tools not separately classified herein	7.18	.60	1.47	.50	.13
Fence Erectors:					
Class 1	7.47	.60	1.47	.50	.13
Class 2	7.22	.60	1.47	.50	.13
Class 3	6.97	.60	1.47	.50	.13
Housemovers	6.965	.60	1.47	.50	.13

DECISION NO. CA75-5151 - Mod. #2
(41 FR 935 - January 5, 1976)
Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Plumas, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba Counties, California

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Building and Heavy Construction - Tow Boats (Dredging): Work on self-propelled vessels (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies					
Boat Operators	$ 10.20	.66	$ 1.36	$ 1.00	

FOOTNOTES:
Four Centers designated: City Halls of Oakland, San Francisco, Sacramento and Stockton, California

Area 1 - Up to 20 road miles from said Centers.
Area 2 - More than 20 road miles to and including 30 road miles from said Centers
Area 3 - Outside of 30 road miles from said Centers.
Area 4 - An area extending 25 road miles from shoreline of Lake Tahoe.

DECISION NO. CT-2113 - Mod. #3
(40 FR 41921 - October 3, 1975)
Fairfield, Litchfield, New London & Windham Counties, Connecticut

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Changes:					
Asbestos workers: Fairfield County; Litchfield County: Barkhamsted, Bethlehem, Bridgewater, Cornwall, Goshen, Harwinton, Kent, Litchfield, Morris, New Hartford, New Milford, Plymouth, Roxbury, Sharon, Torrington, Warren, Washington, Watertown, Winchester, Woodbury, & Thomaston; New London County: Bozrah, Colchester, East Lyme, Franklin, Groton, Lebanon, Lyme, Montville, New London, Norwich, Old Lyme, Salem, Sprague, & Waterford; Windham County: Ashford, Chaplin, Eastford, Hampton, Scotland, & Windham	$10.34	.65	.96		
Ironworkers: Ornamental; Reinforcing; Structural; & Precast concrete erection	11.10	.55	.95	1	.08
Painters: Windham County: Willimantic & Windham					
Brush; Tapers	9.60	.50	.30		
Paperhangers	10.10	.50	.30		
Rigging steel, steamcleaning, sandblasting, tanks, towers, & hazardous work	10.18	.50	.30		
Spray	12.60	.50	.30		
Plumbers; Steamfitters: Fairfield County: Bethel, Brookfield, Danbury, New Fairfield, Newtown, Redding, Ridgefield, & Sherman; Litchfield County: Bridgewater, & New Milford	9.85	.75	.70	.50	.02
Steamfitters: Litchfield County: Barkhamsted, & New Hartford; Windham County: Windham	10.77	.66	.66		.13

DECISION NO. CT75-2113 Cont'd

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Omit: Laborers' schedule (Heavy & Highway Construction)					
Add: Laborers' schedule (Heavy & Highway Construction)					

LABORERS

LABORERS (Heavy and Highway Construction):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers	7.25	.50	.45		.10
Acetylene burners; Asphalt raker; Chain saw operator; Concrete & power buggy operators; Concrete saw operator; fence & guard rail erectors; Form setters; Hand operated concrete vibrator operators; Hand operated vibratory compactor operators; Mason tenders; Pipelayers; Pneumatic drill operators; Pneumatic Gas & Electric drill operators; Powdermen & wagon drill operators	7.50	.50	.45		.10
Air track operators; Block pavers; Curb setters	7.75	.50	.45		.10
Blasters	8.00	.50	.45		.10

DECISION NO. CT75-2114 - Mod. #4
(40 FR 45970 - October 3, 1975)

Hartford, Middlesex, New Haven & Tolland Counties, Connecticut	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Asbestos workers: Hartford County: Avon, Berlin, Bloomfield, Bristol, Burlington, Canton, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, Marlborough, New Britain, Newington, Plainville, Rocky Hill, Simsbury, Southington, South Windsor, West Hartford, Wethersfield, & Windsor; Middlesex County; New Haven County; & Tolland County: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Tolland, Vernon, & Willington	$10.34	.65	.96		
Ironworkers: Ornamental; Reinforcing; Structural; & Precast concrete erection	11.10	.55	.95	m	.08
Painters: Hartford County: Avon, Bloomfield, Broad Brook, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Manchester, Marlborough, Rocky Hill, Poquonock, Simsbury, South Windsor, Suffield, South Manchester, West Hartford, West Simsbury, Wethersfield, Windsor, & Windsor Locks; Tolland County: Andover, Ashford, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Rockville, Stafford, Somers, Tolland, Union, Vernon, & Willington					

DECISION NO. CT75-2114 Cont'd

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Painters:					
Brush; Tapers	$9.60	.50	.30		
Paperhangers	10.10	.50	.30		
Riding steel, steamcleaning sandblasting, tank, towers & hazardous work	10.18	.50	.30		
Spray	12.60	.50	.30		
Steamfitters:					
Hartford County: Avon, Bloomfield, Burlington, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Hartland, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, West Hartford, Wethersfield, Windsor, & Windsor Locks; Middlesex County: Chester, Cromwell, Deep River, East Haddam, East Hampton, Haddam, Maromas (Atomic River Project), Middlefield Middletown, & Portland; Tolland County: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Stafford, Storrs, Tolland, Union, Vernon, & Willington	10.77	.66	.66		.13
Omit: Laborers' schedule (Heavy and Highway Construction)					
Add: Laborers' schedule (Heavy and Highway Construction)					

DECISION NO. CT75-2114 Cont'd

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (Heavy and Highway Construction):					
Laborers	7.25	.50	.45		.10
Acetylene burners; Asphalt raker; Chain saw operator; Concrete & power buggy operators; Concrete saw operator; fence & guard rail erectors; Form setters; Hand operated concrete vibrator operators; Hand operated vibratory compactor operators; Mason tenders; Pipelayers; Pneumatic drill operators; Pneumatic Gas & Electric drill operators; Powdermen & wagon drill operators	7.50	.50	.45		.10
Air track operators; Block pavers; Curb setters	7.75	.50	.45		.10
Blasters	8.00	.50	.45		.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4200 - Mod. #4 (40 FR 57103 - December 5, 1975) Statewide Louisiana					
Change:					
Bricklayers & stonemasons:					
Zone 2	$ 7.66	.53			
Zone 9	8.45		.25		
Carpenters:					
Zone 3	8.35	.20	.20		
Zone 8	8.00	.30	.25		.03
Cement masons (Building Construction):					
Zone 8	7.17		.25		
Electricians:					
Electricians:					
Zone 6	9.05	.45	1%		1/2%
Cable splicers:					
Zone 6	9.55	.45	1%		1/2%
Glaziers:					
Zone 4	7.43				
Marble setters:					
Zone 4	7.42		.25		
Millwrights:					
Zone 6	8.50	.30	.25		.03
Zone 9	10.00	.20	.20		
Painters:					
Zone 4:					
Group 1	6.85				
Group 2	7.22				
Zone 5:					
Group 1	6.50				
Group 2	7.10				
Group 3	8.05				
Group 4	7.50				
Zone 6:					
Group 1	6.70				
Group 2	7.20				
Group 3	7.70				
Zone 7:					
Group 1	8.25				
Group 2	8.50				
Group 3	8.75				
Group 4	8.85				

DECISION #IA75-4200 (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Painters (cont'd):					
Zone 8:					
Group 1	$ 6.55				
Group 2	7.55				
Group 3	7.05				
Piledrivermen:					
Zone 1	8.65	.20	.20		
Zone 6	8.25	.30	.25		.03
Plasterers:					
Zone 8	8.45		.25		
Plumbers & pipefitters:					
Zone 4	8.29	.35	.55		.02
Roofers:					
Zone 3:					
Roofers	7.16	.35	.40		.04
Roofers' helpers	4.94	.35	.40		.04
Sheet metal workers:					
Zone 4	8.45	3%+.40	.25		.05
Soft floor layers:					
Zone 4	8.35	.20	.20		
Zone 6	8.00	.30	.25		.03
Terrazzo workers:					
Zone 4	7.42		.25		
Tile setters:					
Zone 4	7.42		.25		
Decision No. NY75-3124-Mod. #1 (40 FR59681-December 29 1975) Albany County, New York					
ADD:					
Sandblasters	$9.07		.12		
DECISION #AR-3038 - Mod. #2 (39 FR 30784 - August 23, 1974) Hamilton & Clermont Counties, Ohio					
Change:					
Electricians					
Zone I					
Up to 18 mi.	$10.80	.60	1%+.30		.5%
Zone II					
18 mi. to 21 mi.	11.10	.60	1%+.30		.5%
Zone III					
21 mi. to 25 mi.	11.20	.60	1%+.30		.5%
Zone IV					
Over 25 mi.	11.35	.60	1%+.30		.5%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4088 - Mod. #3 (40 FR 21677 - May 16, 1975) Tom Green County, Texas					
Change:					
Carpenters	$ 7.05				.02
Ironworkers:					
Ironworkers	7.73	.55	.70		.10
On jobs 30 miles or more from the city of San Angelo	7.855	.55	.70		.10
DECISION #TX75-4165 - Mod. #3 (40 FR 49965 - October 24, 1975) Bowie County, Texas					
Change:					
Carpenters:					
Carpenters	7.20				.01
Millwrights	9.10				.04
Piledrivermen	7.80				.01
Plumbers & pipefitters	9.40		.50		.05
Soft floor layers	7.20				.01
DECISION #TX75-4166 - Mod. #4 (40 FR 49967 - October 24, 1975) Brazos County, Texas					
Change:					
Plasterers	9.00	.42	.30		.02
Line Construction:					
Linemen & cable splicers	10.22	.40	1%		1/2%
Groundman	5.94	.40	1%		1/2%
Groundman (1st year)	4.30	.40	1%		1/2%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4167 - Mod. #3 (40 FR 49958 - October 24, 1975) Cameron, Hidalgo, Starr & Willacy Counties, Texas					
Change:					
Asbestos workers	$ 8.44	.35	.50		
DECISION #TX75-4183 - Mod. #4 (40 FR 52271 - November 7, 1975) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas					
Change:					
Asbestos workers	9.50	.35	.30		.02
Lathers	8.55				.01
Line Construction:					
Zone 2:					
Lineman; Operator	10.26		1%		1/2%
Cable splicer	11.29		1%		1/2%
Groundman, 1st 6 months	6.16		1%		1/2%
Groundman, 2nd 6 months	6.67		1%		1/2%
Groundman, 1 year & over	7.18		1%		1/2%
Plasterers	8.55				.01
Sheet metal workers	9.15	.35	.20		.10
DECISION #TX75-4184 - Mod. #1 (40 FR 52273 - November 7, 1975) Howard County, Texas					
Change:					
Ironworkers, structural & ornamental	7.73	.55	.70		.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4185 - Mod. #3					
(40 FR 52275 - November 7, 1975)					
Kleberg & Nueces Counties, Texas					
Change:					
Asbestos workers	$ 8.44	.35	.50		
Electricians:					
Electricians	8.45	.35	1%		1/2%
Cable splicers	8.575	.35	1%		1/2%
Laborers:					
Group 1	4.35	.28	.10		
Group 2	4.55	.28	.10		
Group 3	4.70	.28	.10		
Group 4	4.80	.28	.10		
Lathers	7.75	.30	.20	1.00	.01
Painters:					
Brush	6.83	.25	.25		2/10%
Spray	7.23	.25	.25		2/10%
Sign	7.08	.25	.25		2/10%
DECISION #TX75-4186 - Mod. #2					
(40 FR 52277 - November 7, 1975)					
Lubbock County, Texas					
Change:					
Asbestos workers	9.50	.35	.30		.02
Carpenters	7.55	.30	.40		.01
Ironworkers:					
Structural; Ornamental; Reinforcing	7.73	.55	.70		.10
All ironworkers on jobs 30 miles or more from the city of Lubbock	7.855	.55	.70		.10
Laborers:					
Group 1	4.425	.275	.20		
Group 2	4.70	.275	.20		
Group 3	4.625	.275	.20		
Group 4	4.775	.275	.20		
Group 5	5.025	.275	.20		
Sheet metal workers	9.15	.35	.20		.10
Power Equipment Operators:					
Group 1	6.40	.30	.50		.10
Group 2	7.30	.30	.50		.10
Group 3	7.70	.30	.50		.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4187 - Mod. #2					
(40 FR 52279 - November 7, 1975)					
Travis County, Texas					
Change:					
Glaziers	$ 7.06		.20		.01
Painters:					
Brush; Taping & floating of sheetrock	7.25				
Paperhangers; Chipper, burner, torch; Skeleton steelwork erected	7.30				
Spray; Steam cleaning, sand blast & other powered equipment	7.75				
DECISION #TX75-4188 - Mod. #3					
(40 FR 54390 - November 21, 1975)					
Wichita County, Texas					
Change:					
Bricklayers & stonemasons	8.99		.30		.05
Carpenters:					
Carpenters	8.30	.30	.40		.07
Ironworkers:					
Structural; Ornamental; Reinforcing	7.73	.55	.70		.10
Ironworkers on jobs 30 miles or more from the city of Wichita Falls	7.855	.55	.70		.10
Laborers:					
Group 1	4.525	.275	.20		
Group 2	4.65	.275	.20		
Group 3	4.775	.275	.20		
Group 4	4.775	.275	.20		
Group 5	5.025	.275	.20		

DECISION #TX75-4188 (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Line Construction:					
Lineman; Lineman operator	$10.26		1%		1/2%
Cable splicer	11.29		1%		1/2%
Groundman, 1st 6 months	6.16		1%		1/2%
Groundman, 2nd 6 months	6.67		1%		1/2%
Groundman, 1 year & over	7.18		1%		1/2%
Plasterers	9.07				.01
Sheet metal workers	8.97				.03
Power Equipment Operators:					
Group 1	6.40	.30	.50		.10
Group 2	7.30	.30	.50		.10
Group 3	7.70	.30	.50		.10
DECISION #TX75-4195 - Mod. #2					
(40 FR 54413 - November 21, 1975)					
Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties, Texas					
Change:					
Carpenters:					
Zone 1:					
Carpenters	$ 8.625	.30	.30		.005
Millwrights	9.025	.30	.30		.005
Piledrivermen	9.125	.30	.30		.005
Ironworkers	7.925	.55	.60		.06
Line construction:					
Linemen; Linemen operators	10.26		1%		1/2%
Cable splicer	11.29		1%		1/2%
Groundman, 1st 6 months	6.16		1%		1/2%
Groundman, 2nd 6 months	6.67		1%		1/2%
Groundman, 1 year & over	7.18		1%		1/2%
Plumbers & steamfitters	8.78	.38	.90		.10
DECISION #TX75-4196 - Mod. #2					
(40 FR 54417 - November 21, 1975)					
Bexar County, Texas					
Omit:					
Line construction:					
Cable splicers	9.90	.28	1%		1/2%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4201 - Mod. #2					
(40 FR 57139 - December 5, 1975)					
Jefferson & Orange Counties, Texas					
Change:					
Cement masons	$ 8.40				
Ironworkers	8.25	.55	.70		.10
Line construction:					
Linemen	9.885	.40	1%		1/2%
Groundmen	7.22	.40	1%		1/2%
Plasterers	9.00	.42	.30		.02
DECISION #TX75-4203 - Mod. #1					
(40 FR 59180 - December 19, 1975)					
Galveston & Harris Counties, Texas					
Change:					
Line construction:					
Lineman & cable splicer	$10.29	.40	1%		1/2%
Groundmen	5.94	.40	1%		1/2%
Groundmen (1st year)	4.30	.40	1%		1/2%
Plasterers	9.00	.42	.30		.02

SUPERSEDEAS DECISION

STATE: Arizona COUNTY: Statewide
DECISION NUMBER: AZ76-5007 DATE: Date of Publication
Supersedes Decision No. AZ75-5076 dated July 3, 1975, in 40 FR 28313.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 10.44	.50	.97		.01
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS: (Phoenix Area)					
Bricklayers; Manhole Builders; Stonemasons:					
Zone A (0-25 miles from the City Hall in Phoenix; Flagstaff and Yuma)	10.05	.65	.60		.06
Zone B (25-40 miles from the City Hall in Phoenix; and Williams AFB)	10.55	.65	.60		.06
Zone C (40-70 miles from the City Hall in Phoenix)	11.56	.65	.60		.06
Zone D (70-100 miles from the City Hall in Phoenix)	12.06	.65	.60		.06
Zone E (100-200 miles from the City Hall in Phoenix)	12.56	.65	.60		.06
Zone F (200 miles and over from the City Hall in Phoenix)	13.07	.65	.60		.06
BRICKLAYERS: (Tucson Area)					
Bricklayers; Stonemasons:					
Zone A (0-15 miles from Tucson City limits)	9.965	.70	.75		.06
Zone B (Over 15 miles to 30 miles from Tucson City limits)	10.34	.70	.75		.06
Zone C (Over 30 miles to 40 miles from Tucson City limits)	10.715	.70	.75		.06
Zone D (Over 40 miles from Tucson City limits)	11.465	.70	.75		.06
Manhole Builders:					
Zone A (0-15 miles from Tucson City limits)	10.215	.70	.75		.06
Zone B (Over 15 miles to 30 miles from Tucson City limits)	10.59	.70	.75		.06
Zone C (Over 30 miles to 40 miles from Tucson City limits)	10.965	.70	.75		.06
Zone D (Over 40 miles from Tucson City limits)	11.715	.70	.75		.06

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS:					
(Central and Southern Areas):					
Carpenters; Drywall Applicator; Saw Filer; Shingler	$9.085	.845	.955		.05
Floorlayers (finish); Pile-drivermen	9.37	.845	.955		.05
Millwrights	9.50	.845	.955		.05
(Northern Area)					
Carpenters; Drywall Applicator; Saw Filer; Shingler	10.96	.845	.955		.05
Floorlayers (finish); Pile-drivermen	11.245	.845	.955		.05
Millwrights	11.375	.845	.955		.05
CEMENT MASONS:					
(Apache, Coconino, Gila, Mohave, Navajo, Yavapai, Yuma and the Northern portions of Graham, Greenlee, Maricopa and Pinal Counties)					
(Central and Southern Areas)					
Cement Masons	9.01	.75	1.00		.05
Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine	9.17	.75	1.00		.05
(Northern Area)					
Cement Masons	10.885	.75	1.00		.05
Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine	11.045	.75	1.00		.05
CEMENT MASONS:					
(Cochise, Pima, Santa Cruz and the southern portions of Graham, Greenlee, Maricopa and Pinal Counties)					
(Central and Southern Areas)					
Cement Masons	9.32	.70	.75		.05
Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine	9.485	.70	.75		.05
DRYWALL:					
(From Court House in Phoenix, Mesa, including Luke and Williams Air Force Bases)					
Tapers:					
Zone A (0-40 miles)	9.51	.59		.50	.07
Zone B (41-60 miles)	11.01	.59		.50	.07

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
DRYWALL: Tapers (Cont'd)					
Zone C (61 miles and over)	11.76	.59		.50	.07
Texture Spraymen:					
Zone A (0-40 miles)	9.61	.59		.50	.07
Zone B (41-60 miles)	11.11	.59		.50	.07
Zone C (61 miles and over)	11.86	.59		.50	.07
ELECTRICIANS: (Flagstaff Area)					
Zone A (In the City of Flagstaff, that area lying in a square extending 20 miles North-South, East and West of the Post Office) (Williams, Winslow and Sedona covering a square extending 5 miles North-South, East and West of the Post Office in each town)					
Electricians	11.85	.80	1%+.70		1/2%
Cable Splicers	12.05	.80	1%+.70		1/2%
Zone B (All territorial jurisdiction allotted outside of Zone A)					
Electricians	13.85	.80	1%+.70		1/2%
Cable Splicers	14.05	.80	1%+.70		1/2%
ELECTRICIANS: (Gallup Area-Northern Apache County)					
Electricians	11.04	.40	1%		1/2%
Cable Splicers	11.96	.40	1%		1/2%
ELECTRICIANS: (Globe-Miami Area)					
Zone A (The area within 16 road miles beginning where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing)					
Electricians	11.88	.45	7%		1/2%
Cable Splicers	12.13	.45	7%		1/2%
Zone B (16-28 miles)					
Electricians	12.58	.45	7%		1/2%
Cable Splicers	12.83	.45	7%		1/2%
Zone C (28-46 miles)					
Electricians	13.18	.45	7%		1/2%
Cable Splicers	13.43	.45	7%		1/2%
Zone D (46 miles and over)					
Electricians	13.88	.45	7%		1/2%
Cable Splicers	14.13	.45	7%		1/2%

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
ELECTRICIANS: (Phoenix-Kingman-Prescott Area)					
Zone A (Beginning at the northeast corner, a line extending southward on Bush Highway to McKellips Road; a line extending east on McKellips Road to a point one mile east of the intersection of State Highway 88 and U. S. 60 and 70 near Apache Junction; southward to Baseline Road; west on Baseline Road to the intersection of Baseline Road and Ellsworth Road; south on Ellsworth Road to Hunt Highway; west on Hunt Highway to Powers Road; a line extending south on Powers Road five miles, then extending straight west to a point five miles west of Interstate 10, then northwest on a line parallel with Interstate 10 to intersect with Pecos Road, west on Pecos Road to intersect with Cotton Lane, North on Cotton Lane to Beloat Road. West on Beloat Road to Airport Road. North on Airport Road in a straight line to intersect Waddell Road. East on Waddell Road to intersect with Cotton Lane, North on Cotton Lane to Deer Valley Drive and east on Deer Valley Drive to intersect with Bush Highway including Luke and Williams Air Force Bases.)					
Electricians	$ 11.80	.80	1%+.70		1/2%
Cable Splicers	12.39	.80	1%+.70		1/2%

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS: (Cont'd)					
Zone B (Area outside of Zone A and bounded by a line formed by measuring sixteen (16) road miles from the outer boundaries of an area enclosed by the following boundaries: Powers Road on the east, from Hunt Highway on the south to one mile south of Pinnacle Peak Road on the north. One mile south of Pinnacle Peak Road to Cotton Lane on the west. Cotton Lane to Pecos Road on the South. Pecos Road to Price Road and from Price Road to Hunt Highway on the south. Hunt Highway to Powers Road on the east)					
Electricians	$ 13.87	.80	1%+.70		3/4%
Cable Splicers	14.56	.80	1%+.70		3/4%
Zone C (Outside edge of Zone B and extended to the outside limits of the union's jurisdiction.)					
Electricians	14.93	.80	1%+.70		3/4%
Cable Splicers	15.67	.80	1%+.70		3/4%
ELECTRICIANS: (Tucson Area)					
Zone A (Area within 16 road miles from the City Hall in Tucson and Douglas. Nogales and Sierra Vista shall be limited to 16 road miles from the center of the respective towns):					
Electricians	11.88	.45	7%		1/2%
Cable Splicers	12.13	.45	7%		1/2%

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS: (Cont'd)					
Zone B (Area from the outer limits of the 16 mile radius and extend up to and including 12 road miles)					
Electricians	$ 12.58	.45	7%		1/2%
Cable Splicers	12.83	.45	7%		1/2%
Zone C (Area from 12 road miles up to and including 30 road miles)					
Electricians	13.18	.45	7%		1/2%
Cable Splicers	13.43	.45	7%		1/2%
Zone D (Area from 30 road mile and extend to the outside limits of the units jurisdiction)					
Electricians	13.88	.45	7%		1/2%
Cable Splicers	14.13	.45	7%		1/2%
ELECTRICIANS: (Yuma Area)					
Zone A (Yuma North to Colorado River, East to County Avenue 5E, South to County 16th Street, and West to County Avenue E; Cities of Somerton and Parker)					
Electricians	11.88	.45	7%		1%
Cable Splicers	12.13	.45	7%		1%
Zone B (1-16 miles from Zone A)					
Electricians	12.58	.45	7%		1%
Cable Splicers	12.83	.45	7%		1%
Zone C (16-42 miles from Zone A)					
Electricians	13.18	.45	7%		1%
Cable Splicers	13.43	.45	7%		1%
Zone D (42 miles from Zone A and out)					
Electricians	13.88	.45	7%		1%
Cable Splicers	14.13	.45	7%		1%
ELEVATOR CONSTRUCTORS	9.255	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				

DECISION NO. AZ75-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GLAZIERS:					
(Statewide except the Northern and Central parts of Apache, Coconino, Mohave and Navajo and the Northern half of Yavapai County)	$ 8.15	.35	.30	.56	.01
IRONWORKERS:					
(Central and Southern Area)	10.54	$1.03	$1.65		.08
(Northern Area)	12.54	1.03	1.65		.08
PAINTERS: (Flagstaff Area)					
Zone A (From Flagstaff Court House to 20 miles)					
Brush; Glaziers; Soft Floor Layers	9.01	.60	.50	.50	.14
Brush, steel and bridge	9.51	.60	.50	.50	.14
Spray	9.46	.60	.50	.50	.14
Spray, steel and bridge	10.01	.60	.50	.50	.14
Zone B (20-35 miles from Court House in Flagstaff)					
Brush; Glaziers; Soft Floor Layers	9.76	.60	.50	.50	.14
Brush, steel and bridge	10.26	.60	.50	.50	.14
Spray	10.21	.60	.50	.50	.14
Spray, steel and bridge	10.76	.60	.50	.50	.14
Zone C (35-80 miles from Court House in Flagstaff)					
Brush; Glaziers; Soft Floor Layers	10.76	.60	.50	.50	.14
Brush, steel and bridge	11.26	.60	.50	.50	.14
Spray	11.21	.60	.50	.50	.14
Spray, steel and bridge	11.76	.60	.50	.50	.14
Zone D (80 miles and over from Court House in Flagstaff)					
Brush; Glaziers; Soft Floor Layers	11.01	.60	.50	.50	.14
Brush, steel and bridge	11.51	.60	.50	.50	.14
Spray	11.46	.60	.50	.50	.14
Spray, steel and bridge	12.01	.60	.50	.50	.14
PAINTERS: (Phoenix Area)					
Zone A (0-40 miles from Court House in Phoenix, Mesa and including Luke and Williams Air Force Bases):					
Brush	8.10	.57	.38	.50	.05
Spray	8.35	.57	.38	.50	.05

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Phoenix Area)(Cont'd)					
Steel and bridge, brush	$8.45	.57	.38	.50	.05
Steel and bridge, spray	8.65	.57	.38	.50	.05
Zone B (41-60 miles from Court House in Phoenix):					
Brush	9.10	.57	.38	.50	.05
Spray	9.35	.57	.38	.50	.05
Steel and bridge, brush	9.45	.57	.38	.50	.05
Steel and bridge, spray	9.65	.57	.38	.50	.05
Zone C (60 miles and over from Court House in Phoenix):					
Brush	9.60	.57	.38	.50	.05
Spray	9.85	.57	.38	.50	.05
Steel and bridge, brush	9.95	.57	.38	.50	.05
Steel and bridge, spray	10.15	.57	.38	.50	.05
PAINTERS: (Tucson and Yuma Areas)					
Zone A (0-30 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma)					
Brush	7.73	.57	.35		.04
Spray	8.23	.57	.35		.04
Steel and bridge, brush	8.73	.57	.35		.04
Steel and bridge, spray	9.23	.57	.35		.04
Zone B (31-40 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma)					
Brush	8.48	.57	.35		.04
Spray	8.98	.57	.35		.04
Steel and bridge, brush	9.48	.57	.35		.04
Steel and bridge, spray	9.98	.57	.35		.04
Zone C (41-50 miles from Stone and Congress in Tucson and from the County Courthouse in Yuma)					
Brush	9.23	.57	.35		.04
Spray	9.73	.57	.35		.04
Steel and bridge, brush	10.25	.57	.35		.04
Steel and bridge, spray	10.73	.57	.35		.04

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Cont'd)					
Zone D (51 miles and over from Stone and Congress in Tucson and from the County Courthouse in Yuma)					
Brush	$ 9.73	.57	$ .35		.04
Spray	10.23	.57	.35		.04
Steel and bridge, brush	10.73	.57	.35		.04
Steel and bridge, spray	11.23	.57	.35		.04
PLASTERERS (Phoenix Area):					
Zone A (0-35 miles from Phoenix)	9.045	.60	.85		.035
Zone B (35-60 miles from Phoenix)	9.795	.60	.85		.035
Zone C (60 miles and over from Phoenix)	10.67	.60	.85		.035
PLASTERERS (Tucson Area):					
Zone A (0-30 miles from Tucson)	8.57	.35	.60		
Zone B (30-40 miles from Tucson)	9.07	.35	.60		
Zone C (40-50 miles from Tucson)	9.32	.35	.60		
Zone D (Over 50 miles from Tucson)	10.07	.35	.60		
PLUMBERS; Steamfitters:					
FREE ZONE 0-15 miles					
The "Free Zone" (Zone I) shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the city limits of Phoenix, Chandler Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow, and Holbrook will be included as Free Zones. Any work contracted for outside of these Zones will be determined from the Phoenix and Tucson basing points.					
Zone I (0-15 miles)	11.14	.75	1.35		.10
Zone II (15-30 miles)	11.49	.75	1.35		.10
Zone III (30-40 miles)	11.91	.75	1.35		.10
Zone IV (40 miles and over)	13.21	.75	1.35		.10

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS (Tucson Area):					
Asbestos; Shinglers; Tile and Waterproofing:					
Zone A (0-44 miles from Tucson)	$7.47	.65	.20		.03
Zone B (Over 44 miles from Tucson)	9.22	.65	.20		.02
ROOFERS (Phoenix Area):					
Roofers and Waterproofers	8.91	.845	.20		.02
SHEET METAL WORKERS:					
Zone Bases - from the Administration Building or City Hall in Flagstaff, Holbrook, Phoenix, Prescott and Yuma):					
Zone I (0-25 miles)	9.43	.40	.56		.02
Zone II (25-50 miles)	10.08	.40	.56		.02
Zone III (50 miles and over)	11.93	.40	.56		.02
SHEET METAL WORKERS:					
Zone Bases - from the Administration Building or City Hall in Douglas and Tucson:					
Zone A (1-17 miles)	9.17	.83	$1.60		.01
Zone B (18-28 miles)	9.67	.83	1.60		.01
Zone C (29-40 miles)	10.67	.83	1.60		.01
Zone D (41 miles and over)	11.67	.83	1.60		.01
SOFT FLOOR LAYERS (Phoenix Area):					
Zone A (0-40 miles from Court House in Phoenix and Flagstaff including Luke and Williams Air Force Bases)	7.85	.49	.12		.12
Zone B (41-60 miles from Court House in Phoenix and Flagstaff)	8.85	.49	.12		.12
Zone C (61 miles and over from Court House in Phoenix and Flagstaff)	9.85	.49	.12		.12
SOFT FLOOR LAYERS (Tucson Area):	7.25	.38			
SPRINKLER FITTERS	11.15	.50	.80		.08
TERRAZZO WORKERS; Tile Setters; Marble Masons (Tucson Area)	8.77	.60	.60		
TERRAZZO, TILE and MARBLE SETTERS' HELPERS (Tucson Area)	6.51	.70			

DECISION NO. AZ76-5007

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINE CONSTRUCTION:					
Zone I (Phoenix and Tucson 30 mile radius from center of town):					
Groundmen	$ 8.62	8%	8%		1/2%
Equipment Operators; Powdermen; Mechanics	9.95	8%	8%		1/2%
Linemen; Technicians; Crane Operators; Linemen Welder	11.23	8%	8%		1/2%
Cable Splicers	11.59	8%	8%		1/2%
Zone I-A (Douglas, Flagstaff, Globe, Kingman, Prescott and Yuma 10 mile radius from center of town):					
Groundmen	9.36	8%	8%		1/2%
Equipment Operators; Powdermen; Mechanics	10.64	8%	8%		1/2%
Linemen; Technicians; Crane Operators; Linemen Welder	11.96	8%	8%		1/2%
Cable Splicers	12.39	8%	8%		1/2%
Zone II (Other Areas):					
Groundmen	10.06	8%	8%		1/2%
Equipment Operators; Powdermen; Mechanics	11.34	8%	8%		1/2%
Linemen; Technicians; Crane Operators; Linemen Welder	12.68	8%	8%		1/2%
Cable Splicers	13.06	8%	8%		1/2%

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

DECISION NO. AZ76-5007

LABORERS	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	App. Tr.
	C&S AREAS	N AREA				
Group 1:	$7.13	$8.775	.70	.75		.08
Group 2:	7.26	8.885	.70	.75		.08
Group 3:	7.40	9.025	.70	.75		.08
Group 4:	7.51	9.135	.70	.75		.08
Group 5:	7.68	9.305	.70	.75		.08
Group 6:	8.055	9.68	.70	.75		.08
Group 7:	8.685	10.31	.70	.75		.08
Group 8:	7.875		.70	.75		.08
Group 8A:	8.28		.70	.75		.08
LABORERS (Tunnel and Shaft Work)						
Group 1:	7.375	9.00	.70	.75		.08
Group 2:	7.54	9.165	.70	.75		.08
Group 3:	7.67	9.295	.70	.75		.08
Group 4:	7.80	9.425	.70	.75		.08
Group 4A:	8.03	9.655	.70	.75		.08
Group 5:	8.205	9.83	.70	.75		.08
Group 5A:	8.455	10.08	.70	.75		.08
POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)						
Group 1:	7.77	9.395	.75	.80		.04
Group 2:	8.14	9.765	.75	.80		.04
Group 3:	8.60	10.225	.75	.80		.04
Group 4:	9.13	10.755	.75	.80		.04
Group 5:	9.66	11.285	.75	.80		.04
Group 5A:	9.97	11.595	.75	.80		.04
Group 6:	10.30	11.925	.75	.80		.04
Group 7:	10.90	12.525	.75	.80		.04
TRUCK DRIVERS						
Group 1:	7.31	8.935	.70	.75		.04
Group 2:	7.44	9.065	.70	.75		.04
Group 3:	7.66	9.285	.70	.75		.04
Group 4:	8.01	9.635	.70	.75		.04
Group 5:	8.17	9.795	.70	.75		.04
Group 5A:	8.35	9.975	.70	.75		.04
Group 6:	8.49	10.115	.70	.75		.04
Group 7:	8.90	10.525	.70	.75		.04
Group 8:	9.415	11.04	.70	.75		.04
Group 8A:	10.07	11.695	.70	.75		.04
Group 8B:	7.87	9.495	.70	.75		.04
Group 8C:	9.76	11.385	.70	.75		.04

LABORERS

Group 1: All Helpers Not Herein Separately Classified; Cesspool diggers and installers; Chat box man; Checker, tool dispatcher; Concrete dump manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer

Group 2: Cement Finisher Tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy; Lazer beam operator

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spikers and wrenchers

Group 4: Cement Dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders - concrete; Hydraulic jacks, and similar mechanical tools not separately herein classified; Operators and tenders of pneumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and Water Wash-Out Nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'ns chair or safety belt); Tampers (mechanical-all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping

Group 8: Mason Tenders

Group 8A: Plaster Tenders

LABORERS (Cont'd)
(TUNNEL and SHAFT WORKERS)

Group 1: Bull Gang, Muckers, Trackman; Dumpmen; Concrete crew (includes rodders and spreaders); Grout crew; Swamper (brakeman and switchmen on tunnel work)

Group 2: Nipper; Chucktender, Cabletender, Vibratorman, Jackhammer, Pneumatic tools (except driller)

Group 3: Grout Gunman

Group 4: Timberman, Retimberman - wood or steel blaster, driller powderman; Cherry pickerman; Powderman - primer house; Steel form raiser and setter; Kemper and other pneumatic concrete placer operator; Miner - finisher

Group 4A: Miners - Tunnel (hand or machine)

Group 5: Diamond Drill

Group 5A: Shaft and Raise Miner Welder

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment servicemen helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyor operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskey hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator; Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Beltcrete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher,

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tireman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock truck (i.e. Dart, Euclid and other similar type end dumps, single unit) less than 16 c. y.))

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types, Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Ejectalls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

STATE: Arizona
COUNTY: Maricopa
DECISION NUMBER: AZ76-5008
DATE: Date of Publication
Supersedes Decision No. AZ75-5077 dated July 3, 1975, in 40 FR 28322
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.44	.50	.97		.01
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Zone A (0-25 miles from City Hall of Phoenix; Flagstaff and Yuma)	10.05	.65	.60		.06
Zone B (25-40 miles from City Hall of Phoenix; and Williams AFB)	10.55	.65	.60		.06
Zone C (40-70 miles from City Hall of Phoenix)	11.56	.65	.60		.06
Zone D (70-100 miles from City Hall of Phoenix)	12.06	.65	.60		.06
Zone E (100-200 miles from City Hall of Phoenix)	12.56	.65	.60		.06
Zone F (200 miles and over from City Hall of Phoenix)	13.07	.65	.60		.06
CARPENTERS:					
Carpenters; Drywall Applicator	9.085	.845	.955		.05
Piledrivermen; Floorlayers (finish)	9.37	.845	.955		.05
Millwrights	9.50	.845	.955		.05
CEMENT MASONS:					
(Northern portion)	9.01	.75	1.00		.05
(Southern portion)	9.32	.70	.75		.05
DRYWALL:					
(From Court House in Phoenix, Mesa, including Williams AFB and Luke AFB)					
Tapers:					
Zone A (0-40 miles)	9.51	.59		.50	.07
Zone B (41-60 miles)	11.01	.59		.50	.07
Zone C (61 miles and over)	11.76	.59		.50	.07
Texture Spraymen:					
Zone A (0-40 miles)	9.61	.59		.50	.07
Zone B (41-60 miles)	11.11	.59		.50	.07
Zone C (51 miles and over)	11.86	.59		.50	.07

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELECTRICIANS:					
Zone A (Beginning at the northeast corner, a line extending southward on Bush Highway to McKellips Road; a line extending east on McKellips Road to a point one mile east of the intersection of State Highway 88 and U. S. 60 and 70 near Apache Junction; southward to Baseline Road; West on Baseline Road to the intersection Baseline Road and Ellsworth Road; south on Ellsworth Road to Hunt Highway; west on Hunt Highway to Powers Road; a line extending south on Powers Road five miles, then extending straight west to a point five miles west of Interstate 10, then northwest on a line parallel with Interstate 10 to intersect with Pecos Road, west on Pecos Road to intersect with Cotton Lane. North on Cotton Lane to Beloat Road. West on Beloat Road to Airport Road. North on Airport Road in a straight line to intersect Waddell Road. East on Waddell Road to intersect with Cotton Lane. North on Cotton Lane to Deer Valley Drive and east on Deer Valley Drive to intersection with Bush Highway and including Luke and Williams Air Force Bases.)					
Electricians	$ 11.80	.80	1% + .70		1/2%
Cable Splicers	12.39	.80	1% + .70		1/2%

DECISION NO. AZ76-5008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Zone B (Area outside of Zone A and bounded by a line formed by measuring sixteen (16) road miles from the outer boundaries of an area enclosed by the following boundaries: Power Road on the east from Hunt Highway on the south to one mile south of Pinnacle Peak Road on the north. One mile south of Pinnacle Peak Road to Cotton Lane on the west. Cotton Lane to Pecos Road on the south. Pecos Road to Price Road and from Price Road to Hunt Highway on the south. Hunt Highway to Powers Road on the east.)					
Electricians	$13.87	.80	1%+.70		3/4%
Cable Splicers	14.56	.80	1%+.70		3/4%
Zone C (Outside edge of Zone B and extend to the outside limits of the Union's Jurisdiction.)					
Electricians	14.93	.60	1%+.70		3/4%
Cable Splicers	15.67	.60	1%+.70		3/5$
ELEVATOR CONSTRUCTORS	9.255	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.15	.35	.30	.56	.01
IRONWORKERS	10.54	1.03	1.65		.08

DECISION NO. AZ76-5008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS:					
Zone A (0-40 miles from Court House in Phoenix, Mesa and including Luke and Williams Air Force Bases):					
Brush; Tapers	$ 8.10	.57	.38	.50	.05
Spray; Paperhangers	8.35	.57	.38	.50	.05
Zone B (41-60 miles from Court House in Phoenix):					
Brush; Tapers	9.10	.57	.38	.50	.05
Spray; Paperhangers	9.35	.57	.38	.50	.05
Zone C (61 miles and over from Court House in Phoenix):					
Brush; Tapers	9.60	.57	.38	.50	.05
Spray; Paperhangers	9.85	.57	.38	.50	.05
PLASTERERS (Northern 3/4 of Co.):					
Zone A (0-35 miles from Phoenix)	9.045	.60	.85		.035
Zone B (35-60 miles from Phoenix)	9.795	.60	.85		.035
Zone C (60 miles & over from Phoenix)	10.67	.60	.85		.035
PLASTERERS (Southern 1/4 of Co.):					
Zone A (0-30 miles from Tucson)	8.57	.35	.60		
Zone B (30-40 miles from Tucson)	9.07	.35	.60		
Zone C (40-50 miles from Tucson)	9.32	.35	.60		
Zone D (over 50 miles from Tucson)	10.07	.35	.60		
PLUMBERS; Steamfitters;					
FREE ZONE 0-15 miles					
The "Free Zone" (Zone I shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the City limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow and Holbrook will be included as Free Zones. Any work contracted for outside of these Zones will be determined from the Phoenix and Tucson basing points	11.14	.75	1.35		.10

DECISION NO. AZ76-5008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS; Steamfitters (Cont'd)					
Zone II (15-30 miles)	$ 11.49	.75	1.35		.10
Zone III (30-40 miles)	11.91	.75	1.35		.10
Zone IV (40 miles and over)	13.21	.75	1.35		.10
Plumbers: (Phoenix Area) Utility Mechanics (For installation of metallic or non-metallic piping or conduits used in water mains, storm sewers, sanitary sewers, invasion piping and culvert piping) (Installation of gas distribution piping for Public Utility Companies); Lawn Sprinkler Mechanics (Pipe layers fountain and equipment installation, service and maintenance landscaping and nurseryman); Swimming Pool Mechanics (Swimming pool piping of any mode or method or material service and repair, pipe excavation, installation of equipment); Residential Plumbing Service Work including repair and service of the plumbing in single family dwellings and multiple single family dwellings; Refrigeration and Air Conditioning Mechanics (Installation, service, maintenance and repair of air conditioning, refrigeration of 5 ton and under on single-family dwellings and multiple single family dwellings and heating systems)	6.73	.65			.02

DECISION NO. AZ76-5008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS	$ 8.91	.845	.20		.02
SHEET METAL WORKERS:					
Zone I (0-25 miles from Phoenix)	9.43	.40	.56		.02
Zone II (25-50 miles from Phoenix)	10.08	.40	.56		.02
Zone III (50 miles and over from Phoenix)	11.93	.40	.56		.02
SOFT FLOOR LAYERS:					
Zone A (0-40 miles from Court House in Phoenix, and including Luke and Williams Air Force Bases)	7.85	.49	.12		.12
Zone B (41-60 miles from Court House in Phoenix)	8.85	.49	.12		.12
Zone C (61 miles and over)	9.85	.49	.12		.12
SPRINKLER FITTERS	11.15	.50	.80		.08

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO AZ76-5008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS					
Group 1:	$7.13	.70	.75		.08
Group 2:	7.26	.70	.75		.08
Group 3:	7.40	.70	.75		.08
Group 4:	7.51	.70	.75		.08
Group 5:	7.68	.70	.75		.08
Group 6:	8.055	.70	.75		.08
Group 7:	8.685	.70	.75		.08
Group 8:	7.875	.70	.75		.08
Group 8-A:	8.28	.70	.75		.08
POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)					
Group 1:	7.77	.75	.80		.04
Group 2:	8.14	.75	.80		.04
Group 3:	8.60	.75	.80		.04
Group 4:	9.13	.75	.80		.04
Group 5:	9.66	.75	.80		.04
Group 5-A:	9.97	.75	.80		.04
Group 6:	10.30	.75	.80		.04
Group 7:	10.90	.75	.80		.04
TRUCK DRIVERS					
Group 1:	7.31	.70	.75		.04
Group 2:	7.44	.70	.75		.04
Group 3:	7.66	.70	.75		.04
Group 4:	8.01	.70	.75		.04
Group 5:	8.17	.70	.75		.04
Group 5-A:	8.35	.70	.75		.04
Group 6:	8.49	.70	.75		.04
Group 7:	8.90	.70	.75		.04
Group 8:	9.415	.70	.75		.04
Group 8-A:	10.07	.70	.75		.04
Group 8-B:	7.87	.70	.75		.04
Group 8-C:	9.76	.70	.75		.04

LABORERS

Group 1: All Helpers Not Herein Separately Classified; Cesspool diggers and installers; Chat box man; Checker, tool dispatcher; Concrete form manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer

Group 2: Cement Finisher Tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy; Lazer beam operator

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spikers and wrenchers

Group 4: Cement Dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders - concrete; Hydraulic jacks, and similar mechanical tools not separately herein classified; Operators and tenders of pneumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and Water Wash-Out Nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'ns chair or safety belt); Tampers (mechanical-all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping

Group 8: Mason Tenders

Group 8A: Plaster Tenders

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment servicemen helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyer operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskey hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator: Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Beltcrete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher,

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tireman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock truck (i.e. Dart, Euclid and other similar type end dumps, single unit) less than 16 c. y.))

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types; Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Ejectalls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

STATE: Arizona COUNTY: Pima
DECISION NUMBER: AZ76-5009 DATE: Date of Publication
Supersedes Decision No. AZ75-5078 dated July 3, 1975, in 40 FR 28328
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.44	.50	.97		.01
BOILERMAKERS	10.85	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Zone A (0-15 miles from Tucson)	9.965	.70	.75		.06
Zone B (15-30 miles from Tucson)	10.34	.70	.75		.06
Zone C (30-40 miles from Tucson)	10.715	.70	.75		.06
Zone D (Over 40 miles from Tucson)	11.465	.70	.75		.06
CARPENTERS:					
Carpenters; Drywall Applicators	9.085	.845	.955		.025
Piledrivermen; Floorlayers (finish)	9.37	.845	.955		.025
Millwrights	9.50	.845	.955		.025
CEMENT MASONS	9.32	.70	.75		.05
ELECTRICIANS:					
Zone A (within 16 miles of City Hall, Tucson)	9.23	.45	1%		1/2%
Zone B (From 16-32 miles from City Hall, Tucson)	9.73	.45	1%		1/2%
Zone C (From 32-48 miles from City Hall, Tucson)	10.23	.45	1%		1/2%
Zone D (Over 48 miles from City Hall, Tucson)	10.73	.45	1%		1/2%
ELEVATOR CONSTRUCTORS	9.255	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.395	.26	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.15	.35	.30	.56	.01
IRONWORKERS	10.54	1.03	1.65		.08
MARBLE SETTERS; Terrazzo Workers; Tile Setters	8.77	.60	.60		
MARBLE, TERRAZZO & TILE SETTERS' HELPERS	6.51	.70			
PAINTERS, Brush:					
Zone A (0-30 miles from Tucson P. O.)	7.73	.57	.35		.04
Zone B (31-40 miles from Tucson P. O.)	8.48	.57	.35		.04
Zone C (41-50 miles from Tucson P. O.)	9.23	.57	.35		.04
Zone D (51 miles and over)	9.73	.57	.35		.04

DECISION NO. AZ76-5009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS, Structural steel, brush:					
Zone A (0-30 miles from Tucson P. O.)	$8.73	.57	.35		.04
Zone B (31-40 miles from Tucson P. O.)	9.48	.57	.35		.04
Zone C (41-50 miles from Tucson P. O.)	10.25	.57	.35		.04
Zone D (51 miles and over)	10.73	.57	.35		.04
PLASTERERS:					
Zone A (0-30 miles from Tucson P. O.)	8.57	.35	.60		
Zone B (30-40 miles from Tucson P. O.)	9.07	.35	.60		
Zone C (40-50 miles from Tucson P. O.)	9.32	.35	.60		
Zone D (Over 50 miles from Tucson P. O.)	10.07	.35	.60		
PLUMBERS; Steamfitters:					
FREE ZONE 0-15 miles					
The "Free Zone " (Zone I shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the City limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow and Holbrook will be included as Free Zones). Any work contracted from outside of these zones will be determined from the Phoenix and Tucson basing points	11.14	.75	1.35		.10
Zone II (15-30 miles)	11.49	.75	1.35		.10
Zone III (30-40 miles)	11.91	.75	1.35		.10
Zone IV (40 miles and over)	13.21	.75	1.35		.10

DECISION NO. AZ76-5009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
Zone A (0-44 miles from Tucson)	$7.47	.65	.20		.03
Zone B (Over 44 miles from Tucson)	9.22	.65	.20		.03
SHEET METAL WORKERS:					
Zone A (1-17 miles from Tucson)	9.17	.83	1.60		.01
Zone B (18-28 miles from Tucson)	9.67	.83	1.60		.01
Zone C (29-40 miles from Tucson)	10.67	.83	1.60		.01
Zone D (41 miles and over from Tucson)	11.67	.83	1.60		.01
SOFT FLOOR LAYERS	7.25	.38			
SPRINKLER FITTERS	11.15	.50	.80		.08

FOOTNOTE:

a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate from 6 months to 5 years' service to Vacation Fund. 6 Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

DECISION NO. AZ76-5009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS					
Group 1:	$7.13	.70	.75		.08
Group 2:	7.26	.70	.75		.08
Group 3:	7.40	.70	.75		.08
Group 4:	7.51	.70	.75		.08
Group 5:	7.68	.70	.75		.08
Group 6:	8.055	.70	.75		.08
Group 7:	8.685	.70	.75		.08
Group 8:	7.875	.70	.75		.08
Group 8-A:	8.28	.70	.75		.08
POWER EQUIPMENT OPERATORS (Except Piledriving & Steel Erection)					
Group 1:	7.77	.75	.80		.04
Group 2:	8.14	.75	.80		.04
Group 3:	8.60	.75	.80		.04
Group 4:	9.13	.75	.80		.04
Group 5:	9.66	.75	.80		.04
Group 5-A:	9.97	.75	.80		.04
Group 6:	10.30	.75	.80		.04
Group 7:	10.90	.75	.80		.04
TRUCK DRIVERS					
Group 1:	7.31	.70	.75		.04
Group 2:	7.44	.70	.75		.04
Group 3:	7.66	.70	.75		.04
Group 4:	8.01	.70	.75		.04
Group 5:	8.17	.70	.75		.04
Group 5-A:	8.35	.70	.75		.04
Group 6:	8.49	.70	.75		.04
Group 7:	8.90	.70	.75		.04
Group 8:	9.415	.70	.75		.04
Group 8-A:	10.07	.70	.75		.04
Group 8-B:	7.87	.70	.75		.04
Group 8-C:	9.76	.70	.75		.04

LABORERS

Group 1: All Helpers Not Herein Separately Classified; Cesspool diggers and installers; Chat box man; Checker, tool dispatcher; Concrete dump manbelt, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder highway; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer

Group 2: Cement Finisher Tender; Concrete curer (impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy; Lazer beam operator

Group 3: Bander; Chucktender (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spikers and wrenchers

Group 4: Cement Dumpers (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Cribber and shorer (except tunnel); Floor sanders - concrete; Hydraulic jacks, and similar mechanical tools not separately herein classified; Operators and tenders of pneumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/Signalman (pipeline)

Group 5: Air and Water Wash-Out Nozzleman; Asphalt rakers and ironers; Driller; Grade setter (pipeline); Hand guided trencher and similar operated equipment; Jackhammer and/or pavement breakers; Pipelayers (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock slinger; Scaler (using Bos'ns chair or safety belt); Tampers (mechanical-all types); Precast manhole erector

Group 6: Concrete Cutting Torch; Concrete saw (hand guided); Driller (core, diamond, wagon or air track); Drill doctor and/or air tool repairman; Gunman and mixerman (gunite); Sandblaster (nozzleman)

Group 7: Concrete Road Form Setter; Gunite nozzleman or rodman; Drillers, Joy Mustang, PR 143, 2200 Gardner-Denver, Hydrasonic; Powderman; Scaler (drillers); Welders and/or pipelayers installing process piping

Group 8: Mason Tenders

Group 8A: Plaster Tenders

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air compressor operator; Field equipment servicemen helper; Heavy duty repair helper; Heavy duty welder helper; Oiler; Pump operator

Group 2: Conveyor operator; Generator operator - portable; Power grizzly operator; Self-propelled chip spreading machine - conveyor operator; Watch fireman; Welding machine operator - gasoline and diesel power

Group 3: Concrete mixer operator - skip type; Dinky operator - (under 20 tons wt.); Driver-moto paver, Slurry seal machine, and similar type equipment; Motor crane driver; Power sweeper operator - self-propelled; Ross carrier or fork lift operator; Skip loader operator - all types with rated capacity 1-1/2 cu. yds. or less; Wheel type tractor operator (Ford, Ferguson, or similar type) with attachments such as fresno, push blade, post hole auger, mower, etc., excluding compacting equipment

Group 4: A-Frame boom truck or winch truck operator; Asphalt plant firemen; Elevator hoist operator (including Tuskey hoist or similar types); Grade checker (excluding civil engineer); Multiple power concrete saw operator; Pavement breaker, mechanical compactor operator, power propelled; Roller operator - all types - except as otherwise classified; Screed operator; Self-propelled chip spreading machine operator (including Slurry seal machine operator) Stationary pipewrapping and cleaning machine operator; Tugger operator

Group 5: Aggregate plant operator (including crushing, screening and sand plants, etc.); Asphalt plant mixer operator; Beltcrete machine; Boring machine operator; Concrete mechanical tamping, spreading or finishing machine (incl. Clary, Johnson, or similar types); Concrete pump operator; Concrete batch plant operator, all types and sizes; Conductor, brakeman, or handler; Drilling machine, including water wells; Elevating grader operator - all types and sizes (except as otherwise classified); Field equipment serviceman; Highline cableway signalman; Kolman belt loader operator or similar, w/belt width 48" or over; Locomotive engineer (incl. Dinky-20 tons wt. and over); Moto-paver and similar type equipment operator; Operating engineer rigger; Pneumatic-tired scraper operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power jumbo form setter operator; Pressure grout machine operator (as used in heavy engineering construction); Road Oil mixing machine operator; Roller operator-on all types asphalt pavement; Self-propelled compactor, with blade; Skip loader operator-all types with rated capacity over 1-1/2 but less than 4 cu. yds.; Slip form operator (power driven lifting device for concrete forms); Soil cement road mixing machine operator - single pass type; Stationary Central generating plant operator-rated 300 k.w. or more; Surface heater and planer operator; Traveling pipewrapping machine operator

Group 5-A: Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher,

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator

Group 6: Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator - with boom attachment; Derrick operator; Forklift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Piledriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator - all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds., MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator - all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator- attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - Shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS

Group 1: Teamsters; Pickups; Station Wagons; Manhaul driver

Group 2: Dump or flatrack (2 or 3 axle); Water truck (under 2500 gals.); Buggymobile (1 c. y. or less); Tireman; Bus drivers, ambulance driver, self-propelled street sweeper; Warehouseman

Group 3: Dump or flatrack (4 axle); Dumptor or dumpster (less than 7 c. y.); Water truck (2500 gals. but less than 4000 gals.)

Group 4: Dumptor or dumpster (7 c. y. but less than 16 c. y.); Dump or flatrack (5 axle); Water truck (4000 gals. and over); Slurry type equipment or leverman; Flaherty spreader or similar type equipment or leverman; Transit mix (8 c. y. or less)

Group 5: Dump or flatrack (6 axle); Transit mix (over 8 c. y. but less than 10.5 c. y.); Rock truck (i.e. Dart, Euclid and other similar type end dumps, single unit) less than 16 c. y.))

Group 5A: Oil tanker or spreader and/or bootman, retortman or leverman

Group 6: Transit mix (over 10.5 c. y. but less than 14 c. y.); Ross Carrier fork lift or lift truck; Hydro lift, Swedish Crane Iowa 300 and similar types; Concrete pump (when integral part of transit mix truck); Dump or flatrack (7 axle)

Group 7: Dump or Flatrack (8 axles)

Group 8: Off-Highway Equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e., Cat DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling water tanks, fuel tanks or other applications under Teamster Classifications; Rock trucks (Dart, Euclid, or other similar end dump types) 16 c. y. and over; Ejectalls; Dumptor or dumpster (16 c. y. and over); Dump or flatrack (9 axles)

Group 8A: Heavy duty mechanic/welder; Body and fender man

Group 8B: Field Equipment serviceman or fuel truck driver

Group 8C: Heavy duty mechanic/welder helper

STATE: Florida COUNTY: Hillsborough
DECISION NUMBER: FL76-1014 DATE: Date of Publication
Supersedes Decision No.: FL75-1075 dated August 15, 1975 in 40 FR 34556
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	9.26	.35	.35		.06
Boilermakers	8.80	.60	1.00		.02
Bricklayers:					
Bricklayers	9.15	.30	.50		.05
Stone masons	9.15	.30	.50		.05
Marble masons	9.15	.30	.50		.05
Terrazzo workers	9.15	.30	.50		.05
Tile setters	9.00	.30	.50		.05
Cement masons	8.55	.30	.50		.05
Cement block layers	9.15	.30	.50		.05
Carpenters	8.765	.325	.30		.04
Millwrights	8.37	.45	.45		.06
Piledrivermen	9.015	.325	.30		.04
Electricians:					
Electrical Contracts over $50,000					
Wiremen	9.95	4⅓%	1%		.10
Cable splicers	10.30	4⅓%	1%		.10
Electrical Contracts $50,000 or under:					
Wiremen	8.77	4⅓%	1%		.10
Cable splicers	9.12	4⅓%	1%		.10
Elevator constructors	8.495	.395	.26	2½%+a&b	.02
Elevator constructors' helpers	70%JR	.395	.26	2½%+a&b	.02
Elevator constructors' mechanics helpers (prob.)	50%JR				
Glaziers	7.15	.25	.30		.01
Ironworkers:					
Structural	9.00	.55	.40	.24	.05
Ornamental	9.00	.55	.40	.24	.05
Reinforcing	9.00	.55	.40	.24	.05
Sheeters	9.00	.55	.40	.24	.05
Laborers:					
Power tool operator	6.60	.30	.20		
Mortar mixers	6.60	.30	.20		
Pipelayers (concrete & clay)	6.60	.30	.20		
Masons, plasterers' tenders	6.60	.30	.20		
Common laborers	6.45	.30	.20		
Lathers	8.355	.30	.20		.01
Line Construction:					
Linemen & hvy, equipment operator	9.65	.35	1%		½%
Cable splicers	10.08	.35	1%		½%
Winch truck driver operator	7.54	.35	1%		½%
Groundmen	5.63	.35	1%		½%

FL76-1014 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters:					
Brush & roller	7.30	.30	.30		.06
Swing stage & window jacks, spray & sandblasting	7.80	.30	.30		.06
Dry wall tapers	8.15	.30	.30		.06
Paperhangers	7.80	.30	.30		.06
Plasterers	8.76	.30	.50		.05
Plumbers	9.36	.45	.45		.05
Roofers	7.65	.25	.20		.02
Roofers' helpers	4.40	.25	.20		.02
Roofers, Kettlemen	5.35	.25	.20		.02
Sheet metal workers	9.06	.43	.40		.04
Soft floor layers	8.315	.325	.25		.04
Sprinkler fitters	8.71	.40	.60		.10
Steamfitters	9.11	.45	.45		.05
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTES:

a. Six paid holidays; A through F.

b. Employer contributes 1% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

PAID HOLIDAYS: (Where Applicable)
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day
E-Thanksgiving Day; F-Christmas Day.

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FL76-1014 - (Cont'd)

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	10.49	.375	.35		.05
GROUP B	9.74	.375	.35		.05
GROUP C	9.505	.375	.35		.05
GROUP D	9.285	.375	.35		.05
GROUP E	7.735	.375	.35		.05
GROUP F	7.475	.375	.35		.05
GROUP G	7.245	.375	.35		.05

GROUP A: Cat cranes, truck cranes pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor

GROUP B: Tugger hoist

GROUP C: Trenching machine over 24" winch truck, material hoist (elevator type)

GROUP D: Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy DW-10 to DW-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator

GROUP E: Air compressor 125 cu. ft. or over

GROUP F: Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe

GROUP G: Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps

150' boom, including jib scale of top operator classification plus $.25 per hour.
Tower crane operators $.25 per hour above top operator classification not including long boom pay.

SUPERSEDEAS DECISION

STATE: Florida
COUNTY: See below*
DECISION NUMBER: FL76-1016
DATE: Date of Publication
Supersedes Decision No.: AP-180 dated May 4, 1973 in 38 FR-11260
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties:
Okaloosa, Santa Rosa, & Walton.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	4.50				
Carpenters	4.00				
Cement masons	3.38				
Electricians	4.00				
Laborers	2.30				
Lathers	2.88				
Painters	3.00				
Plasterers	3.57				
Plumbers	4.35				
Roofers	3.17				
Sheet metal workers	4.45				
Soft floor layers	3.50				
Tile setters	4.00				
Truck drivers	2.30				
POWER EQUIPMENT OPERATORS:					
Backhoe	3.00				
Mechanic	2.60				
Trencher	3.00				

SUPERSEDEAS DECISION

STATE: Florida
COUNTY: Escambia
DECISION NUMBER: FL76-1017
DATE: Date of Publication
Supersedes Decision No.: AP-178 dated May 4, 1973 in 38 FR-11259
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanic	4.25				
Bricklayers	5.50				
Carpenters	4.00				
Cement masons	3.60				
Electricians	3.50				
Laborers:					
Laborers	2.30				
Mason tenders	2.30				
Lathers	2.89				
Painters	3.25				
Plasterers	3.57				
Plumbers	4.50				
Roofers	3.17				
Roofers, kettlemen	2.30				
Sheet metal workers	4.45				

SUPERSEDEAS DECISION

STATE: Florida COUNTY: See below*
DECISION NUMBER: FL76-1018 DATE: Date of Publication
Supersedes Decision No.: AP-179 dated May 4, 1973 in 38 FR-11260
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

*Counties: Gadsden, Jefferson, Leon, Madison & Taylor.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanic	3.75				
Bricklayers	5.25				
Carpenters	3.71				
Cement masons	3.50				
Electricians	4.54				
Laborers	2.30				
Soft floor layers	3.75				
Terrazzo workers	4.25				
Terrazzo grinder	3.00				
Tile setters	4.25				
Truck driver	2.30				

SUPERSEDEAS DECISION

STATE: Georgia COUNTY: See below*
DECISION NO.: GA76-1015 DATE: Date of Publication
Supersedes Decision No. AQ-4085 dated April 8, 1974 in 39 FR 9333
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.)

*Counties: Burke, Columbia, Glascock, Hancock, Jefferson, Jenkins, Lincoln, McDuffie, Richmond, Taliaferro, Warren, Washington, & Wilkes, Georgia

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanic	4.00				
Bricklayers	6.00				
Carpenters	4.72				
Cement masons	5.50				
Electricians	4.50				
Glaizers	5.30				
Ironworkers	3.35				
Laborers:					
Laborers	2.58				
Lathers	5.50				
Painters, brush (Richmond Co.)	5.35	.25			
Painters, brush (Remaining Counties)	3.69				
Plasterers	7.19				
Plumbers & pipefitters	5.74				
Roofers	4.00				
Sheet metal workers	6.875				
Tile setters	4.57				
Truck drivers	3.00				
POWER EQUIPMENT OPERATORS:					
Backhoe	3.07				
Bulldozers	3.39				
Farm tractor	3.00				
Front end loader	6.60				
Forklift	3.125				
Motor grader	3.975				
Pan	3.40				
Roller, asphalt	3.30				

STATE: Idaho COUNTIES: Statewide
DECISION NUMBER: ID76-5010 DATE: Date of Publication
Supersedes Decision No. ID75-5140 dated December 12, 1975, in 40 FR 58035
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Benewah, Bonner, Boundary, Clearwater, Northern half of Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties	$9.70	.44	.75		
Remainder of Counties and Southern half of Idaho County	8.71	.50	.82		
BOILERMAKERS	8.90	.65	1.00	.50	.02
BRICKLAYERS; Stonemasons:					
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, Twin Falls Counties	7.90	.35	.40		
Bingham (South half), Bannock, Bear Lake, Caribou, Franklin, Oneida, Power Counties	8.75	.30	.50		
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, Washington Counties	8.80	.40	.40		
Idaho, Clearwater, Latah, Lewis, Nez Perce Counties	9.41	.55	.50		
Benewah, Bonner, Boundary, Kootenai, Shoshone Counties	9.75				
CARPENTERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the Northern boundary of Township 29 North), Kootenai, Latah, Lewis Nez Perce, Shoshone Counties					
Carpenters	8.34	.50	.55		.045
Piledrivermen; Sawfilers; Stationary Power Woodworking Tool Operator; Floor Layer; Floor Finisher; Floor Sander	8.49	.50	.55		.045
Shingler (wood and composition)	8.54	.50	.55		.045
Carpenters (burned, charred, creosoted or similarly treated material); Boom Man	8.59	.50	.55		.045
Millwrights and Machine Erector	8.84	.50	.55		.045
Piledriver (creosoted material)	8.74	.50	.55		.045
CARPENTERS: (Cont'd)					
Remainder of Counties and Idaho County (South of the Northern boundary of Township 29 North)					
Carpenters; Floor Layer; Shingler; Drywall Applicator and Installer	$8.49	.52	.40	.40	.10
Saw Filer; Piledriverman; Bridgeman and Wharf Builders	8.66	.52	.40	.40	.10
Millwrights; Machine Erectors; Piledriverman's Boom Man	8.78	.52	.40	.40	.10
CEMENT MASONS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties					
Cement Masons	8.93	.50	.65		.04
Gunnite; Power Machine; Power Tools; Power Troweling Machine; Troweling Magnesite or other material with oxichloride base	9.08	.50	.65		.04
Remainder of Counties and Idaho County (South of the 46th Parallel)					
Cement Masons	8.32	.45	.40	.35	.10
Power Trowel; Power Grinder; Gunnite and Composition Floor Layer	8.52	.45	.40	.35	.10
ELECTRICIANS:					
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties					
Electricians	9.90	.35	1%+.40		.02
Cable Splicers	10.30	.35	1%+.40		.02

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette Valley and Washington Counties					
Electricians	$9.45	.45	1%+.25		1%
Cable Splicers	10.395	.45	1%+.25		1%
Remaining Counties					
Electricians - Technicians	9.20	.45	1%+.25		1%
Cable Splicers	10.12	.45	1%+.25		1%
ELEVATOR CONSTRUCTORS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties					
Elevator Constructors	8.975	.445	.29	3%+a	.02
Elevator Constructors' Helpers	70%JR	.445	.29	3%+a	.02
Elevator Constructors' Helpers (Prob.)	50%JR				
Remainder of Counties and Idaho County (South of the 46th Parallel)					
Elevator Constructors	8.05	.445	.29	3%+a	.02
Elevator Constructors' Helpers	70%JR	.445	.29	3%+a	.02
Elevator Constructors' Helpers (Prob.)	50%JR				
GLAZIERS:					
Bonner, Boundary, Kootenai and Shoshone Counties	7.455	.31	.10	.545	
Benewah, Clearwater, Idaho (North of the 46th Parallel), Latah, Lewis, Nez Perce Cos.	7.28	.31	.25	.28+b	
Ada, Adams, Boise, Canyon, Elmore, (except Mt. Home AFB), Gem, Gooding, (Western part of County from a line running north and south through the eastern limits of Bliss), Idaho (Southern part of County from a line running east and west through the North limits of Elk City), Owyhee, Payette, Valley and Washington Counties	6.14	.25	.30	.23	

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GLAZIERS: (Cont'd)					
Remaining Counties	$6.62	.21		b	
IRONWORKERS (Ornamental - Structural - Reinforcing):					
Adams (North of the Weiser-Gibbonsville Line), Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lemhi (North of the Weiser-Gibbonsville Line), Lewis, Nez Perce, Shoshone, Valley (North of the Weiser-Gibbonsville Line), Washington (North of the Weiser-Gibbonsville Line) Counties	9.15	.48	.80		.05
Remaining Counties and Adams, Lemhi, Valley, Washington Counties South of the Weiser-Gibbonsville Line	9.19	.50	.75		.02
LATHERS:					
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, Washington and Idaho County (South of the 46th Parallel)	6.65				
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties	8.88	.45			
MARBLE SETTERS:					
Clearwater, Idaho, Latah, Lewis, Nez Perce Counties	9.41	.55	.50		
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka, and Twin Fall Counties	7.40	.25			

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia, Clark, Custer, Franklin, Fremont, Gooding (except Bliss and Western 1/3 of County), Jefferson, Jerome, Lemhi, Lincoln, Madison, Minnidoka, Oneida, Power, Teton and Twin Falls Counties					
Brush; Perfatapers	$6.31	.25	.10		
Structural Steel; Swing Stage; Spray	6.76	.25	.10		
Ada, Adams, Boise, Canyon, Elmore, (except Mt. Home AFB), Gem, Gooding, (Western 1.3 of County including Bliss), Owyhee, Payette, Idaho (Sputh of the 46th Parallel), Valley and Washington Cos.					
Painters and Tapers	7.80	.40	.30		.02
Elmore (Mt. Home AFB)					
Painters and Tapers	8.80	.40	.30		.02
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, and Shoshone Counties					
Brush	9.02	.40	.70		.02
Spray; Steel; Steam Cleaning; Rollers (over 9" or 10" handle), Finish Drywall Taper	9.27	.40	.70		.02
Swing Stage and over 30 ft. high	9.37	.40	.70		.02
Bitumastic; Sand Blast; Bridges; Towers; Stacks; Steeples; Tanks on legs	9.42	.40	.70		.02

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties	$8.88	.45			
Remaining Counties	7.50	.32	.20	.20	
PLUMBERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho (North of the 46th Parallel), Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties	10.02	.65	1.10	1.00	.11
Remaining Counties and Idaho County (South of the 46th Parallel)					
Plumbers	9.19	.37	.50		.10
Utility Helpers	70%JR	.37	.50		.10
ROOFERS:					
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka, Twin Falls Counties					
Roofers and Kettlemen	6.90		.10		
Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power and Teton Counties	8.25		.30		
Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Idaho (South of the 46th Parallel), Lemhi, Owyhee, Payette, Valley and Washington Counties					
Roofers; Kettlemen	7.40	.33	.20		
Roofers working with coal tar and pitch products	8.90	.33	.20		
Benewah, Bonner, Boundary, Kootenai, and Shoshone Cos.					
Roofers	8.29	.55	.40		.01
Clearwater, Idaho (North of the 46th Parallel), Latah, Lewis, Nez Perce Counties					
Roofers; Kettlemen; Waterproofers	9.25				

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS:					
Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties	$11.10	.52	.80		.05
Bannock, Bear Lake, Bingham, Blaine, Bonneville, Butte, Caribou, Clark, Franklin, Fremont, Jefferson, Madison, Oneida, Power, and Teton Counties	8.63	.37	.20+3%		.06
Remaining Counties	9.46	.52	.30		.14
SOFT FLOOR LAYERS:					
Bannock, Bear Lake, Bingham, (South from a line running East and West thru northern limits of Blackfoot including AEC Test Site), Blaine, Butte, (South from a line running east and west thru northern limits of the AEC Test Site), Bonneville (South from a line running east and west thru northern limits of Blackfoot), Camas, Caribou, Cassia, Clark, Franklin, Fremont, Gooding, Jefferson, (that portion containing AEC Test Site), Jerome, Lemhi, Lincoln, Madison, Minnidoka, Oneida, Power, Teton and Twin Falls Counties	6.70				
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties	7.89	.25	.40	.31	
Ada, Adams, Boise, Canyon, Elmore (except Mt. Home AFB), Gem, Gooding (Western 1/3 of County including Bliss), Owyhee, Payette, Idaho (South of the 46th Parallel), Valley and Washington Counties	6.00	.25	.10		.10

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SPRINKLER FITTERS	$10.30	.50	.80		.08
TERRAZZO WORKERS & TILE SETTERS:					
Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley and Washington Counties	7.65	.40	.40		
Bannock, Bear Lake, Bingham, (southern half), Caribou, Franklin, Oneida and Power Counties	7.95	.30	.50		
Benewah, Bonner, Boundary, Kootenai, Shoshone Counties	9.50				
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minnidoka and Twin Falls Counties	7.40	.25			
TERRAZZO WORKERS' & TILE SETTERS' HELPERS:					
Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce and Shoshone Counties					
Terrazzo and Tile Setters' Helpers	6.10				
Finisher Helper	6.55				
WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer credits 4% basic hourly rate of employee with over 5 years' service, 2% basic hourly rate for 6 months to 5 years' service to Vacation Plan. Six Paid Holidays: A through F.

b. All employees who have been employed for a period of one year shall have two weeks vacation with pay. Also 7 paid holidays: A through F plus Washington's Birthday.

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINE CONSTRUCTION (AREA 1) (Benewah, Bonner, Boundary, Clearwater, Kootenai, Idaho, Latah, Lewis, Nez Perce and Shoshone Counties)					
Cable Splicers; Leadman Pole Sprayer	$11.12	.35	1%	.10	1/2%
Lineman; Pole Sprayer; Heavy Line Equipment Man; Certified Lineman Welder	10.04	.35	1%	.10	1/2%
Tree Trimmer	9.06	.35	1%	.10	1/2%
Line Equipment Man	8.65	.35	1%	.10	1/2%
Head Groundman (chipper); Head Groundman; Powderman; Jackhammer Man	7.56	.35	1%	.10	1/2%
Groundman; Tree Trimmer Helper	7.12	.35	1%	.10	1/2%
LINE CONSTRUCTION (AREA 2) (Remaining Counties)					
All work over 34.5 KV and all work on steel towers and/or multiple wood structures and all sub-stations of 1,000 KVA or greater capacity, all communications, underground work, 34.5 KV, street and highway lighting and motor traffic controls:					
Groundman	6.40	.35	1%		3/4%
Equipment Operators	7.74	.35	1%		3/4%
Lineman	8.50	.35	1%		3/4%
Cable Splicer	9.35	.35	1%		3/4%
All power construction of 34.5 KV and under when performed for an operating utility. Street lighting when performed for an operating utility or municipality					
Groundman	6.16	.35	1%		3/4%
Equipment Operator	7.22	.35	1%		3/4%
Lineman	8.02	.35	1%		3/4%

DECISION NO. ID76-5010

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (AREA 1) (Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel)					
Group 1	$7.50	.50	.70		.02
Group 2	7.65	.50	.70		.02
Group 3	7.75	.50	.70		.02
Group 4	7.80	.50	.70		.02
Group 5	7.85	.50	.70		.02
Group 6	7.90	.50	.70		.02
Group 7	7.95	.50	.70		.02
Group 8	8.15	.50	.70		.02
Group 9:					
Class A	7.55	.50	.70		.02
Class B	7.60	.50	.70		.02
Class C	8.00	.50	.70		.02
Class D	8.05	.50	.70		.02
LABORERS (AREA 2) (Remaining Counties and that portion of Idaho County South of the 46th Parallel)					
Group 1	6.62	.50	.55	.20	.10
Group 2	6.72	.50	.55	.20	.10
Group 3	6.82	.50	.55	.20	.10
Group 4	6.92	.50	.55	.20	.10
Group 5	7.22	.50	.55	.20	.10
Group 6	7.47	.50	.55	.20	.10
Group 7		.50	.55	.20	.10
UNDERGROUND WORK					
Group 8	6.77	.50	.55	.20	.10
Group 9	6.92	.50	.55	.20	.10
Group 10	7.22	.50	.55	.20	.10

POWER EQUIPMENT OPERATORS: (Area 1)
(Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and that portion of I Idaho County North of the 46th Parallel)

	ZONE 1*	ZONE 2*	ZONE 3*	Fringe Benefits Payments			
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$8.05	$8.55	$9.00	.75	.85		.03
Group 2	8.35	8.85	9.30	.75	.85		.03
Group 3	8.90	9.40	9.85	.75	.85		.03
Group 4	9.05	9.55	10.00	.75	.85		.03
Group 5	9.20	9.70	10.15	.75	.85		.03
Group 6	9.45	9.95	10.40	.75	.85		.03
Group 7	9.70	10.20	10.65	.75	.85		.03

*ZONE 1: Within a 15 mile radius from the center of the following Cities: Coeur d' Alene and Lewiston, Idaho; and Spokane, Washington.
*ZONE 2: From a 15 to 45 mile radius from the center of the aboved named Cities.
*ZONE 3: Over a 45 mile radius from the center of the above named Cities.

POWER EQUIPMENT OPERATORS (Area 2) (Remaining Counties and that portion of Idaho County South of the 46th Parallel)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$7.92	.60	.65		.10
Group 2	8.08	.60	.65		.10
Group 3	8.40	.60	.65		.10
Group 4	8.71	.60	.65		.10
Group 5	8.88	.60	.65		.10
Group 6	9.06	.60	.65		.10
Group 7	9.47	.60	.65		.10
Group 8	9.70	.60	.65		.10
Group 9	9.93	.60	.65		.10
Group 10	10.17	.60	.65		.10

TRUCK DRIVERS (AREA 1) (Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$8.48	.92	.75		
Group 2	8.53				
Group 3	8.58	.92	.75		
Group 4	8.68	.92	.75		
Group 5	8.88	.92	.75		
Group 6	8.93	.92	.75		
Group 7	8.98	.92	.75		
Group 8	9.03	.92	.75		
Group 9	9.13	.92	.75		
Group 10	9.18	.92	.75		
Group 11	9.48	.92	.75		
Group 12	9.63	.92	.75		
Group 13	9.78	.92	.75		
Group 14	9.93	.92	.75		
TRUCK DRIVERS (AREA 2) (Remaining Counties and that portion of Idaho County South of the 46th Parallel)					
Group 1	7.67	.60	.65	.20	.10
Group 2	7.73	.60	.65	.20	.10
Group 3	7.79	.60	.65	.20	.10
Group 4	7.85	.60	.65	.20	.10
Group 5	7.90	.60	.65	.20	.10
Group 6	8.11	.60	.65	.20	.10
Group 7	8.17	.60	.65	.20	.10
Group 8	8.23	.60	.65	.20	.10
Group 9	8.34	.60	.65	.20	.10
Group 10	8.40	.60	.65	.20	.10
Group 11	8.46	.60	.65	.20	.10
Group 12	8.52	.60	.65	.20	.10
Group 13:					
Class A	8.00	.60	.65	.20	.10
Class B	8.11	.60	.65	.20	.10
Class C	8.34	.60	.65	.20	.10
Class D	8.52	.60	.65	.20	.10
Class E	8.63	.60	.65	.20	.10
Class F	8.75	.60	.65	.20	.10
Class G	9.08	.60	.65	.20	.10
Class H	9.31	.60	.65	.20	.10
Class I	9.54	.60	.65	.20	.10
Group 14	8.96	.60	.65	.20	.10

DECISION NO. ID76-5010

LABORERS (AREA 1)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Brush Hog Feeder; Carpenter Tender; Concrete Crewman (to including stripping of forms, hand operating jacks on slip form construction, application of concrete curing compounds, pumpcrete machine, handling the nozzle of squeezecrete or similar machine - 6" and smaller); Concrete Signalman; Crusher Feeder; Demolition (to include clean-up, burning, loading, wrecking and salvage of all material); Driller Helper; Dumpman; Fence Erector (to include guard rails, guide and reference posts, sign posts, and right-of-way markers); General Laborer; Grout Machine Header Tender; Nipper; Riprap Man; Scaleman; Stake Jumper; Structural Mover (to include separating foundation preparation, cribbing, shoring, jacking and unloading of structure); Tailhoseman (water nozzle); Track Laborer (RR); Truck Loader; Timber, Bucker and Faller (by hand); Window Cleaner (prior to completion of construction)

Group 2: Cement Finisher Tender; Cement Handler; Demolition Torch; Dope Pot Fireman, non-mechanical; Form Cleaning Machine - Feeder, Stacker; Form Setter, paving; Driller Helper (when required to move and position machine); Nozzleman, water and air or steam; Pipe Layer, corrugated metal culvert; Pipewrapper; Pot Tender; Powderman Helper; Power Tool Operator, gas, electric, pneumatic; Sandblast Tailhoseman; Scaffold Erector, wood or steel; Railroad Equipment, power driven, except dual mobile power spiker or puller; Rodder and Spreader; Wheelbarrow, power driven; Wellpoint Man; Vibrator up to 4"

Group 3: Asphalt Raker; Asphalt Roller, walking; Chain Saw Operator with attachments; Concrete Saw walking; Grade Checker, using level; Jackhammer Operator; Multi-section Pipe Layer; Nozzleman (to include squeeze and flowcrete nozzle); Pavement Breaker; Power Buggy Operator; Railroad Power Spiker or Puller, dual mobile; Tamper (to include operation of Barco, Essex and similar tamper and pavement breakers); Trencher, Shawnee; Water Pipe Liner; Wagon Drills

Group 4: Chain Saw (faller); Laser Beam Operator; Pipe Layer (Caulker, Colarman, Jointer, Mortarman, Rigger, Jacker, Shoere and Lagger but not including laying corrugated metal culvert pipe)

Group 5: Concrete Stack; Mortar Mixer

Group 6: Caisson Worker, free air; High Scaler

DECISION NO. ID76-5010

LABORERS (AREA 1) (Cont'd)

Benewah, Bonner, Boundary, Clearwater, Kooteani, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 7: Brush Machine (to include Horizontal Construction Joint Clean-up Brush Machine, power propelled); Drills (to include Down-the-hole Drilles with 3½ inch piston or larger and Out-of-the hole Drills with 4½ inch piston or larger); Gunnite (to include operation of machine and nozzle); Hod Carrier; Monitor Operator, Air Track or similar mounting; Nozzleman (to include Jet Blasting Nozzleman over 1,200 pounds, Jet Blast Machine, power propelled, Sand Blast Nozzle); Vibrator, 4 inches and over

Group 8: Air Track Drills with Dual Masts and Drills; Powderman

TUNNEL AND SHAFT, FREE AIR

Group 9:

Class A: Bull Gang, Pump Crete Crewman including distributing pipe, assembling and dismantle and nipper

Class B: Brakeman, Dumpman

Class C: Miner and Nozzleman for concrete and Laser Beam Operator on tunnels

Class D: Raise and Shaft Miner and Laser Beam Operator on raises and shafts

LABORERS (AREA 2)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 1: General Laborers Sloper, Clearing and Grading; Form Stripper; Concrete Crew; Concrete Curing Crew; Carpenter Tender; Asphalt Laborer; Hopper Tender; Flagman, (including Pilot Car), Watchman, Heater Tender; Stake Jumper, Choker Setter; Spreader and Weighman; Power Wheelbarrow; Scouring Concrete; Rip Rap Man (hand placed); Fence Erector and Installer - manual or mechanical (includes the installation and erection of fences, guard rails, median rails, reference posts, guide posts and right-of-way markers); Crusher Helper; Cribbing and Shoring (in open ditches); Machinery and Parts Cleaner; Leverman - manual or mechanical; Demolition - salvage; Landscaper; Tool Room Man; Janitor

DECISION NO. ID76-5010

LABORERS (AREA 2) (Cont'd)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 2: Chuck Tender; Driller Helper; Air Tampers; Gunite Nozzleman Tender; Pipewrapper Tar Pot Tender; Concrete Sawyer; Signalman, handling cement; Dumpman; Steam Nozzleman; Air and Water Nozzleman (Green Cutter, concrete); Vibrator (less than 4"); Pumpcrete and Grout Pump Crew; Hydraulic Monitor

Group 3: Pipelayer, including sewer, drainage, sprinkler systems and water lines; Free Air Caisson; Jackhammer; Paving Breaker; Powderman Helper; Asphalt Raker, Gasoline Powered Tamper; Electric Ballast Tamper; Sand Blasting Form Setter - airport paving; Gunman (gunite); Manhole Setter; Hand Guided Machines, such as Roto Tillers, Trenchers, Post Hole Diggers, Walking Garden Tractors, etc.; Form Setter (highway curb and gutter); Vibrator (4" and over); Timber Faller and Bucker; Metal Pan Installer

Group 4: Hod Carrier; Mason Tender; Plaster Tender; Mason Tender (concrete); Terrazzo-Tile Tender

Group 5: Highscaler; Wagon Drill; Grade Checker; Gunite Nozzleman; Diamond Drillers on Drills

Group 6: Drill with Manufacturers' rating 3" or over

Group 7: Powderman

UNDERGROUND WORK

Group 8: Reboundman; Chucktender; Nipper; Dumpman; Vibrator (less than 4"); Brakeman; Muckers; Bull Gang

Group 9: Form Setter and Mover

Group 10: Miners; Machinemen; Timbermen; Steelmen; Drill Doctors; Spaders and Tuggers; Spiling and/or Caisson Workers, Vibrator (on 4")

POWER EQUIPMENT OPERATORS (AREA 1)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Bit Grinders; Bolt Threading Machine; Compressors, under 2,000 cu. ft. per minute gas, diesel or electric power; Crusher Feeder (mechanical); Deckhand; Drillers' Helper; Fireman and Heater Tender; Grade Checker; Helper (mechanic or welder, H.D.); Oiler; Oiler and Cable Tender, Mucking Machine; Pumpman; Rollers, all type on subgrade (farm type, Case, John Deere and similar - or compacting or vibrator) except when pulled by dozer with operable blade; Steam Cleaner; Welding Machine

DECISION NO. ID76-5010

POWER EQUIPMENT OPERATORS (AREA 1) (Cont'd)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 2: A-Frame Truck (single-drum); Assistant Refrigeration Plant (under 1,000 tons); Assistant Plant Operator, Fireman or Pugmixer (asphalt); Bagley or Stationary Scraper; Batch Plant and Wet Mix Operator, single unit (concrete); Belt Finishing Machine; Bending Machine (pipeline); Blower Operator (cement); Cement Hog; Compressor (2,000 cu. ft. or over, 2 or more - gas, diesel or electric power); Concrete Saw (multiple cut); Distributor Leverman; Elevator Hoisting materials; Dope Pots (power agitated); Fork Lift or Lumber Stacker, Hydra-lift and similar; Gin Trucks (pipeline); Hoist, single drum; Loader (Bucket Elevators and Conveyors); Longitudinal Float; Mixer (portable-concrete); Pavement Breaker (Hydra-hammer and similar); Post Hole Auger or Punch; Power Broom; Railroad Ballast Regulation Operator, (self-propelled); Railroad Power Tamper Operator, (self-propelled); Railroad Power Tamper Jack Operator, (self-propelled); Spray Curing Machine (concrete); Spreader Box (self-propelled); Straddle Buggy (Ross and similar on construction job site); Tractor (farm type R/T with attachments except Backhoe); Tugger Operator; Ditch Witch or similar

Group 3: A-Frame Truck (2 or more drums); Assistant Refrigeration Plant and Chiller Operator (over 1,000 tons); Backfillers (Cleveland and similar); Belt-crete Conveyors with Power Pack or similar; Belt Loader (Kocal or similar); Blade operator (motor patrol and attachments); Boat Operators; Boom Cats (side); Boring Machine (earth); Boring Machine (rock under 8" bit)(Quarry Master, Joy or similar); Bump Cutter (Wayne, Saginaw or similar); Canal Linning Machine (Concrete); Chipper (without crane); Cleaning and Doping Machine (pipeline); Concrete Pumps (squeeze-crete, flow-crete, pumpcrete, Whitman and similar); Drills (Churn, Core, Calyx, or Diamond); Elevating Belt-type Loader (Euclid, Barber Greene or similar) Elevating Grader-type Loader (Dumor, Adams or similar); Equipment Serviceman, Greaser and Oiler; Generator Plant Engineers (diesel, electric); Gunite Combination Mixer and Compressor; Hoist (2 or more drums or tower hoist); Loaders (overhead and front-end under 4 yards, R/T); Locomotive Engineer; Mixer-mobile; Mucking Machines; Power or Curb Extruder (asphalt and concrete); Pump (Grout or Jet); Rollerman (finishing pavement); Rubber-tired Scraper (one motor with one scraper, under 40 yards); Screed Operator; Soil Stabilizer (P & H or similar); Spreader Machine; Tractor (Crawler including Dozer, Scraper, Drills, Booms, Rollers, etc.); Traverse Finishing Machine; Trenching Machines (under 7 feet depth capacity); Turnhead Operator; Vacuum Drill (reverse circulation drill, under 8")

DECISION NO. ID76-5010

POWER EQUIPMENT OPERATORS (AREA 1) (Cont'd)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 4: Asphalt Plant Operator; Crusher, Grizzle and Screening Plant Operator; H. D. Mechanic; H. D. Welder; Refrigeration Plant Engineer (under 1,000 ton); Rubber-tired Scraper, Multi-engine power, with one scraper (Euclid, TS-24 and similar); Rubber-tired Scrapers, one motor with one scraper (40 yards and over); Surface Heater and Planer Machine; Turnhead (with re-screening)

Group 5: Automatic Subgrader (ditches and trimmers) (Autograde, ABC, R.A. Hansen and similar on grade wire); Backhoes (under 3 uards); Batch and Wet Mix Operator - multiple units (2 and including 4); Chipper (with crane); Clamshell Operator (under 3 yards); Concrete Slip Form Paver; Cranes all (under 65 tons); Derricks and Stifflegs (under 65 tons); Draglines (under 3 yards); Drilling Equipment (8" bit and over)(Robbin's Reverse Circulation and similar); Loader Operator (Front End and Overhead 4 yards to 8 yards); Piledriving Engineers; Paver (dual drum); Quad-track or similar equipment; Railroad Track Liner Operator (self-propelled); Rubber-tired Scrapers, multi-engine, power with one scraper (Euclid, TS-24 and similar); Push Pull or Help Mate in use; Rubber-tired scrapers, multiple engines with two scrapers; Shovels (under 3 yards); Refrigeration Plant Engineer (1,000 tons and over); Signalmen (Whirleys, Highline Hammerheads or similar); Trenching Machines (7 feet depth and over); Multiple Dozer units with single blade

Group 6: Backhoes (3 yards and over); Batch Plant (over 4 units); Cableway Controller - Dispatcher; Cableway Operator; Clasmhell Operator (3 yards and over); Cranes, all - 65 tons and over; Derricks and Stifflegs (65 tons and over); Draglines (3 yards and over); Elevating Belt (Holland type); Loader (360 degrees revolving Koehring Scooper or similar); Loaders (overhead and front-end over 8 or 12 yards); Rubber-tired Scrapers (multiple engine with treee or more scrapers); Shovels (3 yards and over); Tower Crane; Whirleys and Hammerheads (all)

Group 7: Helicopter Pilot; Loaders (overhead and front-end - over 12 yards)

POWER EQUIPMENT OPERATORS (AREA 2)

Remaining Counties and that portion of Idaho County, South of the 46th Parallel

Group 1: Brakemen; Crusher; Plant Feeder (mechanical); Deckhand; Drill Helpers; Grade Checkers; Heater Tender; Land Plane; Oilers; Pumpman; Rear Chainman

DECISION NO. ID76-5010

POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

Remaining Counties and that portion of Idaho County, South of the 46th Parallel

Group 2: Air Compressor; Assistant Refrigeration Plant Operator; Bell Boy; Bit Grinder Operator; Blower Operator (cement); Bolt Threader Machine Operator; Broom; Cement Hog; Concrete Mixer; Concrete Saw - Multiple Cut; Discing - Harrowing or Mulching (regardless of motive power); Distributor Leverman; Drill Steel Threader Machine Operator; Fireman - all; Heavy Duty Mechanic Helper or Welder Helper; Head Chainman; Hoist - single drum; Hydraulic Monitor Operator - skid mounted; Oiler (single piece of equipment); Pugmixer - box or screed Operator; Spray Curing Machine; Tractor - rubber tired farm type using attachments

Group 3: A-Frame Truck (Hydra Lift, Swedish Cranes, Ross Carrier, Hyster on construction jobs); Battery Tunnel Locomotive; Belt Finishing Machine; Cable Tenders (underground); Chip Spreader Machine (self-propelled); Hoist 2 or more crums or Tower Hoist; Hydralift - Fork Lift and similar (when hoisting); Oilers (underground); Power Loader (Bucket Elevator, Conveyors); Rodman; Road Roller (regardless of motive power)

Group 4: Boring Machine (earth of rock) Quarry Master - Joy - Tractor mounted; Drills: Churn - Core - Calyx or Diamond, Front End and Overhead Loaders and similar machines - (up to and including 4 yards) -(Rubber-tired); Grout Pump; Hydra-hammer; Instrument Man; Locomotive Engineer; Longitudinal Float Machine, Mixermobile; Spreader Machine; Tractor - Rubber-tired - using Backhoe, Transverse Finishing Machine, Trenching Machines, Waggoner Compactor and similar, Asphalt Spreaders

Group 5: Concrete Plant Operator; Concrete Road Paver (dual); Elevating Grader Operator; Euclid Elevating Loader; Generator Plant Operator - Mechanic (diesel electric) ; Post Hole Auger or Punch Operator; Power Shovels and Draglines - under 1 yard; Pump-crete; Refrigeration Plant Operator; Road Roller (Finishing High Type Pavement); Skidder - rubber-tired; Subgrader; Multiple Station Beltline Operator (Teton Dam Project only); Service Oiler

Group 6: Asphalt Pavers - self-propelled; Asphalt Plant Operator; Blade Operator (motor patrol); Concrete Slip Form Paver; Cranes - up toaand including 50 ton; Crusher Plant Operator; Derrick Operator; Drilling Equipment (Bit under 8 inches) (Robbins Reverse Circulation and similar); Front End and Overhead Loaders and similar Machines (over 4 yards to and including 7 yards); Koehring Scooper; Heavy Duty Mechanic or Welder; Mucking Machine (underground); Multi-batch Concrete Plant Operator; Piledriver Engineer; Power Shovels and Draglines (1 yard to and including 3½ yards); Tower Crane Operator; Tractor - Crawler type - including all attachments; Refrigeration Plant Operator (over 1,000 tons); Trimmer Machine Operator; Tournapulls - Euclid and similar-to and including 40 yards

DECISION NO. ID76-5010

POWER EQUIPMENT OPERATORS (AREA 2) (Cont'd)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 7: Cableway Operator; Continuous Excavator (Barber Greene WL-50); Cranes - over 50 ton, Dredges; Drilling Equipment (Bit 8 inches and over); (Robbins Reverse-Circulation and similar); Fine Grader - CMI or Equivalent; Front End and Overhead Loaders and similar Machines - (over 7 yards); Power Shovels and Draglines over 3½ yards; Quad type Tractors with all attachments, Tournapulls - Euclid and similar - over 40 yards to and including 50 yards; Multipel Scraper Units

Group 8: Tournapulls - Euclid and similar - over 50 yards to and including 75 yards

Group 9: Tournapulls - Euclid and similar - over 75 yards to and including 100 yards

Group 10: Tournapulls - Euclid and similar - over 100 yards

TRUCK DRIVERS (AREA 1)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 1: Flat Bed Truck, Single rear axle; Escort Driver; Fish Truck; Fork Lift, 3,000 pounds and under; Fuel Truck Driver (steam cleaner and washer); (Helper and Swamper; Leverperson loading trucks at bunkers; Pickup hauling material; Seeder and Mulcher; Stationary Fuel Operator; Team Driver; Tractor (small rubber tired pulling trailer or similar equipment); Water Tank Truck 1,800 gallons

Group 2: Bus Driver or Employeehaul Driver; Flat Bed Truck, dual rear axle; Power Boat hauling employees or material; Tireperson No. 1; Warehouseperson

Group 3: Buggy Mobile and similar; Bulk Cement Tanker; Oil Tank Driver; Power Operated Sweeper; Semi-trailer, Low Bed, Truck and Trailer; Straddle Carrier (Ross, Hyster and similar); Transit Mixers and Trucks hauling concrete (3 yards and under); Trucks, side, end, and bottom dump (under 6 yards); Water Tank Truck (1,801 - 4,000 gallons)

DECISION NO. ID76-5010

TRUCK DRIVERS (AREA 1) (Cont'd)

Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone and that portion of Idaho County North of the 46th Parallel

Group 4: Auto Crane - 2,000 pounds capacity; Bulk Cement Spreader; Dumptor (6 yards and under); Flaherty Spreader, Box Driver; Flat Bed Truck (using power take off); Fork Lift (over 3,000 pounds); Oil Distributor Driver (road, bootperson, leverperson helper); Rubbertired Tunnel Jumbo; Scissor Truck; Slurry Truck Driver; Transit Mixers and Trucks hauling concrete (over 3 yards to 6 yards); Water Tank Truck (4,001 - 6,000 gallons); Wrecker and tow trucks

Group 5: Low Boy (under 50 tons); Service Greaser Tireperson No. 2; Truck, side, end, and bottom dump (over 6 yards to 12 yards)

Group 6: A-Frame (Swedish Crane, Iowa 3,000, Hydrolift); Water Tank Truck (over 6,001 - 8,000 gallons)

Group 7: Dumptor (over 6 yards); Transit Mixers and Trucks hauling concrete (6 yards to 10 yards); Trucks, side, end, and bottom dump (over 12 yards including 20 yards)

Group 8: Low Boy (over 50 tons); Water tank truck (8,001 - 10,000 gallons)

Group 9: Transit Mixers and Trucks hauling concrete, (10 yards to 15 yards); Trucks, side, end and bottom dump (over 20 yards including 30 yards); Water Tank Trucks (10,001 - 12,000 gallons)

Group 10: Mechanic, field

Group 11: Tournarocker, D.W.'s and similar, with 2 or 4 wheel power tractor with trailer, gallonage or yardage scale, which is greater; Transit mixers and Trucks hauling concrete (15 yards to 20 yards); Trucks, side, end and bottom dump (over 30 yards to 40 yards); Water Tank Truck (12,001 - 14,000 gallons)

Group 12: Transit Mixers and Trucks hauling concrete (over 20 yards); Trucks, side, end and bottom dump (over 40 yards to 50 yards)

Group 13: Truck, side, end and bottom dumps, (over 50 yards to 100 yards)

Group 14: Helicopter Pilot hauling employees or material; Trucks, side, end, and bottom dump (over 100 yards)

TRUCK DRIVERS (AREA 2)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 1: Leverman loading at bunkers; Pilot Car or Escort Driver

Group 2: Flat Bed - 2 axle and pickup hauling material; Water Tank Truck (1,800 gallons and under); Fork Lift (3,000 and under)

DECISION NO. ID76-5010

TRUCK DRIVERS (AREA 2) (Cont'd)

Remaining Counties and that portion of Idaho County South of the 46th Parallel

Group 3: Flat Bed - 3 axle, Fuel Truck (1,000 gallons and under); Greaser; Tireman; Serviceman; Buggymobile; Man Haul (Shuttle Truck or Bus)

Group 4: Transit Mix Truck - 3 yards and under; Warehouseman; Truck Helpers; Slurry or concrete pumping truck

Group 5: Flat Bed using power takeoff; Water Tank Truck (over 1,800 - 4,000 gallons); Semi-trailer - Low Boy - up to 96,000 lbs. GVW, Bulk cement tanker - up to 69,000 lbs. GVW; Fork Lift - over 3,000 lbs. (Bull lift, Hydro lift); Ross, Hyster and similar straddle equipment; "A" Frame truck (Swedish Crane, Iowa 3,000, Hydro-lift)

Group 6: Transit Mix Truck, over 3 yds. - 6 yds.

Group 7: Water Tank Truck - over 4,000 gallons; Fuel Truck - over 1,000 gallons; Distributor or Spreader Truck

Group 8: Transit Mix Truck - over 6 yds. - 8 yds.; Dumptors; Field Tireman; Serviceman

Group 9: Transit Mix Truck - over 8 yds. - 10 yds.; Snow Plow (Truck mounted)

Group 10: Low Boy - 96,000 lbs. GVW and over; Bulk Cement Tanker - 96,000 lbs. GVW and over

Group 11: Transit Mix Truck - over 10 yds.

Group 12: Turnarocker and similar equipment

Group 13: Truck - side, end and bottom dump
Class A: 6 yards and under
Class B: Over 6 yards - including 12 yards
Class C: Over 12 yards - including 20 yards
Class D: Over 20 yards - including 30 yards
Class E: Over 30 yards - including 40 yards
Class F: Over 40 yards - including 50 yards
Class G: Over 50 yards - including 75 yards
Class H: Over 75 yards - including 100 yards
Class I: Over 100 yards

Group 14: Truck Mechanic

SUPERSEDEAS DECISION

STATE: Indiana COUNTY: Marion
DECISION NUMBER: IN76-2005 DATE: Date of Publication
Supersedes Decision No. AP-668, dated May 18, 1973 in 38 FR 13247
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air Conditioning & Heating Mechanic	$ 5.14				
Carpenters	4.82				
Cement Masons	6.18				
Electricians	5.00	3%	5%		½of1%
Laborers	4.19				
Painters	4.94				
Plumbers	5.00				
Sheet Metal Workers	5.50				
Truck Drivers	7.325	16.00a	19.50b	c	
POWER EQUIPMENT OPERATORS:					
Bulldozer	9.10				
Roller	9.10				

FOOTNOTES:

a. Per man per week who has been on the payroll 30 days or more.
b. Per man per week who works 2 days or parts of 2 days.
c. Each employee who has been in the employ of the same employer for 1 year & has accumulated 1000 hours of service shall receive 1 week's vacation with pay of 40 hours at straight time; each employee who has been in the employ of the same employer for 10 years or more & has accumulated 1000 hours of service shall receive three weeks' vacation with pay of 120 hours at the straight time hourly rate.

STATE: Maryland and Virginia

COUNTIES: Montgomery and Prince Georges Counties, Maryland; Arlington and Fairfax Counties, the city of Alexandria and Dulles International Airport, Virginia

DECISION NO.: MD-76-3140

DATE: Date of Publication

Supersedes Decision No. MD-75-3100, dated September 26, 1975, in 40 FR 44477.

DESCRIPTION OF WORK: Building Construction(excluding all residential projects.)

BUILDING CONSTRUCTION, (INCLUDING WMAT)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.21	.49	.60		.03
BOILERMAKERS - BLACKSMITHS	9.40	.60	.90		.02
BRICKLAYERS	9.85	.60	.60		.10
CARPENTERS	9.55	.50	.49		.07
CARPET LAYERS	6.70	.30			.05
CEMENT MASONS:					
Cement masons	9.65	.485	.45		.11
Grinding machine	9.90	.485	.45		.11
ELECTRICIANS	10.50	.65	1%+.80		.10
ELEVATOR CONSTRUCTORS	9.775	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	6.84	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROBATIONARY)	4.89				
GLAZIERS	9.03	.56	.40		.05
IRONWORKERS:					
Structural, ornamental and chain link fence	9.55	.50	.60		.05
Reinforcing	10.00	.35	.60		.03
LABORERS (EXCLUDING WMATA):					
Common laborers, landscapers	7.71	.35	.40		.05
Acetylene burners used on wrecking	8.21	.35	.40		.05
Air tool op., scaffold builders, paving breakers, towmasters, buggy mobiles, spaders, mortar men and scootcretes	7.86	.35	.40		.05
Pipelayers	7.86	.35	.40		.05
Plasterers' tenders	7.03	.32	.35		.05
Plumbers' laborers	6.93	.30	.40		.05
Powdermen	8.885	.35	.40		.05
Powersaw, well points	7.96	.35	.40		.05
LATHERS	8.73	.50	.50		.025
LEADBURNERS	9.25	.35		c	.01
LINE CONSTRUCTION:					
Linemen, cable splicers, equipment operators	$10.86	.35	1%		1/4%
Truck with winch, truck pole or steel handling	7.18	.35	1%		1/4%
Groundmen (0 to 1 year)	5.76	.35	1%		1/4%
Groundmen (1 to 2 years)	6.67	.35	1%		1/4%
Groundmen (over 2 years)	6.92	.35	1%		1/4%
MARBLE SETTERS	10.80	.45	.30		.05
MARBLE SETTERS' HELPERS	7.35				
MILLWRIGHTS	9.99	.50	.49		.07
PAINTERS:					
Brush, spray, paperhangers, tapers	9.44	.51	.18		.06
Steel, sandblasting, swing stage, power brushing	9.94	.51	.18		.06
PILEDRIVERMEN	9.75	.50	.49		.07
PLASTERERS	9.80	.45	.25		.06
PLUMBERS	10.08	.73	.70		.23
ROOFERS:					
Composition	8.46	.42	.25		
Slate, tile, mopmen, waterproofers, sprayers, sprandrel and ironite	9.02	.42	.25		
Helpers	6.18	.42	.25		
SHEET METAL WORKERS	9.76	.74	.84		.12
SOFT FLOOR LAYERS	9.55	.50	.49		.07
SPRINKLER FITTERS	10.60	.50	.80		.08
STEAMFITTERS, Refrigeration and air conditioning mechanic	10.20	.65	.75		.14
STONE MASONS	10.80	.45	.30		.05
STONE CUTTERS:					
Fitters and trimmers	9.90	.18	.20		
Ornamental carvers	9.49	.18	.20	h	
Figure carvers	10.11	.18	.20	h	

BUILDING CONSTRUCTION, (INCLUDING WMAT)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TERRAZZO AND MOSAIC WORKERS	$ 9.33	.40	.30		
TERRAZZO WORKERS' HELPERS	8.05	.40	.40		
TILE SETTERS	9.33	.40	.30		
TILE SETTERS' HELPERS	8.05	.40	.40		
TRUCK DRIVERS:					
Boom trucks	6.40	.25	f	g+j	
Small dump, water sprinkler, grease and oil	6.15	.25	f	g+j	
Flat, pick-up hauling materials, small Euclids, dump over 8 wheels	6.25	.25	f	g+j	
Trailers, low boys, tractor pulls	6.45	.25	f	g+j	
Helpers	6.00	.25	f	g+j	
Carryalls, large Euclids, Euclid water sprinkler, tunnel work under ground	6.55	.25	f	g+j	
Mechanics	6.30	.25	f	g+j	
RIGGERS AND WELDERS - Receive rates prescribed for crafts performing operations to which rigging and welding are incidental.					

PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve (provided an employee has worked at least 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday).

f. Employer contributes $8.00 per week when employee has worked 90 days in a work week.

g. Holidays: A-D-E and F (provided the employee works the regularly scheduled work days immediately preceding and following the holiday).

h. Holidays: A-D-E-F and Veteran's Day.

j. One weeks paid vacation providing the employee has worked 3 years and a minimum of 1450 hours during any calendar year.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - RAPID RAIL TRANSIT SYSTEM ONLY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers:					
GROUP I	$ 7.71	.35	.40		.05
GROUP II	7.86	.35	.40		.05
GROUP III	7.91	.35	.40		.05
GROUP IV	7.96	.35	.40		.05
GROUP V	8.16	.35	.40		.05
GROUP VI	8.36	.35	.40		.05
GROUP VII	8.485	.35	.40		.05
GROUP VIII	8.935	.35	.40		.05

CLASSIFICATIONS

LABORERS:

GROUP I - Carloader, choker setter, concrete crewman, crushed feeder, demolition laborer (including salvaging all material, loading and cleaning up), wrecking, driller helper, dumpman, flagman, fence erector and installer (including installation and erection of fence, guard rails, median rails, reference posts, guide posts and right-of-way markers), form stripper, general laborers, railroad track laborer, riprap man, scale man, stake jumper, structure mover (includes foundation, separation, preparation, cribbing, shoring, jacking and unloading of structures), water nozzleman, timber bucker and faller, truck loader, water boys, tool room men

GROUP II - Combined air and water nozzlemen, cement handler, dope pot fireman (nonmechanical), form cleaning machine, mechanical railroad equipment (includes spiker, puller, tie cleaner, tamper pipe wrapper, power driven wheelbarrow, operators of hand derricks, towmasters, scootcretes, buggymobiles and similar equipment), tamper or rammer operator, trestle scaffold builders over one tier high, power tool operator (gas, electric or pneumatic), sandblast or gunnite tailhose man, scaffold erector (steel or wood), vibrator operator (up to 4'), asphalt cutter, mortar men, shorer and lagger, creosote material handler, corrosive enamel or equal, paving breaker and jackhammer operators

GROUP III - Multi-section pipe layer, non-mentallic clay and concrete pipe layer (including caulker, collarman, joiner, rigger and jacker) thermite welder and corrugated metal culvert pipe layer

GROUP IV - Asphalt block pneumatic cutter, asphalt roller, walking chain-saw with attachment, concrete saw (walking), high scalers, jackhammer (using over 6' of steel), vibrator (4' and over), well point installers, air-trac operator

GROUP V - Asphalt screeder, big drills, cut of the hole drills (1½ piston or larger) down the hole drills (3½" piston or larger), gunnite or sandblaster nozzleman, asphalt raker, asphalt tamper, form setter, demolition torch operator, shotcrete nozzleman and potman

GROUP VI - Powderman, master form setters

GROUP VII - Brick paver (asphalt block paver, asphalt block saw man, asphalt

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - RAPID RAIL TRANSIT SYSTEM ONLY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$7.985	.35	.40		.05
GROUP II	8.285	.35	.40		.05
GROUP III	8.935	.35	.40		.05
GROUP IV	9.185	.35	.40		.05

CLASSIFICATIONS

TUNNELS, RAISES AND SHAFTS - FREE AIR

GROUP I

Brakeman, bull gang, dumper, trackman, concrete man

GROUP II

Chuck tender, powderman in prime house, form setters and movers, nippers, cableman, hosemen, groutman, bell or signalman, top or bottom vibrator operator, caulkers' helpers

GROUP III

Miners, rodmen, re-bar underground, concrete or gunnite nozzlemen, powderman, timberman and re-timberman, wood steel including liner plate or any other support, material, motorman, caulkers, diamond drill operators, riggers, cement finishers - underground, welders and burners, shield driver, air trac operator, shotcrete nozzleman and potman.

GROUP IV

Mucking machine operator (air)

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY - RAPID RAIL TRANSIT SYSTEM ONLY

COMPRESSED AIR RATES		Rates Paid Daily	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
Gauge Pressure Pounds	Work Period Hours					
1-14	7	$ 81.22	a	b		c
14-18	6	84.56	a	b		c
18-22	5-1/2	87.89	a	b		c
22-26	5	91.24	a	b		c
26-32	4	94.57	a	b		c
32-38	3	97.92	a	b		c
38-44	2-1/2	101.25	a	b		c

Footnotes:

a. The employer pays $2.80 to health and welfare per day.

b. The employer pays $3.20 to Pension per day.

c. The employer pay $.40 to training fund per day.

(INCLUDING WMATA - RAPID RAIL TRANSIT SYSTEM)

BUILDING CONSTRUCTION, (INCLUDING WMAT)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Aep. Tr.
Power Equipment Operators:					
GROUP 1	$10.45	.50	.55		.12
GROUP 2	10.20	.50	.55		.12
GROUP 3	9.82	.50	.55		.12
GROUP 4	10.05	.50	.55		.12
GROUP 5	9.87	.50	.55		.12
GROUP 6	9.80	.50	.55		.12
GROUP 7	9.79	.50	.55		.12
GROUP 8	9.62	.50	.55		.12
GROUP 9	9.40	.50	.55		.12
GROUP 10	9.60	.50	.55		.12
GROUP 11	8.74	.50	.55		.12

CLASSIFICATIONS

POWER EQUIPMENT OPERATORS

GROUP 1 - 35 ton cranes and above, tower and climbing cranes

GROUP 2 - Backhoes, boom cats, cableways, cranes or derricks, draglines, elevating graders, hoists, elevator (permanent), paving mixers, piledriving engines, power shovels, tunnel shovels, mucking machines, batch plants, concrete pumps, locomotives (standard narrow gauge), power driven wheel scoops and scrapers (50 cu. yds, struck capacity or above), multiple concrete conveyors, front end loader (over 3-1/2 cu. yds.)

GROUP 3 - Mechanic, mechanic welder, welders

GROUP 4 - Hydraulic backhoes, under 1/2 yd., mounted on tractors, front end loader (over 2-3/4 cu. yds., to and including 3-1/2 cu. yds.)

GROUP 5 - Air compressors (on steel)

GROUP 6 - Front end loaders (hi-lift), fork lifts

GROUP 7 - Boilers (skeleton), trenching machines, tug boats, well drilling machines

GROUP 8 - Air compressors (except on steel), concrete mixers, mechanics and maintenance men, pumps, tunnel mechanics, tunnel motormen, welding machines, well points

GROUP 9 - Rollers, asphalt spreaders, bull float finishing machines, concrete spreaders, concrete finishing machines, fine graders

GROUP 10 - Power driven wheel scoops and scrapers (under 50 cu. yds., struck capacity), blade graders, bulldozers, motor graders

GROUP 11 - Firemen

SUPERSEDEAS DECISION

STATE: Minnesota
COUNTY: Olmsted
DECISION NUMBER MN76-2002
DATE: Date of Publication
Supersedes MN75-2058, Dated April 18, 1975, in 40 FR 17454
DESCRIPTION OF WORK: Building (Including Residential) Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.02	.51	.65		.02
BOILERMAKERS	9.45	.60	1.00		.02
BOILERMAKERS' HELPERS	9.20	.60	1.00		.02
BRICKLAYERS:					
Bricklayers; Stonemasons; Cement Blocklayers; Pointers; Caulkers & Cleaners	9.575	.35	.25		
CARPENTERS:					
Building	8.65	.40	.30		
Site Preparation, Excavation & Incidential Paving					
Carpenters & Piledrivermen	7.88	.50	.20		
CEMENT MASONS:					
Building	9.20				
Site Preparation, Excavation & Incidential Paving	9.20				
ELECTRICIANS	8.75	4%	1%	6%	.125%
GLAZIERS	7.71			.30	
IRONWORKERS	9.60	.55	.55		.02
LABORERS:					
General Laborer; Carpenter Tender; Flagman; Power Buggy Operator	7.50	.20	.15		
Mason Tender; Drill Runner; Vibrator Operator; Rebar Laborer	7.60	.20	.15		
Mortar Mixer; Air Actuated Tool	7.65	.20	.15		
Plasterer Tender	7.75	.20	.15		
Nozzleman	7.90	.20	.15		
LATHERS	8.50				
MARBLE SETTERS	8.335	.455	.23	.56	
PAINTERS:					
Brush	8.30	.37	.25		.08
Spray; Swing Stage & High Work	8.80	.37	.25		.08
PLASTERERS	8.65				
PLUMBERS & STEAMFITTERS	8.76	.25	.20		.02
ROOFERS	8.73	.42	.30		.02
SHEET METAL WORKERS	9.47	.42	.30		.02
SPRINKLER FITTERS	9.40	.50	.70		.08
TILE SETTERS	9.54				
TRUCK DRIVERS	7.50				
WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO MN76-2002

MINN-12-LAB

LABORERS: SITE PREPARATION, EXCAVATION & INCIDENTAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	$ 7.55	.20	.15		
CLASS 2	7.65	.20	.15		
CLASS 3	7.70	.20	.15		
CLASS 4	7.80	.20	.15		
CLASS 5	7.90	.20	.15		
CLASS 6	7.95	.20	.15		
CLASS 7	8.00	.20	.15		
CLASS 8	8.00	.20	.15		

CLASS 1 - Unskilled Laborers; Bricklayer & Carpenter Tenders; Drill Runner Helper; Laborers-Wrecking & Semolition; Landscape Gardener; Pipe Handler (Water, Gas, Cast Iron); Salamander Heater & Blower Tender; Sod Layer & Nurseryman; Stonemason Tender.
CLASS 2 - Bituminous Shoveler; Bottom Man (Sewer, Water or Gas Trench); Cement Coverman (Batch Trucks); Cement Handler (Bulk or bag) Chain Saw Man; Compaction Equipment (Hand Operated) Concrete Mixer (1 Bag); Concrete Shoveler; Tamper & Puddler (Paving); Concrete Vibrator; Conduit Layers (w/o wiring); Drill Runner (Heavy, incl. Churn Drill) Dumper (Wagon, Truck etc.); Fort Setter (Municipal Type Curb & Sidewalk); Formsetter (Pavement); Jackhammerman; Joint Saweer; Kettlemen (Bituminous or Lead); Mortar Mixers; P Paving Buster; Power Buggy; Tunnel Laborer (Atmosperic Pressure).
CLASS 3 -Bituminous Tamper
CLASS 4 - Bituminous Raker; Floater & Utility Man; Caisson Work; Cofferdam
CLASS 5 - Leadman
CLASS 6 - Nozzleman (Gunnite)
CLASS 7 - Pipelayer (Sewer, Water & Gas)
CLASS 8 - Powderman

DECISION NO. MN76-2002

MINN-1-PEO-1

POWER EQUIPMENT OPERATORS: BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$12.85	.45	.35		
CLASS 2	10.45	.45	.35		
CLASS 3	10.10	.45	.35		
CLASS 4	10.00	.45	.35		
CLASS 5	9.90	.45	.35		
CLASS 6	9.65	.45	.35		
CLASS 7	9.53	.45	.35		
CLASS 8	9.45	.45	.35		
CLASS 9	9.18	.45	.35		
CLASS 10	8.90	.45	.35		
CLASS 11	8.45	.45	.35		

POWER EQUIPMENT OPERATORS: BUILDING

CLASS 1-Helicopter Operators (Hoisting Material)
CLASS 2-Truck & Crawler Cranes with 200' of Boom & over including Jib
CLASS 3-Truck & Crawler Cranes with 150' of Boom up to & not including 200' of Boom including jib.
CLASS 4-Traveling Tower Crane
CLASS 5-Master Mechanic
CLASS 6-Derrick (Guy & Stiff Leg); Hoist Engineer (3 drums or more); Locomotive Operator; Overhead Crane Operator,(inside Building Perimeter); Truck & Crawler Cranes up to 150' of Boom including jib.
CLASS 7-Air Compressor Operator; Pump Operator & or Conveyor; 2 or more Mechanics; Hoist Engineer (2 drums); Mechanic or Welder; Pumperete or Complaco Type Machine Operator; Fork Lift Operator
CLASS 8-Boom Truck Operator; Concrete Mixer Operator; Drill Rigs (Heavy Duty Rotary or Churn Drill when used for caisson drillin or when drilling for elevator cylinder on Building Construction; Front End Loader Opr; Hoist Engineer (1 drum); Power Plant Engineer (100 KWH & over); Straddle carrier Operator; Tractor Operator (Over D-2); Well Point Pump Operator
CLASS 9-Concrete Batch Plant Operator; Gunnite Operator; Tractor Operator (D-2 or similar size & Front End Loader Operator-up to ½ cu. yd.)
CLASS 10-Air Compressor Operator; Pump & or Conveyor Operator; Fireman-Temporary Heat; Brakemen; Pick Up Sweeper (combustion engine operated); Truck Crane Oiler
CLASS 11-Mechanic Space Heater (Temporary Heat) Oiler or Greaser

DECISION NO. MN76-2002

MINN-6-PEO

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$12.65	.45	.35		
GROUP II	9.36	.45	.35		
GROUP III	9.10	.45	.35		
GROUP IV	8.98	.45	.35		
GROUP V	8.88	.45	.35		
GROUP VI	8.20	.45	.35		
GROUP VII	7.90	.45	.35		

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING

GROUP I Helicopter Pilot
GROUP II Crane with over 135' boom, excluding jib, dragline and/or other similar equipment w/shovel type controls 3 cu. yards. & over Mfg. rates capacity
GROUP III Cableway Op., Concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/ or other similar equipment with shovel type controls up to 3 cu. yds. Mfg. rates capacity, Dredge Operator or Engineer, Dredge Operator (power) & yds. & over, Grader or Motor Patrol Finishing earthwork & bituminous, Locomotive Crane Operator, Master Mechanic, Mixer (Paving) Concrete Paving op., Road Mile Op., Incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refregeration Plant Engineer, Tandem, Scrapter, Tractor, Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over
GROUP IV Dual Tractor Op., Elevating Grader Op., Pumperete Op., Scraper Op., Struck Capacity 32 cu. yd. & over, Self-Prop. Traveling Soil Stabilizer
GROUP V Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary of Churn or Cable Drill, Engineer in Charge of Plant requiring First Class License, Fork Lift or Lumber Stacker, Front End Loader Op., over 1 cu yds., Hoists Engineer, Hydraulic Tree Planter, Launcherman, Locomotive,all types, Mechanic or Welder, Multiple Machines, such as Air Compressors, Welding Machine,s Generators, Pumps or Crane Oilers, Paving Breaker or Tamping Machine Op., (power driven) Mighty Mite or similar tupe, Pick-up Sweeper 1 cu. yd. & over Hopper capacity, Pipeline Wrapping, cleaning or Bending Machine Op., Power Plant Engineer, Power Actuated Horizontal Boring Mach., over 6" Op., Pugmill Op., Roller Op., 8 tons & over, Rubber Tired Farm Tractor, Backhoe Att., Sheep Foot Op., Tie Tamper & Ballast Mach. Op., Tractor Op., over D2, TD6 or similar HP with power tak-off, Tractor Op., over 50 HP without power Take-off, trenching Machine Op., (sewer water, gas) Turnapull Co., (or similar type) Well Point Installation, Dismantling or Repair Mechanic

DECISION NO. MN76-2002

POWER EQUIPMENT OPERATORS (CONT'D)
SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING

GROUP VI Air compressor Op. 373 CFM or over, Bituminous Spreader and Bituminous Finishing Machine Op., Concrete Dist. Spreader Op., Finishing Machine, Longitudinal Float Op., Joint Mach. Op., Spray Op., Concrete Mixer Op. 14S and under, Concrete saw Op. (Mult. Blade), Curb Mach. Op., Fine Grade Op., Form Trench Digger, Front End Loader op. (up to & include 1 cu. yd.), Grader Op. (Motor Patrol), Gunite Op. Gunall, Lead Greaser on truck or rack, Loader Op., Power Actuated Augars and Boring Mach. Op., Power Actuated Jacks Op., Pump Op., Roller Op., Self-propelled Chip Spreader, Shouldering Mach. Op., Stump Chipper Op., Tractor Op (D2, TD6 or similar HP with power take-off

GROUP VII Brakeman, Switchman, Conveyor Op., Deckhand, Fireman, Tank Car Heater Op., Gravel Screening Plant Op., Greaser, Leverman, Mech. Helper, Mech. Spacer Heater, Oiler, Self-Prop. Vib Packer Op., Sheep foot roller, Tractor Op. 50 HP or less w/o Power take-off, Truck Crane Oiler

DECISION NO. MN76-2002

MINN-62-TD

TRUCK DRIVERS: BUILDING, SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 8.25	.35	.45		
GROUP 2	7.95	.35	.45		
GROUP 3	7.85	.35	.45		
GROUP 4	7.65	.35	.45		

GROUP 1
Driver (Hauling machinery for employer's own use, including operation of hand & power operated winches); Truck train Mechanic; Welder; Tractor-Trailer; Off-Road Truck.

GROUP 2
Tri-Axle (including 4-Axles); Dump Dry Batch Hauler; Tank Truck (Gas, Oil, Road Oil & Water); Boom & "A" Frame; Ready Mix Concrete; Slurry Driver.

GROUP 3
Bituminous Distributor; Bituminous Distributor (1-Man Operation); Tandem Axle.

GROUP 4
Bituminous Distributor Spray (rear-end oiler); Dumpman; Greaser & Truck Servicemen; Tank Truck Helper (Gas, Oil, Road Oil & Water) Teamster and Stableman; Tractor Operator (Wheel Type used for any purpose) Pilot car driver; Self Propelled Packer; Slurry Operator; Single Axle Trucks.

STATE: Minnesota COUNTY: Stearns
DECISION NUMBER: MN76-2003 DATE: Date of Publication
Supersedes Decision No. MN75-2059, dated April 11, 1975 in 40 FR 16472
DESCRIPTION OF WORK: Building (Including Residential), Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.02	.51	.65		.02
BOILERMAKERS	9.45	.60	1.00		.02
BRICKLAYERS & STONEMASONS	9.55		.25		
CARPENTERS:					
Building:					
Carpenters & Piledrivermen	8.83			.75	
Soft Floor Layers	7.00				
Site Preparation, Excavation & Incidential Paving:					
Carpenters & Piledrivermen:					
North-South line drawn from the Intersection of Stearns,					
Todd & Morrison Counties	7.47			.75	
Remainder of County	7.62				
CEMENT MASONS:					
Building:					
Cement Masons & Plasterers	8.75			.25	
Site Preparation, Excavation & Incidential Paving:					
Cement Masons	8.35				
ELECTRICIANS	8.74	6⅔%	4%	9%	1⅔%
GLAZIERS	8.23	.40			
IRONWORKERS	9.60	.55	.55		.02
LABORERS:					
General Laborers; Demolition & Wrecking; Concrete Joint Saw					
Operators; Signal Men	7.30	.20	.15		
Power Buggy Operators	7.35	.20	.15		
Mortar Mixers; Plasterer Tenders	7.40	.20	.15		
Jackhammer Men	7.45	.20	.15		
Underground; Caisson; Cofferdam & Tunnel Work	7.55	.20	.15		
Dynamite Men	7.60	.20	.15		
LATHERS	8.72	.31	.25		.01
MARBLE SETTERS	8.335	.445	.23	.56	
PAINTERS:					
Brush	5.90				.02
Structural Steel	6.40				.02
Spray	6.90				.02

DECISION NO MN76-2003

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS & STEAMFITTERS	$ 8.85	.38	.50	.50	.08
ROOFERS:					
Roofers	7.85				
Helpers	6.40				
SHEET METAL WORKERS	9.23	.42	.20		.02
SPRINKLER FITTERS	9.40	.50	.70		.08
TRUCK DRIVERS	7.30				
Welders - receive rate prescribed for craft performing operation to which welding is incidential					

DECISION NO MN76-2003

MINN-11-LAB

LABORERS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	$ 6.75	.40	.35	.40	
CLASS 2	6.80	.40	.35	.40	
CLASS 3	6.85	.40	.35	.40	
CLASS 4	6.90	.40	.35	.40	
CLASS 5	7.10	.40	.35	.40	
CLASS 6	7.15	.40	.35	.40	
CLASS 7	7.28	.40	.35	.40	
CLASS 8	7.25	.40	.35	.40	

CLASS 1 -Bricklayer Tender; Carpenter Tender; Drill Runner Helper; Laborers-Wrecking & Demolition; Lanscape Gardner; Pipe Handler (Water, Gas & Cast Iron); Salamander Heater & Blower Tender; Sod Layer & Nurseryman; Stone-mason Tenders; Unskilled Laborers

CLASS 2 - Form setter (Municipal Type Curb & Sidewalk, Form setter (Pavement)

CLASS 3 - Bituminous Shoveler; Bottom Man (Sewer, Water Or Gas Trench); Cement coverman (Batch Trucks); Cement Handler (Bulk or Bag); Chain Saw Man; Compaction equipment (Hand operated); Concrete Mixer (1 Bag); Concrete Shoveler Tamper & Puddler (Paving); Concrete Vibrator; Conduit Layers (w/o wiring); Drill Runner (Wagon, Truck, etc.); Jackhammerman; Joint Sawer; Kettleman (Bituminous or Lead); Mortar Mixers; Paving Buster; Power Buggy; Tunnel Laborer (Atmospheric pressure).

CLASS 4 - Bituminous Raker, Floater & Utility Man; Caisson work; Cofferdam

CLASS 5 - Leadman

CLASS 6 - (Gunnite)

CLASS 7 - Pipelayer (Sewer, Water & Gas)

CLASS 8 - Powderman; Tunnel Miner

DECISION NO. MN76-2003

MINN-1-PEO-1

POWER EQUIPMENT OPERATORS: BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$12.85	.45	.35		
CLASS 2	10.45	.45	.35		
CLASS 3	10.10	.45	.35		
CLASS 4	10.00	.45	.35		
CLASS 5	9.90	.45	.35		
CLASS 6	9.65	.45	.35		
CLASS 7	9.53	.45	.35		
CLASS 8	9.45	.45	.35		
CLASS 9	9.18	.45	.35		
CLASS 10	8.90	.45	.35		
CLASS 11	8.45	.45	.35		

POWER EQUIPMENT OPERATORS: BUILDING

CLASS 1-Helicopter Operators (Hoisting Material)

CLASS 2-Truck & Crawler Cranes with 200' of Boom & over including Jib

CLASS 3-Truck & Crawler Cranes with 150' of Boom up to & not including 200' of Boom including jib.

CLASS 4-Traveling Tower Crane

CLASS 5-Master Mechanic

CLASS 6-Derrick (Guy & Stiff Leg); Hoist Engineer (3 drums or more); Locomotive Operator; Overhead Crane Operator,(inside Building Perimeter); Truck & Crawler Cranes up to 150' of Boom including jib.

CLASS 7-Air Compressor Operator; Pump Operator & or Conveyor; 2 or more Mechanics; Hoist Engineer (2 drums); Mechanic or Welder; Pumperete or Complaco Type Machine Operator; Fork Lift Operator

CLASS 8-Boom Truck Operator; Concrete Mixer Operator; Drill Rigs (Heavy Duty Rotary or Churn Drill when used for caisson drillin or when drilling for elevator cylinder on Building Construction; Front End Loader Opr; Hoist Engineer (1 drum); Power Plant Engineer (100 KWH & over); Straddle carrier Operator; Tractor Operator (Over D-2); Well Point Pump Operator

CLASS 9-Concrete Batch Plant Operator; Gunnite Operator; Tractor Operator (D-2 or similar size & Front End Loader Operator-up to ½ cu. yd.)

CLASS 10-Air Compressor Operator; Pump & or Conveyor Operator; Fireman-Temporary Heat; Brakemen; Pick Up Sweeper (combustion engine operated); Truck Crane Oiler

CLASS 11-Mechanic Space Heater (Temporary Heat) Oiler or Greaser

DECISION NO. MN76-2003

MINN-6-PEO

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING E. OF THE WESTERN RIGHT-OF-WAY OF U. S. HWY. 15	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$12.65	.45	.35		
GROUP II	9.36	.45	.35		
GROUP III	9.10	.45	.35		
GROUP IV	8.98	.45	.35		
GROUP V	8.88	.45	.35		
GROUP VI	8.20	.45	.35		
GROUP VII	7.90	.45	.35		

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING E. OF THE WESTERN RIGHT-OF-WAY OF U. S. HWY. 15

GROUP I Helicopter Pilot

GROUP II Crane with over 135' boom, excluding jib, dragline and/or other similar equipment w/shovel type controls 3 cu. yards. & over Mfg. rates capacity

GROUP III Cableway Op., Concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/ or other similar equipment with shovel type controls up to 3 cu. yds. Mfg. rates capacity, Dredge Operator or Engineer, Dredge Operator (power) & yds. & over, Grader or Motor Patrol Finishing earthwork & bituminous, Locomotive Crane Operator, Master Mechanic, Mixer (Paving) Concrete Paving op., Road Mile Op., Incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refregeration Plant Engineer, Tandem, Scrapter, Tractor, Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over

GROUP IV Dual Tractor Op., Elevating Grader Op., Pumpcrete Op., Scraper Op., Struck Capacity 32 cu. yd. & over, Self-Prop. Traveling Soil Stabilizer

GROUP V Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary of Churn or Cable Drill, Engineer in Charge of Plant requiring First Class License, Fork Lift or Lumber Stacker, Front End Loader Op., over 1 cu yds., Hoists Engineer, Hydraulic Tree Planter, Launcherman, Locomotive,all types, Mechanic or Welder, Multiple Machines, such as Air Compressors, Welding Machine,s Generators, Pumps or Crane Oilers, Paving Breaker or Tamping Machine Op., (power driven) Mighty Mite or similar tupe, Pick-up Sweeper 1 cu. yd. & over Hopper capacity, Pipeline Wrapping, cleaning or Bending Machine Op., Power Plant Engineer, Power Actuated Horizontal Boring Mach., over 6" Op., Pugmill Op., Roller Op., 8 tons & over, Rubber Tired Farm Tractor, Backhoe Att., Sheep Foot Op., Tie Tamper & Ballast Mach. Op., Tractor Op., over D2, TD6 or similar HP with power tak-off, Tractor Op., over 50 HP without power Take-off, trenching Machine Op., (sewer water, gas) Turnapull Co., (or similar type) Well Point Installation, Dismantling or Repair Mechanic

DECISION NO. MN76-2003

POWER EQUIPMENT OPERATORS (CONT'D)
SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING E. OF THE WESTERN RIGHT-OF-WAY OF U. S. HWY. 15

GROUP VI Air compressor Op. 373 CFM or over, Bituminous Spreader and Bituminous Finishing Machine Op., Concrete Dist. Spreader Op., Finishing Machine, Longitudinal Float Op., Joint Mach. Op., Spray Op., Concrete Mixer Op. 14S and under, Concrete saw Op. (Mult. Blade), Curb Mach. Op., Fine Grade Op., Form Trench Digger, Front End Loader op. (up to & include 1 cu. yd.), Grader Op. (Motor Patrol), Gunite Op. Gunall, Lead Greaser on truck or rack, Loader Op., Power Actuated Augers and Boring Mach. Op., Power Actuated Jacks Op., Pump Op., Roller Op., Self-propelled Chip Spreader, Shouldering Mach. Op., Stump Chipper Op., Tractor Op (D2, TD6 or similar HP with power take-off

GROUP VII Brakeman, Switchman, Conveyor Op., Deckhand, Fireman, Tank Car Heater Op., Gravel Screening Plant Op., Greaser, Leverman, Mech. Helper, Mech. Spacer Heater, Oiler, Self-Prop. Vib Packer Op., Sheep foot roller, Tractor Op. 50 HP or less w/o Power take-off, Truck Crane Oiler

DECISION NO. MN76-2003

MINN-7-PEO

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING-REMAINDER OF CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$12.50	.45	.35		
GROUP II	8.32	.45	.35		
GROUP III	8.07	.45	.35		
GROUP IV	7.93	.45	.35		
GROUP V	7.85	.45	.35		
GROUP VI	7.32	.45	.35		
GROUP VII	6.92	.45	.35		

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING-REMAINDER OF CO.

GROUP I Helicopter Pilot

GROUP II Crane with over 135' Boom, excluding jib, Dragline and/or other similar equipment w/shovel type controls 3 cu. yds. & over Mfg. rated capacity

GROUP III Cableway Op., Concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/or other similar equipment with shovel type controls up to 3 cu. yds. Mfg. rated capacity, Dredge Operator or Engineer, Dredge Operator (power) & Engineer, Front End Loader Op., 5 cu. yds. & over, Grader or Motor Patrol, finishing earthwork & bituminous, Locomotive Crane Operator, Master Mechanic, Mixer (paving) Concrete Paving Op., Road Mile Op., incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over

GROUP IV Dual Tractor Op., Elevating Grader Op., Pumperete Op., Scraper Op., Struck Capacity 32 cu. yd. & over, Self-Prop. Traveling Soil Stabilizer

GROUP V Air Track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine., Drill Rigs, Heavy Rotary or Churn or Cable Drill, Engineer in Charge of Plant requiring First Class License, Fork lift or Straddle Carrier Op., Fork Lift or Lumber Stacker, Front End Loader Op., over 1 cu. yds., Hoist Engineer, Hydraulic Tree Planter Launcherman, Locomotive, all types, Mechanic or Welder, Multiple Machines, such as Air Compressors, Welding Machines, Generators, Pumprs or Crane Oilers, Paving Breaker or Tamping Machine Op., (power driven) Mighty Mite or similar type, Pick-up Sweeper, 1 cu. yd. & over Hopper capacity, Pipeline Wrapping, Cleaning or Bending Machine Op., Power Plant Engineer, Power Actuated Horizontal Boring Mach. over 6" op., Pugmill Op., Roller Op., 8 tons & over, Rubber Tired Farm Tractor, Backhoe Att., Sheep Foot Op., Tie Tamper & ballas Mach. Op., Tractor Op. over D2, TD6 or similar HP with power take-off, Tractor Op., over 50 HP without power take-off, Trenching Machine Op., (sewer, water,gas) Turnapull Op., (or similar type) well Point Installation, Dismantling or Repair Mechanic

DECISION NO: MN76-2003

POWER EQUIPMENT OPERATORS (CONT'D)
SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING-REMAINDER OF CO.

GROUP VI Air Compressor Op. 375 CFM or over, Bituminous Spreader and Bituminous Finishing Machine Op., Concrete Dist. and Spreader Op., Finishing Mach. Longitudinal Float Op., Joint Mach, Op., Spray Op., Concrete Mixer Op. 14S and under, concrete saw op. (multi. Blade), Curb Mach. Op., Fine Grade Op., Form Trench Digger, Front End Loader Op. (up to & incl. 1 cu. yd.), Grader op. (Motor Patrol), Gunite op. Gunall, Lead Greaser on truck or rack, Loader Op., PowerActuated Augars and Boring Mach. Op., Power Acutated Jacks op., Pumps op., Roller., Self-propelled Chip Spreader, Shouldering Mach. op., Stump Chipper., Tractor Op. (D2, TD6 or similar HP with power take-off

GROUP VII Brakeman, Switchman, Conveyor op., Deck hand, Fireman, Tank Car Heater Op., Gravel Screening Plant Op., Greader, Leverman, Mech. Helpers, Mech. Space Heater, Oiler, Self-Prop. Vib. Packer Op., Sheep foot roller, Tractor Op. 50 HP or les w/o Power take-off, Truck Crane Oiler

MINN-5-TD

DECISION NO MN76-2003

TRUCK DRIVERS: SITE PREPARATION, EXCAVATION & INCIDENTAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 7.42	.35	.45		
GROUP 2	7.12	.35	.45		
GROUP 3	7.02	.35	.45		
GROUP 4	6.82	.35	.45		

GROUP 1

Driver (hauling machinery for employer's own use including operation of hand & power operated winches); Truck train mechanic; Welder; Tractor-Trailer; Off road truck.

GROUP 2

Tri-Axle (including 4 Axles); Dump dry batch hauler; Tank truck (gas, oil, road oil & water); Boom & "A" Frame; Ready mix concrete; Slurry driver.

GROUP 3

Bituminous distributor driver; Bituminous distributor (1 man operation); Tandem axle.

GROUP 4

Bituminous distributor spray (rear-end oiler); Dumpman; Greaser & truck service man; Tank truck helper (gas, oil, road oil & water); Teamster and stableman; Tractor operator (wheel type used for any purpose); Pilot car; Self-propelled packer; Slurry operator; Single axle.

SUPERSEDEAS DECISION

STATE: Minnesota COUNTY: St. Louis
DECISION NUMBER: MN76-2004 DATE: Date of Publication
Supersedes Decision No. MN75-2042, dated February 21, 1975 in 40 FR 7837
DESCRIPTION OF WORK: Building (Including Residential), Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.00	.30	.25		
BOILERMAKERS	9.45	.60	1.00		.02
BOILERMAKERS' HELPERS	9.20	.60	1.00		.02
BRICKLAYERS & STONEMASONS:					
All that part of the County, south of line between Townships 54 & 55 to 2 miles north of Cotton	9.77	.30	.25		
Nothern ½ of County	9.725	.30			
CARPENTERS:					
Building					
Cities of Ash Lake, Crane Lake Kabetogama & Kinmount	8.40	.30			
Cities of Alborn, Arnold, Barlett, Birch, Brookston, Canyon Clinton, Culver, Duluth, Floodwood, Gowan, Island, Kelsey, Lakewood, Meadowlands, Munger, Palmers, Payne, Praist, Shaw & Taft Carpenters; Piledrivermen; Soft Floor Layers	8.70	.30	.40	.30	
Millwrights	8.92	.30	.40	.30	
Cities of Allen, Aurora, Babbitt, Biwabik, Britt, Buyck, Casco, Central Lakes, Cook, Cusson, Ely, Embarrass, Eveleth, Florenton, Forbes, Forsman, Gilbert, Hoyt Lakes, Idington, Iron Junction, Makinen, McComber, Mesaba, Mountain, Iron, Ridge, Sax, Sherman Corners, Sherwood, Skibo, Soudan, Tower, Virginia, Wahlsten, Winton, Zim Carpenters & Soft Floor Layers	8.64	.30		.30	
Cities of Bengal, Bear Lake, Buhl, Chisholm, Gheen, Greaney, Hibbing, Kelly Lake, Nett Lake, Orr, Riley, Side Lake, Silica & Tovola Carpenters & Soft Floor Layers	$ 8.64	.30		.30	
Carpenters: Site preparation, excavation and Incidential paving	8.28	.30		.30	
CEMENT MASONS:					
City of Duluth	9.345	.30			
Northern Portion of County, North of White Face River Site preparation, excavation & Incidential paving	8.95	.30			
North of T-54N	8.95	.30			
South of T-55N	9.63	.30			
ELECTRICIANS:					
All of the southerly part of Co. bounded on the North by the line of Kelsey Township extended east & west	9.54	4%	4%	11%	1¼%
Northern Part of County, bounded by the south line of Ellsburg Township extended east & west	9.94	4%	4%	11%	1¼%
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	8.50	.445	.29	3%+a	.02
Helpers	70%JR	.445	.29	3%+a	.02
Helpers (Prob.)	50%JR				
GLAZIERS	8.65	.30	.30	b	
IRONWORKERS	9.75	.20	.55	.10	.02
LABORERS (Building; Residential)					
South of T-55N, including the City of Duluth					
Common Laborer & Flagman	7.35	.30	.35	.40	
Mortar Mixer, Carpenter Tender, Mason Tender, Jackhammer & Vibrator Operator, Power Buggy Opr., Concrete Buster, Nozzleman on Concrete Pump, Burning Torch-Demolition	7.45	.30	.35	.40	

DECISION NO MN76-2004

DECISION NO MT76-2004

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (CONT'D)					
North of T-55N					
Common Laborer	$ 7.80	.20	.15		
Carpenter Tender, Mason Tender, Mortar Mixer, Bricklayer Tender, Jackhammer	7.90	.20	.15		
Pipehand (water, gas, cast-iron & non-metallic)	8.05	.20	.15		
LATHERS	9.45	.30			
MARBLE SETTERS	8.335	.455	.23	.56	
MARBLE & TILE SETTERS HELPERS	7.69	.37			
PAINTERS:					
Brush & Roller	9.03	.30	.20		.08
Paperhangers-Spray-Struc. Steel	9.33	.30	.20		.08
PLASTERERS:					
Northern portion of County North of the White Face River	8.90	.30		.45	
Portion of County, South & East of the White Face River	8.40	.25		.45	
PLUMBERS & STEAMFITTERS:					
Northern ½ of County	9.02	.42	.56	1.00	.05
Southern ½ of County	8.46	.30	.75	1.00	.05
ROOFERS:					
Northern ½ of County	8.38	.42	.50		
Southern ½ of County	8.48	.30	.25	1.00	
SHEET METAL WORKERS:					
Northern ½ of County	9.44	.42	.50		
Southern ½ of County	8.54	.30	.30		
SPRINKLER FITTERS	9.40	.50	.70		.08
TERRAZZO WORKERS	8.46	.30	.25		
TILE SETTERS	8.59	.37	.50		

MIRR-10-LAB

DECISION NO MT76-2004

LABORERS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING NORTH OF T-55

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$ 7.63	.20	.15	.25	
CLASS II	7.73	.20	.15	.25	
CLASS III	7.88	.20	.15	.25	
CLASS IV	7.93	.20	.15	.25	
CLASS V	7.98	.20	.15	.25	
CLASS VI	8.03	.20	.15	.25	
CLASS VII	8.13	.20	.15	.25	
CLASS VIII	8.23	.20	.15	.25	

CLASS I Unskilled Laborers; Laborers; wrecking & Demolition; Bricklayer tender; Drill runner helper; Landscape gardner; sod layer & nurseryman Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tender; Stonemason tender

CLASS II Bituminous Shoveler; Bottom man (sewer, water or gas trench); Cement handler (bulk or bag); Chain Saw man; Compaction equipment (hand operated); Concrete mixer operator (1 bag); Concrete Shoveler, tamper & puddler (paving) Concrete vibrator; Conduit layers (w/o wiring); Dumper (wagon, truck, etc.); Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters; Kettleman (Bituminous or lead); Mortar mixer; Power buggy; Joint drawer; tunnel laborer (Atmospheric pressure)

CLASS III Bituminous Tamper; Cofferdam work; Caisson work

CLASS IV Drill Runner (heavy, including churndrill)

CLASS V Bituminous Raker, Floater & Utility Man; Pipelayer (Sewer, water, gas); Loadman

CLASS VI Nozzleman (Gunite)

CLASS VII Powderman

CLASS VIII Tunnel Miner

DECISION NO MN76-2004

MINN-1-HEAV

LABORERS: SITE PREPARATION, EXCAVATION & INCIDENTAL PAVING SOUTH OF T-55	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or App. Tr.
CLASS I	7.18	.30	.35	.40	
CLASS II	7.28	.30	.35	.40	
CLASS III	7.43	.30	.35	.40	
CLASS IV	7.48	.30	.35	.40	
CLASS V	7.53	.30	.35	.40	
CLASS VI	7.58	.30	.35	.40	
CLASS VII	7.68	.30	.35	.40	
CLASS VIII	7.78	.30	.35	.40	

CLASS I Unskilled Laborer; Laborer wrecking and demolition; Bricklayer Tender; Drill Runner Helper; Landscape Gardner; Sod Layer & Nurserymen; Pipe Handler (water, gas or cast iron) Salamander Heater & Blower Tender; Stone Mason Tender

CLASS II Bituminous Shoveler; Bottom Man (sewer, water or gas trench) Cement Handler (Bulk or Bag) Cement Coverman (Batch Truck) Chain Saw Man; Compaction Equipment (Hand Operated) Concrete Mixer Operator (1Bag Capacity): Concrete Shoveler; Tamper & Puddler (Paving): Concrete Vibrator Operator; Conduit Layer (Without Wiring) Dumper (wagon Truck): Form Setter (Municipal Type curb and side walk) Form Setter (Paving) Jackhammer Man; Paving Buster; Kettleman (Bituminous or Lead); Mortar Mixer; Power Buggy Operator; Joint Sawer; Tunnel Laborer (Atmospheric Pressure)

CLASS III Bituminous Tamper; Coffordam Work; Caisson Work

CLASS IV Drill Runner (heavy, including Churn Drill)

CLASS V Bituminous Raker, Floater & Utility Man; Pipelayer (sewer, water & gas)

CLASS VI Nozzleman

CLASS VII Powderman

CLASS VIII Tunnel Miner

DECISION NO. MN76-2004

MINN-1-PEO-1

POWER EQUIPMENT OPERATORS: BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$12.85	.45	.35		
CLASS 2	10.45	.45	.35		
CLASS 3	10.10	.45	.35		
CLASS 4	10.00	.45	.35		
CLASS 5	9.90	.45	.35		
CLASS 6	9.65	.45	.35		
CLASS 7	9.53	.45	.35		
CLASS 8	9.45	.45	.35		
CLASS 9	9.18	.45	.35		
CLASS 10	8.90	.45	.35		
CLASS 11	8.45	.45	.35		

POWER EQUIPMENT OPERATORS: BUILDING

CLASS 1-Helicopter Operators (Hoisting Material)

CLASS 2-Truck & Crawler Cranes with 200' of Boom & over including Jib

CLASS 3-Truck & Crawler Cranes with 150' of Boom up to & not including 200' of Boom including jib.

CLASS 4-Traveling Tower Crane

CLASS 5-Master Mechanic

CLASS 6-Derrick (Guy & Stiff Leg); Hoist Engineer (3 drums or more); Locomotive Operator; Overhead Crane Operator, (inside Building Perimeter); Truck & Crawler Cranes up to 150' of Boom including jib.

CLASS 7-Air Compressor Operator; Pump Operator & or Conveyor; 2 or more Mechanics; Hoist Engineer (2 drums); Mechanic or Welder; Pumperete or Complaco Type Machine Operator; Fork Lift Operator

CLASS 8-Boom Truck Operator; Concrete Mixer Operator; Drill Rigs (Heavy Duty Rotary or Churn Drill when used for caisson drillin or when drilling for elevator cylinder on Building Construction; Front End Loader Opr; Hoist Engineer (1 drum); Power Plant Engineer (100 KWH & over); Straddle carrier Operator; Tractor Operator (Over D-2); Well Point Pump Operator

CLASS 9-Concrete Batch Plant Operator; Gunnite Operator; Tractor Operator (D-2 or similar size & Front End Loader Operator-up to ½ cu. yd.)

CLASS 10-Air Compressor Operator; Pump & or Conveyor Operator; Fireman-Temporary Heat; Brakemen; Pick Up Sweeper (combustion engine operated); Truck Crane Oiler

CLASS 11-Mechanic Space Heater (Temporary Heat) Oiler or Greaser

DECISION NO MT76-2004

MTHW-74-DEO-2-3

SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING

POWER EQUIPMENT OPERATORS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$12.95	.45	.35		
GROUP 2	9.66	.45	.35		
GROUP 3	9.40	.45	.35		
GROUP 4	9.27	.45	.35		
GROUP 5	9.18	.45	.35		
GROUP 6	8.50	.45	.35		
GROUP 7	8.20	.45	.35		

GROUP 1 Helicopter Pilot

GROUP 2 Crane with over 135' Boom, excluding jib, Dragline and/or other similar equipment w/shovel type controls 3 cu. yds. & over Mfg. rated capacity

GROUP 3 Cableway Op., Concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/or other similar equipment with shovel type controls up to 3 cu. yds. Mfg. rated capacity, Dredge Operator or Engineer, Dredge Oper. (power) & Engineer, Front End Loader Op., 5 cy. yds. & over, Grader or Motor Patrol, Finishing earthowrk & bituminous, Locomotive Crane Operator, Master Mechanic, Mixer (Paving) Concrete Paving Op., Road Mole., Op., incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over

GROUP 4 Dual Tractor Op., Elevating Grader Op., Pumperete Op., Scraper, Struck Capacity 32 cu. yd. & over, Self-Propelled. Traveling Soil Stabilizer

GROUP 5 Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary or Churn or Cable Drill, Engineer in charge of Plant requiring First Class License, Fork Lift or Straddle Carrier Op., Fork Lift or Lumber Stacker, Front End Loader Op., Loader Op., over 1 cu. yds., Hoist Engineer, Hydrualic Tree Planter, Launcherman, Locomotive, all types, Mechanic or welder, Multiple machines, such as air compressors, welding machines, generators, pumps or crane oilers, paving breaker or tamping machines op., (power-driven - Mighty might or similar type, Pick-up sweeper, 1 cu. yd. & over Hopper capacity, Pipeline wrapping, cleaning or bending machine actuated horizontal boring mach., over 6" op., pugmill op., roller, 8 tons & over, Rubber tired farm tractor, backhoe att., sheep foot op., tie tamper & ballast mach. Op., tractor op., over D2, TD6 or similar HP with power take-off, tractor Op., over 50 HP without power take-off, trenching machine Op., (sewer, water, gas) turnapull op., (or similar type) well point installation, dismatling or repair mechanic

DECISION NO MT76-2004

POWER EQUIPMENT OPERATORS: (CONT'D)

GROUP 6 Air compressor Op. 375 CFM or over, bituminous spreader and bituminous finishing machine op., concrete dist. and spreader op., finishing machine longitudinal float op., joint mach. op., spray op., concrete mixer op. 1/3 and under, concrete op. (Malt. Blade), curb mach. op., Fine grade Op., form trench digger, front end loader op. (up to & incl. 1 cu. yd.), grader op. (motar patrol), gunit op. gunall, lead greaser on truck or rack, loader op., power actuated Augars and boring mach. op. power actuated jacks op., pump op., toller op., self-propelled chip spreader, shouldering mach. Op., stump chipper op., tractor op. (D2, TD6 or similar HP with power take-off

GROUP 7 Brakeman, switchman, conveyor op., deckhand, Fireman, Tank Car Heater op., Gravel screening plant op., greaser leverman, mech. helper, mech. space heater, oiler, self-prop. vib. packer op., sheep foot roller, tractor op. 50 HP or less w/o power take-off, truck crane oiler

DECISION NO MR76-2004

MIDI-62-TD

TRUCK DRIVERS: BUILDING SITE PREPARATION, EXCAVATION & INCIDENTAL PAVING	Basic-Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 8.25	.35	.45		
GROUP 2	7.95	.35	.45		
GROUP 3	7.85	.35	.45		
GROUP 4	7.65	.35	.45		

GROUP 1
Driver (Hauling machinery for employer's own use, including operation of hand & power operated winches); Truck train Mechanic; Welder; Tractor-Trailer; Off-Road Truck.

GROUP 2
Tri-Axle (including 4-Axles); Dump Dry Batch Hauler; Tank Truck (Gas, Oil, Road Oil & Water); Boom & "A" Frame; Ready Mix Concrete; Slurry Driver.

GROUP 3
Bituminous Distributor; Bituminous Distributor (1-Man Operation); Tandem Axle.

GROUP 4
Bituminous Distributor Spray (rear-end oiler); Dumpman; Greaser & Truck Servicemen; Tank Truck Helper (Gas, Oil, Road Oil & Water) Teamster and Stableman; Tractor Operator (Wheel Type used for any purpose) Pilot car driver; Self Propelled Packer; Slurry Operator; Single Axle Trucks.

SUPERSEDEAS DECISION

STATE: Missouri & Kansas

COUNTIES: Cass, Clay, Jackson, Platte, & Ray Missouri; Johnson & Wyandotte, Kansas

DECISION NO.: M076-4008

DATE: Date of Publication

Supersedes Decision No. M075-4145 dated August 1, 1975, in 40 FR 32616.

DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
ASBESTOS WORKERS	$10.72	.50	.80		.02
BOILERMAKERS	9.45	.70	1.00		.02
BRICKLAYERS and Stonemasons	9.225	.35	.35	1.00	
CARPENTERS, MILLWRIGHTS, PILEDRIVERMEN	8.72	.33	.30	.25	.05
CEMENT MASONS:					
Cement masons	9.225	.40	.50	.25	
Composition	9.475	.40	.50	.25	
ELECTRICIANS: (Up to and including 3 stories)					
Zone 1 - Western half of Clay and Jackson Counties, Missouri not including Blue Springs; Northern half of Platte County, Missouri; Northwestern portion of Cass County, Missouri, not including Pleasant Hill	7.61	.29	1%+.31	.80	.06
Zone 2 - Remainder of Cass, Clay, Jackson, and Platte Counties, Missouri	9.07	.29	1%+.31	.80	.06
Zone 3 - Ray Counties, Missouri	6.94	.29	1%+.31	.80	.06
ELECTRICIANS (4 Stories):					
Zone 1 - Western half of Clay and Jackson Counties, Missouri not including Blue Springs; Northern half of Platte County; Northwestern portion of Cass County, Missouri, not including Pleasant Hill	10.27	.29	1%+.31	.80	.06
Zone 2 - Remainder of Cass, Clay, Jackson and Platte Counties, Missouri:					
Electricians (contracts $5,000 and over)	10.27	.29	1%+.31	.80	.06
Electricians (contracts under $5,000)	9.72	.29	1%+.31	.80	.06

DECISION NO. M076-4008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
ELECTRICIANS: (4 Stories)(Cont'd)					
Zone 3 - Ray County, Missouri:					
Electricians (contracts $5,000 and over)	$ 10.27	.29	1%+.31	.80	.06
Electricians (contracts under $5,000)	9.11	.29	1%+.31	.80	.06
ELECTRICIANS:					
Zone 1 - Johnson County, Kansas (that portion of Johnson County west of Aubry, Oxford and Shawnee Townships)	5.95	.40	1%+.20		.05
Zone 2 - Remainder of Johnson County, Kansas	7.61	.29	1%+.31	.80	.06
Zone 3 - Wyandotte County, Kansas	7.61	.29	1%+.31	.80	.06
ELEVATOR CONSTRUCTORS	9.83	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				

FOOTNOTE: a. Employer contributes 4% basic hourly rate for over 5 yrs.' service, and 2% of basic hourly rate for 6 mos. to 5 yrs. as Vacation Pay Credit

b. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day.

GLAZIERS	9.41	.55	.51	14.4%	.03
IRONWORKERS	9.25	.65	.90	1.00	.05

DECISION NO. M076-4008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Building Construction					
Zone 1 - Cass, Clay, Jackson, and Platte Counties, Missouri; Johnson and Wyandotte Counties, Kansas					
Group 1	$7.60	.45	.40	.50	.10
Group 2	7.695	.45	.40	.50	.10
Group 3	7.795	.45	.40	.50	.10
Group 4	7.89	.45	.40	.50	.10
Group 5	7.99	.45	.40	.50	.10

LABORERS
Building Construction

Zone 1

CLASSIFICATION DEFINITIONS

Group 1: General labor; Wire mesh handlers or setters; Carpenter tender; Track men; Flagmen; Signalmen; Salamander tenders; Window cleaners; Floor cleaners; Landscape men; Sod layers; Wercker (for alterations or entire projects)

Group 2: Plumber laborers (conduit pipe, sewer work, drain tile and duck lines, digging and back filling), power tool operators; Pier hole diggers (over 10 ft.); Virbator, jackhammer, and chipping hammer operators; Chain saw operators; Concrete saw operators; Brush feeders on pulverizers; Reinforcing steel handlers; Air tamp operators; Ditch witch operators; Swinging scaffolds

Group 3: Cutting torch or burner men; Georgia buggies (self-propelled); Fork lift; Hoseman; Insulation man

Group 4: Fork lift (masonry); Brick tender; Plasterer tender; Stonemasons tender (includes all hod carriers calssifications previously shown as mortar men and scaffolding)

Group 5: Barco, jackson or similar tamp operators; Asphalt rakers; Powder men; Mastic hot kettle men; Sandblasting and gunnite nozzlemen; Wagon and churn drill operators

DECISION NO. M076-4008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Building Construction					
Zone 2 - Ray County, Missouri					
Group 1	$7.30	.45	.40	.50	.10
Group 2	7.40	.45	.40	.50	.10
Group 3	7.475	.45	.40	.50	.10
Group 4	7.55	.45	.40	.50	.10
Group 5	7.65	.45	.40	.50	.10

CLASSIFICATION DEFINITIONS

LABORERS:

Group 1: General labor; Wire mesh handlers or setters; Carpenter tender; Track men; Flagmen; Signalmen; Salamander tenders; Window cleaners; Floor cleaners; Landscape men; Sod layers; Wrecker (for alterations or entire projects)

Group 2: Plumber laborers (conduit pipe, sewer work, drain tile and duck lines, digging and back filling), power tool operators; Pier hole diggers (over 10 ft.); Vibrator, jackhammer, and chipping hammer operators; Chain saw operators; Concrete saw operators; Brush feeders on pulverizers; Reinforcing steel handlers; Air tamp operators; Ditch witch operators; Swinging scaffolds

Group 3: Cutting torch or burner men; Georgia buggies (self-propelled); Fork lift; Hoseman; Insulation man

Group 4: Fork lift (masonry); Brick tender; Plasterer tender; Stonemasons tender (includes all hod carriers classifications previously shown as mortar men and scaffolding)

Group 5: Barco, jackson or similar tamp operators; Asphalt rakers; Powder men; Mastic hot kettle men; Sandblasting and gunnite nozzlemen; Wagon and churn drill operators

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS: (Cont'd)					
Site preparation and grading Zone 3 - Johnson and Wyandotte Counties, Kansas; Site Preparation, Incidential Paving and Utilities Clay, Jackson, Platte and Ray Cos., Missouri					
Group 1	$7.80	.50	.50	.70	.10
Group 2	7.95	.50	.50	.70	.10
Group 3	8.10	.50	.50	.70	.10
Group 4	8.30	.50	.50	.70	.10
Group 5	8.60	.50	.50	.70	.10

CLASSIFICATION DEFINITIONS

LABORERS:

Group 1: Carpenter tenders; Slamanader tenders; Dump man and ticket takers on stock piles; Flagmen; Loading trucks under bins, hoppers and conveyors; Track men and all other general laborers

Group 2: Air tool operators; Cement handler (bulk or sack); Chain or concrete saw; Deck hands; Dump man on earth fill; Grade checkers on cuts and fills; Georgia buggies man; Material batch hopper man; Scale man; Material mixer man (except on manholes, coffer dams, abutments and pier hole men working below ground); Riprap pavers rock, block or brick; Signalman; Scaffolds over 10 ft. not self-supported from ground up; Skipman on concrete paving; Vibrator man; Wire mesh setters on concrete paving; All work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile and duct lines and all other pipe lines; Power tool operator; All work in connection with hydraulic or general dredging operations; Form setter helpers; Puddlers (paving only)

Group 3: Crusher feeder; Men handling creosote ties or creosote materials; Men working with and handling epoxy material or materials (where special protection is required); Head pipe layer on sewer work; Topper of standing trees; Batter board man on pipe and ditch work; Feeder man on wood pulverizers; Board and willow mat weavers and cable tiers on river work; All laborers working on underground tunnels where compressed air is not used

Group 4: Spreader or screed man on asphalt machine; Asphalt raker; Laser beam man; Barco tamper; Jackson or any other similar tamp; Wagon driller; Churn drills; Air track drills and all other similar drills; Form setters; Cutting torch man; Liners and stringline men on concrete paving, curbs, gutters and etc.; Hot mastic kettleman; Hot tar applicator; Hand blade operators; Manhole builders helpers and mortar men on brick or block manholes; Sandblasting and gunnite nozzle men; Rubbing concrete; Air tool operator in tunnels

Group 5: Manhole builder (brick or block); Dynamite and powder men

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LATHERS	$ 9.70	.50			
MARBLE and TILE SETTERS	10.26	3.65%	3.25%		
MARBLE and TILE SETTERS' HELPERS	8.48				
PAINTERS:					
Brush, Tapers and Roller	8.86	.55	.70		.06
Spray	9.86	.55	.70		.06
PLASTERERS	10.25	.30			
PIPEFITTERS	10.42	.52	1.05		1%
PLUMBERS	10.69	.60	.70		1%
POWER EQUIPMENT OPERATORS:					
Building Construction (Zone 1)					
Group 1	9.85	.50	.75	.75	.10
Group 2	9.60	.50	.75	.75	.10
Group 3	8.35	.50	.75	.75	.10
Group 4	8.85	.50	.75	.75	.10
Group 5	8.85	.50	.75	.75	.10
Group 6	9.10	.50	.75	.75	.10
Group 7	10.10	.50	.75	.75	.10
Group 8	10.35	.50	.75	.75	.10
Group 9	9.85	.50	.75	.75	.10
Group 10	10.85	.50	.75	.75	.10
Group 11	10.35	.50	.75	.75	.10
Group 12:					
(a)	9.60	.50	.75	.75	.10
(b)	9.35	.50	.75	.75	.10
(c)	9.35	.50	.75	.75	.10
(d)	8.60	.50	.75	.75	.10

POWER EQUIPMENT OPERATORS (Cont'd)

CLASSIFICATION DEFINITIONS

Zone 1

Group 1: Asphalt paver and spreader; Asphalt plant mixer operator; Asphalt plant operator; Back fillers; Backhoe, all types; Barber-greene loader (similar type); Blade-power, all types; Boats-power; Boilers (2); Boring machines (all types); Cableways; Cherry pickers (all types); Chip spreader; Clamshells; Combination concrete hoist and mixer such as mixermobile (with tower, 50¢ per hour additional); Compressors (2) 105 ft. or over not more than 20' apart; Compressors tandem (any sizes); Compressors single, truck mounted; Concrete ready-mixed plant, portable (job site); Concrete mixer paver; Crane-overhead; Crusher, rock; Derricks and derrick cars (power operated); Ditching machines; Dozers; Draglines; Dredges-any type power; Grade-all similar type; Hoist, endless chain - power operated with power travel; Loaders - all types; Locomotives all types; Mechanic and welder; Mucking machine; Orange peels; Pile drivers - all types; Pumps - material all types; Push cats; Scoops all types; Self-propelled rotary drill; Shovel, power; Side boom; Skimmer scoop; Testhole machine; Throttle man

Group 2: A-frame trucks; Boilers (1); Brooms-power operated (all types); Chip spreader (front man); Clef plane operator; Compressors (1) 105' or over; Concrete saws, self-propelled); Conveyor operator; Crab-power operated; Curb finishing machine; Firemen on rigs; Flex plane; Floating machine; Form grader; Fork lift-all types and sizes (except masonry); Greaser; Hoist; Hoist, endless chain - power operated; Hopper - power operated; Hydra hammer (all types); Lad-a-vator - similar type; Mixers with side loaders); Pumps (with well points); Pump; Rollers - all types; Siphons, jets and jennies; Sub-grader; Tractors over 50 h.p.

Group 3: Oiler

Group 4: Forl lift-masonry

Group 5: Oiler driver all types

Group 6: Tractors (except when hauling material less than 50 h.p.

Group 7: Clamshells, 80 ft. of boom or over (including jib); Crane or rigs, 80 ft. or boom or over (including jib); Draglines, 80 ft. of boom or over (including jib); Piledrivers, 80 ft. of boom or over (including jib)

Group 8: Crane or rigs, over 200 ft. of boom

Group 9: Hoists each additional drum over 1 drum

Group 10: Master Mechanic

Group 11: Crane - tower or climbing

Group 12: Ready Mixer Concrete Plants: (a) Crane operator; (b) Loader operator; (c) Plant man; (d) Conveyor operator

DECISION NO. M076-4008

POWER EQUIPMENT OPERATORS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Site Preparation and Grading - Johnson and Wyandotte Counties, Kansas; Site Preparation, Incidential Paving and Utilities-Clay, Jackson, Platte, and Ray Counties, Missouri					
Zone 2					
Group 1	$9.85	.50	.75	.75	.10
Group 2	9.60	.50	.75	.75	.10
Group 3	9.35	.50	.75	.75	.10
Group 4	8.35	.50	.75	.75	.10
Group 5	8.85	.50	.75	.75	.10
Group 6	10.10	.50	.75	.75	.10
Group 7	10.35	.50	.75	.75	.10
Group 8	9.85	.50	.75	.75	.10

POWER EQUIPMENT OPERATORS (Cont'd)

CLASSIFICATION DEFINITIONS

Zone 2

Group 1: Asphalt paver and spreader; Asphalt plant console operator; Auto grader; Backhoe; Blade operator, all types; Boilers-2; Booster pump on dredge; Boring machine (truck or crane mounted); Bulldozer operator; Clamshell operator; Compressor maintenance operator-2; Concrete plant operator, central mix; Concrete mixer paver; Crane operator; Derrick or derrick trucks; Ditching machine; Dragline operator; Dredge engineman; Dredge operator; Drill cat with compressor mounted on cat; Drilling or boring machine, rotary, self-propelled; High loader-fork lift; Hoisting engine-2 active drums; Locomotive operator, standard gauge; Mechanics and welders, field or shop; Maintenance operator; Mucking machine pile driver operator; Pitman crane operator; Pump-2; Quad-trac; Scoop operator-all types; Scoops in tandem; Self-propelled rotary drill (Leroy or equal - not air trac); Shovel operator; Side discharge spreader; Sideboom cats; Skimmer scoop operator; Slip-form paver (CMI, REX, or equal); Throttle man; Truck crane; Welding machine maintenance operator-2

Group 2: A-frame truck; Asphalt hot mix silo; Asphalt plant fireman, drum or boiler; Asphalt plant mixer operator; Asphalt plant man; Asphalt roller operator; Backfiller operator; Chip spreader; Concrete batch plant, dry-power operated; Concrete mixer operator, skip loader; Concrete pump operator; Crusher operator; Elevating grader operator; Greaser; Hoisting engine-1 drum; Latourneau rooter; Multiple compactor; Pavement breaker, self-propelled, of the hydra-hammer or similar type; Power shield; Pug mill operator; Stump cutting machine; Towboat operator; Tractor operator over 50 h.p.

Group 3: Boilers - 1 ; Chip spreader (front man); Churn drill operator; Compressor maintenance operator-1; Concrete saws, self-propelled; Conveyor operator; Distributor operator; Finishing machine operator; Fireman, rig; Float operator; Form grader operator; Pump; Pump maintenance operator, other than dredge; Roller operator, other than high type asphalt; Screening and washing plant operator; Self propelled street broom or sweeper; Siphons and jets; Sub-grading machine operator; Tank car heater operator-combination boiler and booster; Tractor, 50 h.p. or less with/o attachments; Vibrating machine operator, not hand; Welding machine Maintenance operator - 1

Group 4: Mechanic's Helpers; Oilers

Group 5: Oiler driver, all types

Group 6: Clamshells, 3 yds. capacity or over; Crane or rigs, 80 ft. of boom or over (including jib); Draglines, 3 yds. capacity or over; Pile-drivers, 80 ft. of boom or over (including jib); Shovels, 3 yds. capacity or over

POWER EQUIPMENT OPERATORS (Cont'd)

CLASSIFICATION DEFINITIONS

Zone 2 (Cont'd)

Group 7: Crane or rigs, over 200 ft. of boom (including jib)

Group 8: Hoists (each additional drum over 1 drum)

Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) feet or more in length or depth will be paid fifty cents (50¢) per hour above the regular classification.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
Roofers	$9.30	.30	.60		.04
Helpers:					
1st 6 months	5.58	.30	.60		.04
2nd 6 months	6.05	.30	.60		.04
3rd 6 months	6.51	.30	.60		.04
4th 6 months	6.98	.30	.60		.04
5th 6 months	7.44	.30	.60		.04
6th 6 months	7.91	.30	.60		.04
7th 6 months	8.37	.30	.60		.04
SHEET METAL WORKERS	10.705	.35	.50		.05
SOFT FLOOR LAYERS	7.96	.40	.45	10%	.06
SPRINKLER FITTERS	10.73	.50	.80		.06
TERRAZZO WORKERS	9.93	3.65%	3.25%		
TRUCK DRIVERS:					
Building Construction					
Zone 1					
Group 1	8.275	.50	.75		
Group 2	8.325	.50	.75		
Group 3	8.40	.50	.75		
Group 4	8.525	.50	.75		
Group 5	8.425	.50	.75		
Group 6	8.625	.50	.75		
Group 7	8.475	.50	.75		
Group 8	8.375	.50	.75		

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:

Zone 1

Group 1: Warehousemen and stockman

Group 2: Flat beds; Pick-ups; Dump trucks, under 10 yds.

Group 3: Dump trucks, 10 yds. and over; steel trucks; semi-truck drivers

Group 4: Straddle trucks; Wheel tractors (when used for towing); Hydro lift trucks; Hydraulically operated serial lifts; Heavy hauling, A-frame winch and fork lifts; Heavy excavating (dumpster, Euclid, etc.); Double bottom units (20 tons capacity and over)

Group 5: Distributor truck drivers and operators; Oilers, greasers and mechanics' helpers

Group 6: Mechanics

DECISION NO. M076-4008

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS: (Cont'd) Site Preparation and Grading - Johnson and Wyandotte Counties, Kansas; Site Preparation, Incidential Paving and Utilities- Clay, Jackson, Platte and Ray Counties, Missouri					
Zone 2					
Group 1	$8.34	.50	.75	.75	
Group 2	8.54	.50	.75	.75	
Group 3	8.85	.50	.75	.75	
Group 4	9.00	.50	.75	.75	
Group 5	8.115	.50	.75	.75	

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:

Zone 2

Group 1: One team; Station wagons; Pickup trucks; Material trucks, single axle; Tank wagon drivers, single axle

Group 2: Material trucks, tandem; Two teams; Semi-trailers; Winch trucks - fork trucks; Distributor drivers and operators; Agitator and transit mix; Tank wagon drivers, single axle; Tank wagon drivers tandem or semi-trailer; Insley wagons; Dump trucks, excavating, 5 cu. yds. and over; Dumpsters; Half-tracks; Speedace; Euclids and other similar excavating equipment

Group 3: A-frame, lowboy, and boom truck driver

Group 4: Mechanics and welders

Group 5: Mechanics' helpers, oilers and greasers

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidential.

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: ONONDAGA

DECISION NO.: NY76-3124 DATE: DATE OF PUBLICATION

Supersedeas Decision No. NY75-3041 dated April 11, 1975 in 40 FR16505
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

34-N.Y.-1-2-3-Y 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$10.98	.60	.21		.02
Boilermakers	10.00	.60	10%		.01
Bricklayers and stone masons	9.10	.61	.70		.03
Carpenters, (Building)	9.47	.65	.75		.05
Carpenters and piledrivermen, heavy and Highway	8.67	.55	.60		.025
Cement masons, building	9.00	.60	.60		
Cement masons, heavy and highway	8.80	.60	.60		.01
Electricians:					
Elebridge and Skaneateles Twps.	10.85	.55	1%+.35		.05
Remainder of County	10.55	.57	1%+.85		.05
Elevator constructors	9.92	.445	.29	3%+a+b	.02
Elevator constructors' helpers	6.94	.445	.29	3%+a+b	.02
Elevator constructors' helpers (prob.)	4.96				
Glaziers	9.63	.50			.01
Ironworkers, structural, ornamental and reinforcing	9.91	.52	.82		.10
Laborers, Building:					
Laborers	7.90	.55	.55		
Air tool op., (jackhammermen, vib.) plasterers' helpers, gas buggies, mortar mixers (hand & machine), chipping hammer, automatic tampers	8.00	.55	.55		
Lathers	9.535	.325	.40		.01
Lead burners	9.25	.35		c	.01
Linemen:					
Linemen	10.40	.65	1%+.60	d	1%
Groundman digging machine operator	9.36	.65	1%+.60	d	1%
Groundman mobile equipment operator	8.32	.65	1%+.60	d	1%
Groundman truck driver	7.90	.65	1%+.60	d	1%
Cable splicer	11.44	.65	1%+.60	d	1%
Groundman dyanmite man and Mechanic	8.32	.65	1%+.60	d	1%
Marble setters	8.765	.65	.76		
Millwrights	9.675	.65	.75		.05
Painters:					
Brush	9.00	.60	.68		
Structural steel	9.60	.60	.68		
Spray	9.50	.60	.68		
Plumbers	9.10	.51	.57		.15
Roofers:					
Roofers	9.15	.60	.75		
Helpers: 1st 30 days	7.28	.35	.45		
Helpers: next 60 days	7.40	.35	.45		
Sheet metal workers	10.655	.60	.80		.07

34-N.Y.-1-2-3-Y 2 of 2

BUILDING, HEAVAY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Soft floor layers	$9.47	.65	.75		.03
Sprinkler fitters	10.75	.50	.80		.03
Steamfitters	10.795	.50	.50		.05
Terrazzo workers	8.765	.65	.76		
Tile setters	8.765	.65	.76		
Truck Drivers: (Building)					
Truck drivers	8.00	.40	.50		
Mechanics	8.20	.40	.50		
Euclids	8.25	.40	.50		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F; Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (providing employee works the day before and the day after the holiday).

DECISION NO. NY76 313¾

NY 8 LAB 2 3 1

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 7.29	.65	.65	a	
CLASS B	7.49	.65	.65	a	
CLASS C	7.69	.65	.65	a	
CLASS D	7.89	.65	.65	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A
Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B

Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C
All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D
Blasters, form setters, stone or granite curb setters.

DECISION NO. NY76 313¾

NY 10 FEO 1 B

POWER EQUIPMENT OPERATORS Building Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Class 1	$10.03	.50	.90	a	.05
Class 2	9.53	.50	.90	a	.05
Class 3	8.51	.50	.90	a	.05

FOOTNOTE:
a. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day and Christmas Day, providing employee has worked 5 consecutive working days before and the working day after the holiday.

POWER EQUIPMENT OPERATORS: Building Construction

Class 1: Asphalt and blacktop roller; Automated concrete spreader (CMI or equivalent); Automated fine grade machine (CMI); Backhoe; Belt placer; Blacktop spreader (such as Barber Greene and BawKnox) Blacktop plant (automated); Blast or rotary drill (truck or cat mounted); Boom truck; Cableway; Caisson auger; Carry-all-scraper-self loading; Central Mix plant (automated); Cherry picker over five (5) ton capacity; Compressors; Pump; Generator or welding machine (when used in a battery of not more than four (4); Crane; Crusher-cock; Derrick; Diesel power unit; Dragline; Dredge; Dual drum paver; Elevating grader (self-propelled to towed); Elevator hoist - two cage; Excavator - all purpose - hydraulically operated; Fork lift (factory rating 15 ft. or more); Front end loader (4 c.y. and over); Gradall; Grader (power); Head tower (Saur man or equal); Hoist (2 or 3 drums); Locomotive; Maintenance engineer; Maintenance welder; Mine hoist; Mucking machine or mole; Overhead crane fixed permanent; Pile driver; Quarry Master or equivalent; Refrigeration equipment - for soil stabilization; Shovel; Side boom; Slip form paver; Straddle buggy (Ross carrier, Lumber carrier) Tractor drawn belt type loader (Euclid loader); Trenching machine (digging capacity of over 4 ft. depth); Truck crane operator; Tunnel shovel; Vibro or sonic hammer controls (when not mounted in proximity to the rig operator)

DECISION NO. NY76-3134

POWER EQUIPMENT OPERATORS (Cont'd)
Building Construction

Class 2: "A" Frame truck; Blacktop plant (non-automatic); Boring machine; Bulldozer; Cage hoist; Carry-all scraper; Central mix plant (non-automated); Cherry picker five (5) tons and under; Compressor (315 c.f. and over); Concrete paver (single drum over 16S); Concrete pump; Core boring machine; Drill rigs-tractor mounted; Elevator - as a material hoist; Fork lift (factory rating less than 15 ft.); Front end loader (under 4 cu. yds.); Gunnite machine; High pressure boiler (15 lbs. and over); Hoist (one drum); Hydraulic breaking hammer; (Drop hammer); Kolman plant loader (screening gravel); Maintenance grease man; Mixer for stabilized base - self-propelled (seaman mixer); Monorail machine; Parapet concrete or pavement grinder post hole digger (truck or tractor mounted); Post driver (truck or tractor mounted); Power sweeper (Wayne or similar); Pump 4" and over; Pump-crete or squeeze-crete; Road widner (front end of grader or self-propelled); Shell winder (motorized); Snorkel (overhead arms); Roller; Trenching machine (digging capacity of 4 ft. or less); Tugger hoist vibro tamp; Well drill; Well point system (submersible pumps when used in lieu of well-point system); Winch (motor driven); Winch cat; Winch truck

Class 3: Compressor (under 315 cu. ft.); Concrete paver or mixer (under 16S); Concrete pavement spreaders and finishers (not automated); Conveyor (over 12 ft.); Electric submersible pump (4" and over); Farm tractor with or without accessories; Fine grade machine (not automated); Fireman; Form tamper; Generator (2,500 watts and over); Hydraulic pump; Mechanical heaters - more than two (2) mechanical heaters or any mechanical heater or heaters whose combined output exceeds 640,000 BTU per hour (manufacturer's rating); Mulching machine; Oiler; Power driven welding machine - 300 amp. and over (other than all electric); One welding machine under 300 amp. will not require an engineer unless in a battery); Power heaterman (hay drier) Pump (under 4"); Revinius widner (road widener); Steam cleaner or Jenny; Tractor with or without towed accessories

DECISION NO. NY76-3134

NY 4 PEO 2 3 B

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.20	.50	.50+a	b	.10
GROUP II	8.90	.50	.50+a	b	.10
GROUP III	8.25	.50	.50+a	b	.10
GROUP IV	7.50	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.40 per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

DECISION NO. NY76-3134

NY 1 TD 2 3 I

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: WAYNE

DECISION NO.: NY76-3125 DATE: Date of Publication

Supersedes Decision No. NY75 3047 dated April 11, 1975 in 40FR16685
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

59-NY-1-2-3-I 1 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers -	$11.07	.83	.40		.03
Boilermakers	9.85	.50	.95		.02
Bricklayers:					
Twps. of Ontario, Williams, Sodus (including Sodus Point), Walworth, Marion, Macedon, and Palmyra:					
Bricklayers, plasterers, stone masons, tuck pointers	11.115	.30	.58		.02
Cement masons, building	10.915	.30	.58		.02
Cement masons, heavy and highway	8.82	.30	.58		
Marble setters, terrazzo workers, and tile setters	11.66				
Twps. of Butler and Walcott (including the villages of Red Creek and Walcott):					
Bricklayers, cement masons (building), marble setters, plasterers, stone masons, terrazzo workers, and tile setters	9.30	1.25	.60		.02
Cement masons, heavy and highway	8.60	.50	.60		
Remaindor of county:					
Bricklayers, cement masons (building), marble setters, terrazzo workers, tile setters, and stone masons, plasterers	9.30	1.25	.60		.02
Cement masons, heavy and highway	8.60	.50	.60		
Carpenters, Building	10.25	.55	.59		.005
Carpenters (Heavy and Highway)	8.67	.45	.70		.025
Electricians:					
Twps. of Sodus, Williamson, Ontario, Walworth, Marion, Palmyra and Macedon	10.85	.50	1%+1.25		½ of 1%
Twps. of Lyons, Galen & Arcadia	10.85	.55	1%+.35		.05
Savannah twp.	10.85	.55	1%+.35		.05
Twps. of Huron, Walcott, Rose & Butler	10.45	.60	1%+.35		¼ of 1%

NY76 3125 D.2

59-NY-1-2-3 - H 2 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Glaziers	$9.40	.82	.56		.05
Ironworkers:					
Walcott, Butler, Savannah and Clyde					
Structural, ornamental & reinforcing	9.91	.52	.82		.10
Remainder of County:					
Structural, ornamental & reinforcing	9.38	.52	.82		.05
Sheeter	9.63	.52	.82		.05
Sheeter, bucker-up	9.505	.52	.82		.05
Laborers, Building:					
Twps. of Macedon, Marion, Ontario, Palmyra, Sodus, Walworth & Williamson:					
Laborers	8.25	.74	1.15		
Blasters	9.62	.74	1.15		
Air track, wagon drill op., a asphalt rakers	8.65	.74	1.15		
Jackhammers, mortar mixer, concrete cutters for wrecking and demolition	8.55	.74	1.15		
Power monkey	9.10	.74	1.15		
Chuck tender, all work on hanging or swing scaffold	8.45	.74	1.15		
Remainder of County:					
Laborers	8.10	.45	1.05		
Lathers	10.78		.50		.01
Leadburners	9.25	.35		b	.01
Line Construction:					
Lineman	10.40	.65	1%+.60	c	
Groundman digging machine operator	9.36	.65	1%+.60	c	
Groundman mobile equipment operator	8.32	.65	1%+.60	c	
Groundman truck driver	7.90	.65	1%+.60	c	
Groundman dynamite man & Mechanic	8.38	.65	1%+.60	c	
Cable splicer	11.44	.65	1%+.60	c	
Painters:					
Twps. of Macedon, Palmyra, Marion, Williamson, Sodus, Ontario & Walworth:					
Brush, roller	8.95	.60	.87		.04
Structural steel & iron-up to 40'	9.45	.60	.87		.04
Over 40'	9.65	.60	.87		.04

59-NY-1-2-3-H 3 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Swing scaffold & window brackets	9.45	.60	.87		.04
Bridge	9.95	.60	.87		.04
Sandblaster	9.70	.60	.87		.04
Spray	9.55	.60	.87		.04
Remainder of County:					
Painters	5.43				
Spray, swing scaffold, structural steel above 40'	6.18				
Piledrivermen & millwrights, Bldg.	10.62	.55	.89		.005
Piledrivermen, Heavy & Highway	8.67	.45	.70		.025
Plumbers & steamfitters:					
Twps. of Butler & Savannah:					
Contracts over $50,000	9.67	.40	.23		
Contracts under $50,000	8.87	.40	.23		
Twps. of Walcott	10.23	.35	.40		
Remainder of County	9.99	.605	2.28	.55	.10
Roofers	10.67	.43	.43		
Roofers helpers:					
1st year - 1st 6 months	4.73	.43	.43		
1st year - 2nd 6 months	6.71	.43	.43		
3rd year	9.19	.43	.43		
Sheet metal workers	11.16	.70	.90		.025
Sprinkler Fitters	10.75	.50	.80		.08
Soft floor layers	8.64	.55	.59	h+i	.005
Truck drivers, Building:					
Twps. of Ontario, Walworth & Macedon	8.59	.40	.40		
Remainder of County:					
Dumps, straight, trailer, pick-up, transit-mix, water and fuel	7.05		.35	f + g	
Road oilers, low-boy trailers, winch trucks and A-frames	7.20		.35	f + g	
Euclid, linn drivers	7.40		.35	f + g	

PAID HOLIDAYS: A.-New Year's Day; B.-Memorial Day; C.-Independence Day; D.-Labor Day; E.-Thanksgiving Day; F.-Christmas Day

FOOTNOTES:

a. Holiday: Labor Day provided the employee has worked the day before the holiday.

b. Holidays: A through F, Washinton's Birthday, Good Friday, & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regularly scheduled work days immediately preceding & following the holiday.

c. Holidays: A through F, Washinton's Birthday, Good Friday, and Election Day for President of the United States and Governor of New York State, provided employee works day before and day after the holiday.

d. Holiday: Labor Day, provided employee works the regular working day preceding the holiday and the regular working day after the holiday.

e. Holidays: A-through-F.

f. 1 week vacation after 1 year's work.

g. Holidays: A through F, providing regular employee is available for work the day before and the day after the holiday.

h. Holidays: A through F and Good Friday.

i. 1 year's work or more - one week vacation; 3 year's work or more - 2 weeks vacation.

j. Holidays: Independence Day; Thanksgiving Day; Friday after Thanksgiving.

NY-5 LAB 2 3 J

Twps. of Macedon and Palmyra LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 6.70	.74	1.15	a	
CLASS B	6.90	.74	1.15	a	
CLASS C	7.10	.74	1.15	a	
CLASS D	7.30	.74	1.15	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A

Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B

Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C

All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D

Blasters, form setters, stone or granite curb setters.

NY-24 LAB 2 3 G

REMAINDER OF COUNTY LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 7.09	.45	1.05	a	
CLASS B	7.29	.45	1.05	a	
CLASS C	7.49	.45	1.05	a	
CLASS D	7.84	.45	1.05	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A

Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B

Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C

All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D

Blasters, form setters, stone or granite curb setters.

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I - Cranes (cable and hydraulic, climbing and tower)
I - A 121 ft. and under
I - B 121 ft. and 151 ft.
I - C 151 ft. and 201 ft.
I - D 201 ft. and 251 ft.
I - E 251 ft. and 301 ft.
I - F 301 ft. and 351 ft.
I - G 351 ft. and 401 ft.
I - H 401 ft. and 451 ft.

GROUP II - Air tugger, derrick, dredge, big generator plant, cableway, backhoe, clamshell, dragline, shovel and similar machines over 3/8 cubic yards capacity (factory rating), bridge crane (all types), caisson auger and similar type machine, forklift (with factory rating of 15 ft. or more of lift), hoist (on steel erection), mucking machines, ross carrier (and similar types), three drum hoist (when all three drums are in use)

GROUP III - A frame truck, backfilling machine, hoist (1 or 2 drums), barber green and similar typer machine, maintenance engineer (mechanic), mechanical slurry machines (all kinds), belt crete and similar type machines, bituminous spreading machine, post hole digger, bulldozer, carry all type scraper, core drill, pumps, (regardless of motive power) no more than (4) in number not to exceed 20 inches in total capacity), fine grade and finish rollers, side boom tractor, stone crusher, compressors: 4 not to exceed 2000 cfm combined capacity 3 or less with more than 1200 CFM, but not to exceed 2000 CFM, concrete mixer, concrete placer, concrete pumps, tournadozer and similar types, crane-hoe-shovel 3/8 yd. capacity or less (factory rating), tournapull and similar types, dinky locomotives (all types), tower-moble and similar types, elevating grader, elevator trenching machines, fine grade machines (all kinds), welder, front end loader, forklift with factory rating of less than 15 feet of lift, well drill, well point system, high pressure boiler, Exception: single electric pumps up to and including 4 inches not be manned.

GROUP IV - Any combination (not to exceed 3 pieces of equipment), welding, machine or mechanical conveyor (over 12 ft in length), fireman, belt crete generator, mechanical heater, roller (fill & grade), pumps (regardless of motive power) no more than (3) in number, not to exceed twelve inches total capacity, rubber tired tractor, compressor 3 or less, not to exceed 1200 CFM combined capacity, longitudinal float, Exception: single gasoline driven welding machines up to 300 amps need not be manned.

GROUP V - Truck crane oilers

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I:					
I-A	$10.21	.50	.50+.30	a	.10
I-B	10.46	.50	.50+.30	a	.10
I-C	10.71	.50	.50+.30	a	.10
I-D	10.96	.50	.50+.30	a	.10
I-E	11.46	.50	.50+.30	a	.10
I-F	11.96	.50	.50+.30	a	.10
I-G	12.46	.50	.50+.30	a	.10
I-H	12.96	.50	.50+.30	a	.10
GROUP II	10.61	.50	.50+.30	a	.10
GROUP III	10.03	.50	.50+.30	a	.10
GROUP IV	8.935	.50	.50+.30	a	.10
GROUP V	7.80	.50	.50+.30	a	.10

FOOTNOTES:
PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day regardless of the day of the week in which the holiday may fall.

NY 24 FEO 2 3 B

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$9.32	.45	.45+.50	a	.10
CLASS II	9.09	.45	.45+.50	a	.10
CLASS III	8.71	.45	.45+.50	a	.10
CLASS IV	7.98	.45	.45+.50	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays, A through F, provided employee works the working day before and the working day after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

CLASS I: Asphalt roller (except rubber tire), Automatic fine grade machine, backhoe (except tractor mounted, rubber tired), belt placer, black top plant (automated) blast or rotary drill, (truck or cat mounted), cableway, caisson auger, central mix plant (automated), cherry picker - over 5 tons capacity, crane, derrick, dragline, dredge, dual drum paver, elevating grader (self-propelled or towed), excavator (all purpose - hydraulically operated), front end loader (4 c.y. and over), gradall, grader, head tower, hoist, 2 or 3 drum, locomotive (irrespective of size or power), maintenance engineer, mine hoist, mucking machine, overhead crane, peins crane or similar type, pile driver, quarry master or equivalent, shovel, skimmer, slip form paver, tractor drawn belt-type loader, truck crane, tunnel shovel

CLASS II: Asphalt roller (rubber tired), asphalt spreader, automatic fine grade machine, backhoe (tractor mounted, rubber tired), back filling machine, bending machine (pipe), bituminous spreader and mixer, blacktop plant (non-automated), boom truck, boring machine, cage hoist, central mix plant (non-automated) and all concrete batching plants, cherry picker 5 tons and under, compressors (4 or less) exceeding 2,000 c.f.m. combined capacity, concrete paver over 16S, concrete pump, crusher, dozer or push cat, drill rigs, tractor mounted, elevator, front end loader (under 4 c.y.) hi-pressure boiler, (15 lbs. and over), hoist, one drum, hydraulic pipe jack machine or similar type machine, jersey spreader, kolman plant loader and similar type loaders (if employer requires another man to clean the screen or to maintain the equipment, he shall be an oiler), maintenance grease man, mixer for stabilized base self-propelled, monorail machine, plant engineer, pump crete, ready mix concrete plant, road widener, rock bit sharpener (all types), roller (all above subgrade, scraper, side boom, slip form paver, snorkel, stump chipping machine, trencher, tube finisher, winch, winch truck with A-frame

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POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

CLASS III: Asphalt curb and gutter machines, blower for burning brush, chipping machine and chip spreader, compressors: 4 not exceed 2,000 c.f.m. combined capacity, 3 or less with more than 1,200 c.f.m. but not to exceed 2,000 c.f.m., compressor, (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type or combination) concrete pavement spreaders and finishers, concrete curb and gutter machine, concrete curing machines, conveyor drill core, drill well, electric pump used in conjunction with well point systems, farm tractor with accessories, fine grade machine, hammers-hydraulic-self-propelled, hydraulic rock expander or similar type machine, hydraulic pump, motorized hydraulic pin puller and seeders, post hole digger and post driver, roller (grade and fill), tractor with towed accessories, vibratory compactor, vibro tamp, well point

CLASS IV: Aggregate plant, boiler, (used in conjunction with production), C.M.I. and similar type concrete spreaders, cement bin operator, compressors: 3 or less not to exceed 1,200 c.f.m. combined capacity, compressors: (any size, but subject to other provisions, for compressors), dust collectors, generators, pumps, welding machines (3 or less of any type or combination), concrete mixer (16S and under), concrete saw self-propelled, fireman, form tamper, mulching machine, oiler, power broom, power heaterman, revinius widener, steam cleaner, tractor

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TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

SUPERSEDEAS DECISION

STATE: NEW YORK
DECISION NO. NY76-3126

COUNTY: WESTCHESTER
DATE: DATE OF PUBLICATION

Supersedes Decision No. NY75-3048 dated April 11, 1975 in 40 FR 16631
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

60-N.Y.-1-2-3- X — 1 of 3

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$12.58	5%	10%		
Boilermakers	10.57	5%	15%	7%	.01
Bricklayers	9.00	1.00	2.25	1.25+f	.05
Carpenters and insulators	8.80	.95	.95	1.37	.085
Cement masons	9.00	1.00	2.25	1.25+f	.05
Electricians	11.18	11.75%	1%	10%	½%
Elevator constructors	9.52	.445	.29+e	a+b	.02
Elevator constructors' helpers	7.14	.445	.29+e	a+b	.02
Elevator constructors' helpers (prob)	4.76				
Elevator constructor modernization	8.75	.445	.29+e	a+b	.02
Elevator constructor modern. helpers	6.56	.445	.29+e	a+b	.02
Elevator constructor repair	7.90	.445	.29+e	a+b	.02
Elevator constructor repair helper	5.92	.445	.29+e	a+b	.02
Glaziers	9.10	.66	1.66	.365	.03
Ironworkers, structural	10.90	1.10	2.45	1.35+g	.05
Ironworkers, ornamental finisher	9.59	.86	2.35	.78	.03
Ironworkers, reinforcing	9.10	.785	1.755	.75	.01
Laborers: (Building)					
Laborers, mason, plasterers, bricklayers, tenders, concrete laborers & pipelayers	7.20	.60	.89	.40	
Jackhammer, vibrators, power buggies, fork lifts, all pneumatic equipment	7.45	.60	.89	.40	
Lathers, nail-on	12.00				.01
Lathers, metal	9.10	.785	1.755	.75	.01
Lead burners	9.25	.35		c	.01
Line construction:					
Linemen	9.33	.56	1%+.61	.93	½%
Cable splicer	9.33	.56	1%+.61	.93	½%
Cable splicer helper	9.33	.56	1%+.61	.93	½%
Groundman	9.33	.56	1%+.61	.93	½%
Driver groundman	9.33	.56	1%+.61	.93	½%
Dynamite man	9.33	.56	1%+.61	.93	½%
Marble setters	7.80	.63	1.41		
Marble setters' helpers, crane op,	7.33	.63	1.41		
Marble cutters	7.80	.63	1.41		

NY76 3126 p. 2

60-N.Y.-1-2-3 X — 2 of 3

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Marble carvers	7.95	.63	1.41		
Derrickmen	7.33	.63	1.41		
Marble sawers, rubbers, polishers	7.57	.63	1.41		
Millwrights	9.36	.90	1.53		
Painters:					
Brush	8.15	.45	.87-6/7	.40	
Structural steel	9.31	.45	.87-6/7	.40	
Spray	9.15	.45	.87-6/7	.40	
Piledrivermen & dock builders	10.39	1.10	1.78	.60	.02
Plasterers	9.00	.75	1.75	1.00+i	.05
Plumbers	9.44	8%	8½%	11%	½%
Riggers					
Roofers:					
Composition, damp & waterproofing	9.00	1.44	2.20	.63	
Slate and tile	10.60	.55	1.00	1.50	
Slate and tile helpers	7.50	.50	1.00	1.00	
Sheet metal workers	9.51	6%	14%	9%	.02
Soft floor layers	8.80	.95	1.40	.67	.085
Steamfitters	8.84	6½%	8½%+d	11%	1%
Stone masons	9.00	1.00	2.25	1.35+i	.05
Terrazzo machine operator	7.13	.88	.43		
Terrazzo workers	9.10	.64	1.95		
Terrazzo workers' helpers	7.43	.88	1.26		
Tile setters	8.50	.75	2.15		
Tilesetters' helpers	7.90	.50	1.27		
Sprinkler Fitters	10.75	.50	.80		.08
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Armistice Day and Election Day.

b. Employer contributes 6.4% of basic hourly rate for 5 years or more of service of 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

60-N.Y.-1-2-3- X

FOOTNOTES (CONT'D):

c. Holidays: A through F; Washington's Birthday, Good Friday, Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regularly schedule work days immediately preceding and following the holiday.

d. Employer contributes $5.60 per day to Security Benefit Fund, providing the employee works 3½ hours or more during the working day.

e. Employer contributes $8.00 per day to Annuity Fund.

f. Holidays: D, Armistice Day, Columbus Day, Presidential Election Day or Election Day for Governor of New York (Highway Construction only.)

g. Holidays: A through F, providing the employee works a full hald day preceding the holiday.

h. Employer contributes $7.00 per day to Security Benefit Fund providing the employee works 3½ hours or more during the working day.

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EXCAVATION, HEAVY CONSTRUCTION AND ROAD CONSTRUCTION (Open Cut)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Blasters, blaster (quarry master)	$9.02	8%	8%	a + .75	
Joy drillers, wagon drillers, air track drillers, concrete form aligner, concrete form and curb form highway (steel), and deck winches on scows, jumbo driller	8.48	8%	8%	a + .75	
Asphalt curb machine operator, jeeper operator, pavement breaker operator, rock scalers, power saw operator, bit grinder or grinders, barco rammer operator, air tamper and all type powered tampers not covered by any other classification, steel kings, power buggy operator, jack hammer drillers, all type pneumatic tool and gasoline drillers, concrete saw or saws, asphalt screeder on barbergreen, form pin puller railroad spike puller, pumps and their operation, and pneumatic tools and service of air power, gunniting	8.37	8%	8%	a + .75	
General concrete laborers or anything pertaining to concrete which means any men handling aggregate or concrete materials and carpenters tender and steel handling, pipe layers, puddlers, asphalt worker, fine grade men between forms, epoxy and waterproofing	8.22	8%	8%	a + .75	
Joy driller's helper wagon driller helper, air track driller helper, common laborers, signal men and pitman, truck spotters, powdermen, landscape and nursery men, and dump men	8.12	8%	8%	a + .75	

EXCAVATION, HEAVY CONSTRUCTION AND ROAD CONSTRUCTION (Open Cut)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers: (CONT'D)					
Wrecking:					
Barmen, and burner	$8.62	8%	8%	a + .75	
Barmen helpers and laborers	8.47	8%	8%	a + .75	
Shaft and Tunnel in Free Air:					
Blasters	9.27	8%	8%	a + .75	
Concrete setters	9.47	8%	8%	a + .75	
Form setters	8.97	8%	8%	a + .75	
Miners, drill runners, air tuggers, chippers, pneumatic tools and source of air-power pumps and their operations, and vibrator operators	8.77	8%	8%	a + .75	
Puddlers	8.72	8%	8%	a + .75	
Chuck tenders, nippers, concrete laborers, tunnel sewer and water pipe reliners	8.62	8%	8%	a + .75	
Laborers	8.37	8%	8%	a + .75	
Powder carriers, signalmen	8.32	8%	8%	a + .75	
Brakemen	8.27	8%	8%	a + .75	
Outside laborers	8.22	8%	8%	a + .75	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; November Election Day; Veteran's Day; and Good Friday, provided employee works (2) two or more days in the calendar week in which the holiday falls.

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION:

GROUP I: Backhoe Oliver 88, Fordson, dynahoe, dual purpose & similar machine, Barber Green loader-Euclid loader or similar type, cherry picker (cableway), compressor (Steel erection), conway or similar mucking machines, dragline, gradall, shovel, backhoe, etc., (crawler or truck), front end loaders, hydraulic boom, Jersey spreader, Letourneau or Tournapull (scrapers over 20 yds. struck), mucking machines, pavement breaker (air ram), paver (concrete), pulsemeter, push button (buzz box) elevator, road boring machine, road mix machines, Ross carrier & similar machines, post hole digger, shovel (tunnels), side boom, spreader (asphalt), scoopmobile-tractor-shovel over 1-½ yds., trenching machines, tractor type demolition equipment, winch truck "A" Frame

GROUP II: Compactor self-propelled, grader, bulldozer D7 & similar tractors with a draw bar horsepower of 100 & over maintenance engineer, mechanic (outside) all types, welder, scraper-20 yds. struck & under, machine pulling sheep's foot roller, etc., roller 4 ton and over, vib. roller

GROUP III: Asphalt plant, boiler (high pressure), bulldozer D6 & similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete mixing plants, concrete pump, conveyor belt machine-irrespective of motor size, fireman, forklift, forklift (electric), joy drill or similar tractor drilling machine, loader-1-½ yds., & under, lighting unit (portable & generator), locomotive (all sizes), mixer concrete-21E & over, portable asphalt plant, portable batch plant, portable crusher, quarry master, stone cursher, welding machine (steel erection excavation), well drilling machine, well point system

GROUP IV: Air tractor drill, batch plant, bending machine, concrete breaker, concrete spreader, compressor to 125 cu. ft., curb cutter machine, dust collector, farm tractor (all types), finishing machine concrete, material hooper-sand-stone-cement, mixer-concrete-under 21E, mulching grass spreader, heater-all types, pump, pump station (water & sewer), pump-gypsum, etc., concrete, pump-plaster roller under 4 ton, spreading & fine grading machine, steam Jenny, steel Jenny, steel cutting machine, sweeper, syphon pump air steam, tar joint machine, Turbo jet burner or similar equipment vibrator (1 to 5) fine grading machine

GROUP V: Concrete saw, mechanic's helper, oiler (fuel truck), oiler (grease truck), paint compressor, welder's helper

GROUP VI:
A. Master mechanic
B. Helicopter hoist op.
C. Oiler, asphalt paver, utility man
D. Welder - certified
E. Second engineer on cranes 30 ton and over
F. Cable splicer
G. Helicopter pilot
H. Helicopter signalman
I. Engineer, all tower cranes, all climbing cranes and all cranes of 100 ton capacity or greater (3900 maintowac or similar) irrespective of manufacturer and regardless of how the same is rigged (except for pile rigs).

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION:

GROUP VI (CONT'D):
J. Cranes (crawlers or truck) 100 ft. but less than 149 ft
K. Cranes (crawlers or truck) 149 ft. and over
L. Loaders op. (over 5 yd. capacity)
M. Shovel op. (over 4 yd. capacity)

GROUP VII: Concrete-portable hoist, crane & hoist engineer-steel (concrete, material, super structure, sub-structure), derrick (stone-steel), elevator & cage, engineer-pile driver, overhead crane, power house plant, telephies, whirly, hoist (single, double or triple drum), hoist (portable mobile unit), hoist engineer-concrete (crane, derrick, mine hoist), hoist engineer material

POWER EQUIPMENT OPERATORS, BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$12.285	6%+.875	8 1/2%	a	1 1/2%
GROUP II	11.37	6%+.875	8 1/2%	a	1 1/2%
GROUP III	11.2275	6%+.875	8 1/2%	a	1 1/2%
GROUP IV	11.085	6%+.875	8 1/2%	a	1 1/2%
GROUP V	9.9425	6%+.875	8 1/2%	a	1 1/2%
GROUP VI					
A	13.655	6%+.875	8 1/2%	a	1 1/2%
B	12.7975	6%+.875	8 1/2%	a	1 1/2%
C	8.9975	6%+.875	8 1/2%	a	1 1/2%
D	11.7975	6%+.875	8 1/2%	a	1 1/2%
E	10.5125	6%+.875	8 1/2%	a	1 1/2%
F	11.37	6%+.875	8 1/2%	a	1 1/2%
G	16.5125	6%+.875	8 1/2%	a	1 1/2%
H	9.9425	6%+.875	8 1/2%	a	1 1/2%
I	16.2275	6%+.875	8 1/2%	a	1 1/2%
J	14.5125	6%+.875	8 1/2%	a	1 1/2%
K	15.5125	6%+.875	8 1/2%	a	1 1/2%
L	12.785	6%+.875	8 1/2%	a	1 1/2%
M	13.285	6%+.875	8 1/2%	a	1 1/2%
GROUP VII	12.5125	6%+.875	8 1/2%	a	1 1/2%

HEAVY & HIGHWAY - POWER EQUIPMENT OPERATORS:

GROUP I: Auger, auto grader, backhoe Oliver 88, Fordson, dynahoe, dual purpose and similar machines, barber green loader-euclid loader or similar type, central mix plant operator, cherry picker (cableway), compactor with blade, compressor (steel erection), concrete portable hoist, C.M.I. or similar Conway or similar mucking machines, Crane (crawler or truck) dragline, gradall, shovel backhoe, etc., derrick (stone-steel), elevator & cage, front end loaders, hoist single, double, triple drum, hoist portable mobile unit, hoist engineer-concrete (crane-derrick-mine hoist), hoist engineer-material, hydraulic boom, LeTourneau or Tournapull (scrapers over 20 yards struck), mucking machines, overhead crane, paver (concrete), power house plant, pulsometer, push button (buzz box) elevator, road mix machines, Ross carrier and similar machines, shovel (tunnels), side boom, spreader (Asphalt), scoopmobile-tractor-shovel over 1 1/2 yards, trenching machines, telephies, tractor type demolition equipment, whirly, winch truck "A" frame

GROUP II: Compactor self-propelled, grader, bulldozer D7 and similar tractors with a draw bar horsepower of 100 and over, maintenance engineer, mechanic (outside) all types, welder, scrapers 20 yards struck and under, shop foreman, vibratory roller, etc., roller 4 ton and over

GROUP III: Asphalt plant, boiler (high pressure), bulldozer D6 and similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete pump, conveyor belt machine-irrespective of motor size, firemen, forklift, forklift (electric), joy drill or similar tractor drilling machine, loader-1 1/2 yds. and under, lighting unit (portable & generator), locomotive (all sizes), machine pulling sheeps foot roller, mixer concrete-21E and over, portable asphalt plant, portable batch plant, portable crusher, quarry master, stone crusher, welding machine (steel erection-excavation), well drilling machine, well point system

GROUP IV: Air tractor drill, batch plant, bending machine, concrete breaker, concrete spreader, compressor to 125 cu. ft., curb cutter machine, dust collector, farm tractor (all types), finishing machine-concrete, material hopper-sand-stone-cement, mixer-concrete-under 21E, mulching grass spreader, heater-all types, pump 4 inches and over, pump station (water & sewer), pump-gypsum, etc., pump-plaster, roller under 4 ton, shop mechanic (not employed on job site), spreading & fine grading machine, steam jenny, steel cutting machine, sweeper, syphon pump-air-steam, tar joint machine, Turbo jet burner or similar equipment, vibrator (1 to 5), fine grading machine

GROUP V: Concrete saw, mechanic's helper, oiler, oiler (fuel truck), oiler (grease truck), stockroom or stockroom attendant, paint compressor, pump under 4" or any combination not equal to 4". roller motorized (walk behind), welder's helper

HEAVY & HIGHWAY - [illegible] OPERATORS (CONT'D):

GROUP VI: Hoist engineer-tunnel, sub-struct., engineer-pile driver

GROUP VII: Welder-certified crawlers or truck: 100 ft. but less than 149 ft. $2.00 per hour additional crawlers or truck: 149 ft. and over $3.00 per hour additional loader operators: Over 5 cu. yd. capacity $.50 per hour additional shovel operators: over 4 cu. yd. capacity $1.00 per hour additional

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$11.25	6%	8%+a	b	1½%
GROUP II	10.45	6%	8%+a	b	1½%
GROUP III	10.325	6%	8%+a	b	1½%
GROUP IV	10.20	6%	8%+a	b	1½%
GROUP V	9.20	6%	8%+a	b	1¼%
GROUP VI	11.45	6%	8%+a	b	1½%
GROUP VII	10.825	6%	8%+a	b	1¼%

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. $.66 per hour.

b. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Good Friday Columbus Day; November Election Day and Veteran's Day.

N. Y. 3-TD-1-2-H

TRUCK DRIVERS, BUILDING & HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Straight jobs, A-Frame (inside cab), winch (inside cab), two, dynamite, seeding, mulching, agitator, water, welding on pipelines, post hole diggers mortar mixing, suburbans, oil distributors, pick-up, hopper men & crusher op. concrete mixer, lift (in garage, yards and on job site)	$7.675	.40	.65	a+b		
Tractor trailers (all types), 3 axle trucks (physically load and unload), mixer men, high pressure boiler in asphalt and batch plants	7.80	.40	.65	a+b		
Tractor trailers (carrying equipment), weighmasters	7.925	.40	.65	a+b		
Euclid	8.05	.40	.65	a+b		
Euclids, Athey wagons, trailer wagons, belly dumps (under 40 tons)	8.425	.40	.65	a+b		
Athey wagons, trailer wagons, belly dumps (over 40 tons)	8.675	.40	.65	a+b		
Dual purpose grease & fuel trucks, fuel trucks, tire trucks	8.125	.40	.65	a+b		
Welders, maintenance men, mechanics	7.90	.40	.65	a+b		
Helicopter operator	17.65	.40	.65	a+b		
Mechanic helpers, stock room men	7.55	.40	.65	a+b		
Yardmen and helpers	7.425	.40	.65	a+b		
Darts (up to 100 tons)	9.175	.40	.65	a+b		
RXS	9.55	.40	.65	a+b		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

Footnotes:

a. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Good Friday, Columbus Day, Election Day, Veteran's Day (provided employee works one day of the work week in which the holiday occurs).

b. One week vacation after 90 days of employment in calendar year, plus one additional day for each additional 18 days of employment, not exceeding 10 days in any one calendar year; two weeks after 130 days of employment in a calendar year. However, an employee with 5 years of seniority service shall receive 2 weeks' paid vacation provided he works 90 days in a calendar year; three weeks and one day after 16 years of seniority service - plus 1 additional day for each year up to 19 years of seniority service; four weeks after 20 years of seniority service.

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: MONROE

DECISION NO.: NY76-3129 DATE: DATE OF PUBLICATION

Supersedes Decision No. NY75-2063 dated June 20, 1975 in 40FR 26033
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

BUILDING, HEAVY and HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr
ASBESTOS WORKERS	$11.07	.73	.35		.03
BOILERMAKERS	9.85	.50	.95		.02
BRICKLAYERS, Plasterers and Stone Masons	11.115	.30	.58		.02
CARPENTERS, Heavy and Highway	8.38	.55	.89		.025
CARPENTERS, Building	10.25	.55	.59		.005
CEMENT MASONS, Building	10.915	.30	.58		.02
CEMENT MASONS, Heavy and Highway	8.82	.30	.58		
ELECTRICIANS	10.85	.50	1%+1.25		1%
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	10.615	.445	.29	3%+a+b	.02
Elevator Constructors' Helpers	7.43	.445	.29	3%+a+b	.02
Elevator Constructors' Helpers (Prob.)	5.31				
GLAZIERS	9.40	.82	.56		.05
IRONWORKERS:					
Structural, Ornamental, Reinforcing	10.49	.52	.57		.05
LABORERS, Building					
Laborers	8.25	.74	1.15		
Blasters	9.62	.74	1.15		
Air track, Wagon drill operator, Asphalt rakers	8.65	.74	1.15		
Jackhammers, Mortar mixers, Concrete vibrator, Pipelayers, Burners and cutters for wrecking and demolition	8.55	.74	1.15		
lathers	10.78		.50		.01
LEADBURNERS	9.25	.35		c	.01
LINE CONSTRUCTION:					
Linemen	10.40	.65	1%+.60	d	1%
Cable splicer	11.44	.65	1%+.60	d	2%
Groundman digging machine op.	9.36	.65	1%+.60	d	1%
Groundman mobile equipment op.	8.32	.65	1%+.60	d	1%
Groundman truck driver	7.90	.65	1%+.60	d	1%
Groundman dynamite man &mechanic	8.32	.65	1c+.60	d	1%
MARBLE, TILE & TERRAZZO WORKERS	11.66				
MARBLE, TILE & TERRAZZO WORKERS' HELPERS	8.75		1.64		
PAINTERS:					
Brush and roller	8.95	.60	.87		.04
Swing scaffold	9.45	.60	.87		.04

DECISION NO. NY76-3129 28-NY-1-2-3-y

PAINTERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr
Structural Steel:					
Up to 40'	$9.45	.60	.87		.04
Over 40'	9.65	.60	.87		.04
Spray	9.55	.60	.87		.04
PILEDRIVERMEN & MILLWRIGHTS:					
Building	10.62	.55	.89		.005
PILEDRIVERMEN & MILLWRIGHTS:					
Highway	8.67	.45	.70		.025
PLUMBERS & STEAMFITTERS	9.99	.605	2.28	.55	.10
ROOFERS:					
Roofers	10.67	.43	.43		
SHEET METAL WORKERS	11.16	.70	.90		.025
SOFT FLOOR LAYERS	9.42	.55	.59		.005
SPRINKLER FITTERS	10.75	.50	.80		.08
TERRAZZO MACHINE OPERATOR	8.85		1.64		
TRUCK DRIVERS, Building	9.20	.45	.50		
WELDER - Craft rate					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. Holidays: A through F.
b. Employer contribu es 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.
c. Holidays: A through F; Washington's Birthday, Good Friday and Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.
d. Holidays: A through F: Washington's Birthday, Election Day for President of the United States and Election of Governor of New York, provided employee works the day before and the day after the holiday.
e. Holidays: A through F and Good Friday
f. One year's work or more - 1 weeks' vacation; 3 years' work or more - 2 weeks vacation
g. Holiday D, provided employee works the regular working day preceding the holiday and the regular working day after the holiday.

DECISION NO. NY76-3129

19-LAB-2-H

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers					
Heavy Construction Excavating Paving:					
Laborers & chuck tenders	$7.62	.74+.40	.75	a	
Asphalt rakers, air track, wagon drill op., curb stone setters, powder monkeys	7.87	.74+.40	.75	a	
Curb cockmen, pipe layers, layers of conduit and all air, electric gas and deisel motor driven tool op.	7.82	.74+.40	.75	a	
Relining of all types of pipe	8.02	.74+.40	.75	a	
Blasters	9.32	.74+.40	.75	a	
Meter setters and meter changers	7.92	.74+.40	.75	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing employee works the working day before and the working day after the holiday.

DECISION NO. NY76-3129

Laborers, Tunnel Rock

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Top men	$8.51	.80	1.34		
Concrete bottom men, bull gang, cage men, bottom men, track gang, car pushers, compress air lines, fan lines, and water lines	8.81	.80	1.34		
Mucking machine tender, shaft mucker, shaft driller, tender air track driller tender	8.91	.80	1.34		
Air track driller, chuck tender (heading) powder monkey	9.01	.80	1.34		
Burning and welding	9.21	.80	1.34		
Rod men form work (metal), pile driving (wood or metal)	9.31	.80	1.34		
Set-up men and slusher men, electrical, heading driller (jack leg)	9.41	.80	1.34		
Blaster, form work (wood), and cement finishing	9.51	.80	1.34		

DECISION NO. NY76-3129

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 6.70	.74	1.15	a	
CLASS B	6.90	.74	1.15	a	
CLASS C	7.10	.74	1.15	a	
CLASS D	7.30	.74	1.15	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A
Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B
Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C
All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D
Blasters, form setters, stone or granite curb setters.

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS :
GROUP I - Cranes (cable and hydraulic, climbing and tower)
I - A 121 ft. and under
I - B 121 ft. and 151 ft.
I - C 151 ft. and 201 ft.
I - D 201 ft. and 251 ft.
I - E 251 ft. and 301 ft.
I - F 301 ft. and 351 ft.
I - G 351 ft. and 401 ft.
I - H 401 ft. and 451 ft.

GROUP II - Air tugger, derrick, dredge, big generator plant, cableway, backhoe, clamshell, dragline, shovel and similar machines over 3/8 cubic yards capacity (factory rating), bridge crane (all types), caisson auger and similar type machine, forklift (with factory rating of 15 ft. or more of lift), hoist (on steel erection), mucking machines, ross carrier (and similar types), three drum hoist (when all three drums are in use)

GROUP III - A frame truck, backfilling machine, hoist (1 or 2 drums), barber green and similar typer machine, maintenance engineer (mechanic), mechanical slurry machines (all kinds), belt crete and similar type machines, bituminous spreading machine, post hole digger, bulldozer, carry all type scraper, core drill, pumps, (regardless of motive power) no more than (4) in number not to exceed 20 inches in total capacity), fine grade and finish rollers, side boom tractor, stone crusher, compressors: 4 not to exceed 2000 cfm combined capacity 3 or less with more than 1200 CFM, but not to exceed 2000 CFM, concrete mixer, concrete placer, concrete pumps, tournadozer and similar types, crane-hoe-shovel 3/8 yd. capacity or less (factory rating), tournapull and similar types, dinky locomotives (all types), tower-moble and similar types, elevating grader, elevator trenching machines, fine grade machines (all kinds), welder, front end loader, forklift, with factory rating of less than 15 feet of lift, well drill, well point system, high pressure boiler, Exception: single electric pumps up to and including 4 inches not be manned.

GROUP IV - Any combination (not to exceed 3 pieces of equipment), welding, machine or mechanical conveyor (over 12 ft in length), fireman, belt crete generator, mechanical heater, roller (fill & grade), pumps (regardless of motive power) no more than (3) in number, not to exceed twelve inches total capacity, rubber tired tractor, compressor 3 or less, not to exceed 1200 CFM combined capacity, longitudinal float, Exception: single gasoline driven welding machines up to 300 amps need not be manned.

GROUP V - Truck crane oilers

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I:					
I-A	$10.21	.50	.50+.30	a	.10
I-B	10.46	.50	.50+.30	a	.10
I-C	10.71	.50	.50+.30	a	.10
I-D	10.96	.50	.50+.30	a	.10
I-E	11.46	.50	.50+.30	a	.10
I-F	11.96	.50	.50+.30	a	.10
I-G	12.46	.50	.50+.30	a	.10
I-H	12.96	.50	.50+.30	a	.10
GROUP II	10.61	.50	.50+.30	a	.10
GROUP III	10.03	.50	.50+.30	a	.10
GROUP IV	8.935	.50	.50+.30	a	.10
GROUP V	7.80	.50	.50+.30	a	.10

FOOTNOTES:

PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day regardless of the day of the week in which the holiday may fall.

EXCAVATING FOR SITE PREPARATION SEWER AND WATER LINES - POWER EQUIPMENT OPERATORS:

GROUP I: Automatic fine grader, backhoe (except tractor mounted, rubber tired), black-top plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker-over 5 ton capacity, crane cranes and derricks (steel erection), dragline, dual drum paver, excavator purpose hydraulically operated, front end loader (4 c. y. and over), hoist, two or three drum, pile driver, power grader with elevating loader attachment, quarry master (or equivalent), shovel, slip form paver (if a second man is needed, he shall be an oiler), tractor drawn belt-type loader, truck crane, tunnel shovel.

GROUP II: Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, black-top plant (non-automated), boring machine, cage hoist, central mix plant (non-automated) and all concrete batching plants, cherry picker-5 tons and under, compressors (4 or less) exceeding 2,000 c.f.m. combined capacity, concrete paver over 16S, concrete pump, crusher, drill rigs, tractor mounted, front end loader (under 4 c.y.), hi-pressure boiler (15 lbs. and over), hoist, one drum, Kolman plant loader and similar type loaders (if employer requires another man to clean the screen or to maintain the equipment, he shall be an oiler), maintenance engineer, maintenance grease man, mixer for stabilized base self-propelled, monorail machine, plant engineer power grader, pump crete, ready mix concrete plant road widener, roller (all above sub-grader), side boom, tractor scraper, tractor with dozer and/or pusher, trencher, winch, mechanical slurry machine, power broom,

GROUP III: Compressors: 4 not to exceed 2,000 c.f.m. combined capacity; or 3 or less with more than 1,200 c.f.m. but not to exceed 2,000 c.f.m., compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (four of any type or combinations), concrete pavement spreaders and finishers, conveyors, drill, core, drill well electric pump used in conjunction with well point system, farm tractor with accessories, fine grade machine fork lift, gunite machine, hammer-hydraulic-self propelled, locomotive, post hole digger and post driver, roller, (grader and fill), tractor with towed accessories, vibrator compactor, vibro tamp, well point, pumps, regardless of motive power power, no more than 4 in number not to exceed 20" in total capacity, submersible electric pumps when used in lieu of well points

GROUP IV: Compressors (any size, but subject to other provisions for compressors, dust collectors, generators, welding machine (three or less of any type or combination) concrete mixer (16S or under), concrete saw self propelled, foreman, form tamper, mulching machine, oiler, power heater-man, revinius widener, steam cleaner, tractor, pumps regardless of motive power, no more than 3 in number not to exceed 12" in total capacity

DECISION NO. NY76-3129

EXCAVATING FOR SITE PREPARATION SEWER AND WATER LINES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS					
GROUP I	$9.65	.80	.50	a	.10
GROUP II	9.45	.80	.50	a	.10
GROUP III	9.15	.80	.50	a	.10
GROUP IV	8.40	.80	.50	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F, provided employee works the working day before the working day after the holiday.

DECISION NO. NY76-3129

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic line grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane. (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck firemen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: STEUBEN

DECISION NO.: NY76-3130 DATE: DATE OF PUBLICATION

Supersedeas Decision No. NY75-3046 dated April 11, 1975 in 40FR 16610
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

51-NY-1-2-3 Z 1 of 4

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Asbestor workers	$11.07	.83	.40		.03
Boilermakers	9.85	.50	.95		.02
Bricklayers, cement masons, marble setters, plasterers, stone masons, terrazzo workers, tile setters:					
Twps. of Wayne, Bradford, Campbill, Hornby, Erwin, Corning, Caton, Lindley, Tuscaroo, Thurston, Addison and the eastern portion of Bath Twps., Rathbone and Borden	9.65		.50		
Remainder of County	9.00		.95	a	
Carpenters: Building					
Village of Hammondsport, Pleasent Valley to Reheims, Village of Prattsburgh, Tyrone to Watkins Glen:					
Carpenters	8.61	.50	1.25		.005
Millwrights and piledrivermen	8.71	.50	1.25		.005
Heavy and Highway:					
Carpenters and piledrivermen	8.12	.40	1.60		.025
Building:					
Twps. of Troupsburg, Hartsville, Fremont, Wayland, Jasper, Hornell, City of Hornell, Avoca, Cohocton, Canisteo, Dansville, Howard, Greenwood, W. Union:					
Carpenters, soft floor layers	8.42	.50	.90		.05
Millwrights, piledrivermen	8.67	.50	.90		.05
Heavy and Highway:					
Carpenters	8.42	.50	.90		.025
Building:					
Remainder of County:					
Carpenters and soft floor layers	8.56	.40	.85		.02
Millwrights and piledrivermen	8.81	.40	.85		.02
Heavy and Highway:					
Carpenters	8.57	.40	.85		.025

51-NY-1-2-3- Z 2 of 4

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Cement Masons, heavy & highway:					
Twps. of Wayne, Bradford, Campbell, Hornby, Erwin, Corning, Caton, Lindley, Tuscarora, Thurston, Addition and eastern portion of Bath Twps., Rathbone and Borden	$9.40		.30		
Remainder of County	8.95	.25	.50		
Electricians	10.50	.50	1% + .50		.05
Glaziers	7.18	.35	.30		.01
Ironworkers, structural, ornamental and reinforcing:					
Twps. of Wayland, Chocton, Atlantic and S. Dansville	10.49	.52	.57		.05
Remainder of County	9.33	.45	.57		.03
Laborers, Building:					
Laborers	6.25	.40	.25		
Mortar mixer (hand or machine for 3 or more men), jackhammer, pavement breakers, pipelayers (over 6"), gin buggy, work on scaffold, chain saw op., and all other gas, electric and air tools	6.45	.40	.25		
Lathers	8.33		.20		.01
Lead burners	9.25	.35		b	.01
Line Construction:					
Linemen	10.40	.65	1% + .60	c	
Cable splicer	11.44	.65	1% + .60	c	
Groundman digging machine op.	9.36	.65	1% + .60	c	
Groundmen mobile equipment op.	8.32	.65	1% + .60	c	
Groundmen truck drivers & machine	7.90	.65	1% + .60	c	
Groundmen dynamite man & Mechanic	8.32	.65	1% + .60	c	

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters:					
Twps. of Camercon, Bath, Thurston, Bradford, Campbell, Erwin, Lindley, Hornby, Corning City, Caton, Addison and Rathbone:					
Painters	$ 5.45	.25	.25		
Swing scaffold, boatswain chair, bridges, structural steel under 35'	5.80	.25	.25		
Structural steel over 35' and spray	6.15	.25	.25		
Remainder of County:					
Painters	8.655	.525	.75		.10
Swing stage, sandblasting, spray, scaffold work, bosun chair	8.905	.525	.75		.10
Steel, tanks, towers, stacks, flag poles and radio-TV-towers	9.515	.525	.75		.10
Bridges 35' high or in depth of 35' from road level	10.32	.525	.75		.10
Plumbers and Steamfitters:					
Twps. of Corning, Additon, Cameron, Mills, Horby, Caton, Lindley, Tuscarora, Rathbone, Thurston, Campbell, Bradford, part of Wayne, Reuka, Urbana, Bath including the Veterans facility Hornell and vicinity	7.32	.30	.20	25+d	.03
Remainder of County	7.69	.31	.45		.05
Roofers	8.89	.44	1.00		
Sheet metal workers	8.87	.46	.60		.07
Sprinkler fitters	10.75	.50	.80		.08
Truck drivers, Building:					
Twps. of Wayland	9.20	.45	.50		
Twps. of Addison, Corning, Bath, Hammondsport, Caton, Lindley, Tuscarora, Woodhull, Erwin, Rathbone, Camero, Thurston, Campbell, Urbana, Hornley, Bradford and Wayne	5.40	e		f	
Welders - receive rate prescribed for craft performing operation to which welding is incidential					

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

PAID HOLIDAYS

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Paid Holidays, A through F providing the employee works the day before and after the holiday.

b. Paid Holidays, A through F, Washington's Birthday, Good Friday and Christmas Eve providing the employee has worked 45 full days during the 120 calendar day year prior to the holiday and the regular scheduled work days immediately preceding and following the holiday

c. Paid Holidays A through F, Washington's Birthday; Election Day for the President of the U. S. and Governor of New York State (provided the employee works the day before and after the holiday.

d. Paid Holidays A through F and two hours off with pay on Election Day for the President of the U. S. and Governor of New York State.

e. Employer contributes $2.40 per day to a combined Heath, Welfare and Pension fund.

f. Paid Holidays A through F.

BUILDING CONSTRUCTION REMAINDER OF COUNTY:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Others
TRUCK DRIVERS: Warehouse, yardmen, truck helper, pickups, panel trucks, flatboy, material trucks (straight jobs), single axel, dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic-helpers, parts chaser	$7.48	.45	.40	a		
Tandems and batch trucks, mechanics, dispatcher	7.53	.45	.40	a		
Semi-trailers, lowboy trucks, asphalt distributor trucks and agitator, mixer trucks, dumpcrete type vehicles, truck mechanic	7.58	.45	.40	a		
Specialized earth moving equipment-euclid type or similar off-highway equipment, where not self loaded, and strattle (ross) carrier	7.73	.45	.40	a		
Off-highway tandem back-dump, twin engine equipment and double hitched equipment where not self-loaded	7.92	.45	.40	a		

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Employee who have worked 150 days or more in the first contract year receive 2 weeks with pay at classification at which they worked the greatest number of days, second year of employment the employee is required to work 100 days in the contract year to receive 2 weeks vacation.

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS

GROUP I: Cranes:
A. 121 ft. & under
B. Between 121 - 151 ft.
C. Between 151 - 201 ft.
D. Between 201 - 251 ft.
E. Between 251 - 301 ft.
F. Between 301 - 351 ft.
G. Between 351 - 401 ft.
H. Betweeb 401 - 451 ft.

GROUP II: Air tugger, backhoe, clamshell, dragline, shovel and similar machines over three eighths (3/8) cu. yd. capacity (factory rating), big generator plant, bridge crane (all types), cableway, caisson auger & similar type machine, climbing and/or tower crane (all kinds and all types), derrick, dredge, forklift (with factory rating of fifteen (15) ft. or more of lift) hoist (on steel erection), mucking machine, Ross Carrier (and similar types), three drum hoist (when all drums are in use.),

GROUP III: "A" Frame truck, back filling machine, Barber Green and similar type loader, belt crete and similar type machine, bituminous spreading machine, bulldozer, carry-all type scraper, compressors; four (4) not to exceed 2000 c.f.m. combined capacity, three (3) or less with more than 1200 c.f.m., but not to exceed 200 c.f.m., concrete mixer, concrete pump, core drill, crane-hoe-shovel (3/8 yd. capacity or less), (factory rating), dinky locomotive (all types), elevating type grader, elevator, fine grade machine (all kinds), front end loader, forklift (with factory rating of less than (15) fifteen ft. of lift.), high pressure boiler (over 15 pounds pressure), hoist (1 or 2 drums), Motor grader, maintenance engineer post hole digger, sheepsfoot roller, side boom, stone crusher, submersible Electric Pump, when used in lieu of well point system, tandem roller, Tournedozer and similar types, tournapull, tower mobile and similar kinds trenching machine, vibratory type roller and similar equipment of all kinds, welder, well drill, well point system,

GROUP IV: Any combination (not to exceed three (3) pieces of equipment) pumps, welding machines or mechanical conveyors, (over 12 ft. in length), belt crete generator, compressors - 3 or less not to exceed 1200 c.f.m. combined capacity, Fireman, longitudinal float, mechanical heater, roller (fill and grade), rubber tired tractor, oilers

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays A through F; providing employee works the working day immediately preceding the Holiday, or on the scheduled work day immediately following the holiday.

NEW YORK-25-PEO-1-A 2 of 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I					
A	$ 9.57	.40	.70	a	.10
B	9.85	.40	.70	a	.10
C	10.12	.40	.70	a	.10
D	10.40	.40	.70	a	.10
E	10.95	.40	.70	a	.10
F	11.51	.40	.70	a	.10
G	12.05	.40	.70	a	.10
H	12.61	.40	.70	a	.10
GROUP II	9.57	.40	.70	a	.10
GROUP III	9.38	.40	.70	a	.10
GROUP IV	8.245	.40	.70	a	.10

N.Y.-13-LAB-2-1-R

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Laborers and driller helpers	$6.85	.45	.45	a	
Concrete aggregate-bin, mortar mixer, hand or machine vibrator gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper, pipelayers	7.05	.45	.45	a	
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	7.25	.45	.45	a	
Blasters, form setters, stone or granite curb setters	7.45	.45	.45	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

NY 23 PEO 2 3 B

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic line grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

NY 1 TD 2 3 I

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1

Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2

Tandems, batch trucks, mechanics and dispatcher.

CLASS 3

Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4

Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5

Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

'SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: RENSSELAER

DECISION NO.: NY76-3131 DATE: DATE OF PUBLICATION

Supersedeas Decision No.: NY75-3043 dated April 11, 1975, in 40 FR 16606
DESCRIPTION OF WORK: Building Construction (excluding single family home and garden type apartments up to and including 4 stories), heavy and highway construction.

42-NY-1-2-3-X 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$10.43	.32	.28		.02
Boilermakers	10.00	.60	10%		.01
Bricklayers	10.04	.45	.30		.01
Carpenters, Building:					
Carpenters	9.20	.60	.60		.02
Millwrights	9.70	.60	.60		.02
Carpenters, Heavy & Highway:					
Carpenters	8.82	.50	.50		.025
Cement masons, Building	10.04	.45	.30		
Cement masons, Heavy & Highway	8.95	.45	.30		
Electricians:					
Rensselaer, Greenbush, Castleton, Hudson and Nassau	10.85	.30	1%+.50	a	
Remainder of County	10.35	.50	1%+.55	g	h
Elevator constructors	9.48	.445	.29	3%+b+c	.02
Elevator constructors' helpers	6.64	.445	.29	3%+b+c	.02
Elevator constructors' helpers (Probationary)	4.74				
Ironworkers, structural, ornamental and Reinforcing	9.49	.60	.85		.04
Laborers, Building					
Laborers	8.20	.60	.75		.02
Pipelayers, hod carriers, mortar-mixer (hand or machine), jack-hammer, well pointing, air or gas hammers and drills, electric hammers 50 lbs.	8.20	.60	.75		.02
Acetylene burners	8.475	.60	.75		.02
Wagon drills	8.425	.60	.75		.02
Form setters (curb)	8.375	.60	.75		.02
Blasters	8.675	.60	.75		.02
Lathers	7.96	.25	.10		.01
Lead burners	9.25	.35		d	.01
Line Construction:					
Linemen	10.40	.65	1%+.60	e	1%
Cable splicers	11.44	.65	1%+.60	e	1%
Groundman digging machine op.	9.36	.65	1%+.60	e	1%
Groundman mobile equipment op.	8.32	.65	1%+.60	e	1%
Groundman truck driver	7.90	.65	1%+.60	e	1%
Groundman dynamite man & Mechanic	8.32	.65	1%+.60	e	1%

DECISION NO. NY76-3131 42-NY-1-2-3-X 2 of 2

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters:					
Brush	7.97		.35		
Structural steel and bridge	8.72		.35		
Spray	9.07		.35		
Piledrivermen and Dock builders	10.39	1.10	1.68	.60	.02
Plasterers	10.15	.45	.30		.01
Plumbers and Steamfitters:					
Troy and vicinity	9.85	.50	.85		.04
Southern part of county	9.30	.35	.72		.05
Roofers	9.70		.30		.02
Sheet metal workers	9.34	.60	.40		.05
Soft floor layers	9.20	.60	.60		.02
Sprinkler fitters	10.75	.50	.80		.08
Stone masons	10.04	.45	.30		.01
Truck drivers. Building:					
Straight, winch transit-mix on site, road rollers, dump, pick up, panel, water trucks and fuel trucks on site	7.09	.37	.37	f	.02
Lowboy or lowboy trailer	7.24	.37	.37	f	.02
Euclids	7.34	.37	.37	f	.02
Welders - receive the rate prescribed for craft performing operation to which welding is incedential					

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Holidays: E

b. Holidays: A through F.

c. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Holidays: A through F; Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

e. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (provided employee works the day before and the day after the holiday).

f. One week's vacation after one year's work; 2 weeks' vacation after 5 year's work.

g. Holiday "E" provided employee reports for work the day following the holiday.

h. Employer contributes $15.00 per year to an Apprentice Training Program.

City of Troy, Building, Heavy and Highway Construction
Remainder of County: Building Construction N.Y. 3-PEO-1-J 1 of 1

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.90	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

NY-27-LAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Laborers and driller helpers	$6.75	.55	.70	a	
Concrete aggregate bin, mortar mixer, hand or machine vibratoe gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper pipelayers	6.95	.55	.70	a	
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	7.15	.55	.70	a	
Blasters, form setters, stone or granite curb setters	7.35	.55	.70	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

Remainder of County: POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

HEAVY & HIGHWAY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I: Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated), fork lift (factory rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal), hoist (2 or 3 drum), mine hoist, mucking machine or male, overhead crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is nuded, he shall be on oiler), tractor drawn belt type loader, truck crane, tunnel shovel

GROUP II: Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated) and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity, concrete paver (over 165), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lbs. and over), hoist (one drum), Kolman plant loader and similar type loaders (if another man is required to clean screen or to mountain the equipment, he shall be on oiler), locomotive, maintenance/engineer/greaseman/welder, mixer (for stabilized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cot

GROUP III: A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 200 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type or combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, homers (hydraulic-self propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point

GROUP IV: Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 c.f.m. combined capacity), compressor (any size, bust subject to other provisions for compressors), dust collectors, generators pumps, welding machines (3 or less of any combination), concrete paver or mixer (165 and under), concrete saw (self propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler, parapet concrete or pavement grinder, power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor

DECISION NO. NY76-3131

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: SARATOGA
DECISION NO.: NY76-3122 DATE: DATE OF PUBLICATION
Supersedeas Decision No. AR-2097 dated December 27, 1974 in 39 FR 44019

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

46-NEW YORK-1-2-3-Z 1 of 4

BUILDING, HVY. & HWY. CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos Workers	$10.43	.32	.28		.02
Boilermakers	10.00	.60	10%		.01
Bricklayers, cement masons, plasterers, and stone masons	10.04	.45	.30		.01
Carpenters, Building:					
Day, Hadley, Edinburg, Corinth & Moreau Twps.:					
Carpenters and soft floor layers	8.85	.50	.50	g	.005
Millwrights	9.10	.50	.50	g	.005
Piledrivermen	9.00	.50	.50	g	.005
Remainder of County:					
Carpenters and soft floor layers	9.20	.60	.60		.02
Millwrights	9.70	.60	.60		.02
Piledrivermen	9.86	.95	1.53	.55	.02
Carpenters, Heavy and Highway:					
Day, Hadley, Edinburg, Corinth & Moreau Twps:					
Carpenters and Piledriver men	8.82	.50	.50		.025
Remainder of County:					
Carpenters	8.82	.50	.50		.025
Piledrivermen, Heavy	9.86	.95	1.53	.55	.02
Cement Masons, Hvy. & Hwy.	8.95	.45	.30		
Electricians:					
Ganseveen, Mt. Gregor, Schuylerville, Victory Mills Wayville, Still water Mechanicville, and Waterford	10.35	.50	1%+.55	a	h
Remainder of County	10.35	.55	1%+.20+i	j	.05
Elevator Constructors	9.48	.445	.29	3%+b+c	.02
Elevator Constructors' Helpers	6.64	.445	.29	3%+b+c	.02
Elevator Constructors' Helpers (Prob.)	4.74				
Ironworkers, structural	9.49	.55	.85		.04
Ironworkers, ornamental	9.49	.55	.85		.04
Ironworkers, reinforcing	9.49	.55	.85		.04
Laborers, Building:					
Twps. of Day, Hadley, Edinburg, Corinth, Moreau,					

46-New York-1-2-3-Z 2 of 4

BUILDING, HVY. & HWY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers, Building: (CONT'D)					
Providence, Greenfield, Wilton, Northampton, Galway, Milton, Saratoga Springs, Charleston, Ballston Malta and Clifton Park:					
Laborers	$8.20	.60	.75		.02
Air Tool Operators (jackhammer, vibrator)	8.35	.60	.75		.02
Mortar mixers (hand or machine)	8.35	.60	.75		.02
Wagon drill	8.425	.60	.75		.02
Blasters	8.675	.60	.75		.02
Acetylene burners	8.475	.60	.75		.02
Remainder of County:					
Laborers	8.20	.60	.75		.02
Pipelayers (2 man team), hod carriers, mortar mixer (hand or machine), jackhammer op., well pointing, all air or gas driven tool vibrators, power driven buggies	8.35	.60	.75		.02
Demolition	8.20	.60	.75		.02
Form setters (curb)	8.375	.60	.75		.02
Wagon drill operator	8.425	.60	.75		.02
Acetylene burners	8.475	.60	.75		.02
Blasters	8.675	.60	.75		.02
Lead burners	9.25	.35		d	.01
Line Construction:					
Linemen	10.40	.65	1%+.60	e	1½%
Cable Splicer	11.44	.65	1%+.60	e	2%
Groundman digging machine operator	9.36	.65	1%+.60	e	1½%
Groundman mobile equipment operator	8.32	.65	1%+.60	e	1½%
Groundman truck driver	7.90	.65	1%+.60	e	1½%
Groundman dynamite man & Mechanic	8.32	.65	1%+.60	e	1½%

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Marble setter, terrazzo workers and tile setters	$ 9.30	.40	.30		
Painters:					
Clifton Park, Half Moon, Malta, Charlton, Galway, Milton & W. Milton					
Brush	7.97		.35	.25	
Structural steel, bridge	8.72		.35	.25	
Spray	9.07		.35	.25	
Day, Hadley, Corinth, Moreau, Gansevoort, Mt. McGregor					
Brush	8.04	.25	.20		
Structural steel, swing scaffold and bridge	8.37	.25	.20		
Spray and sandblasting	8.59	.25	.20		
Remainder of County:					
Commercial work	6.60				
Swing scaffold bosun chair, water towers, flag poles, window jacks	7.10				
Bridge, structural steel and sandblasting	7.35				
Plumbers and Steamfitters:					
Moreau Township South of a line drawn through the outlet Rd., on R. 50, East & West to the Saratoga Co. Line; including the AEC and Malta Projects	10.25	.50	.75		.10
Remainder of County	6.60	.30	.25		
Roofers	9.70	.63	.30		.02
Sheet Metal Workers	9.34	.60	.40		.05
Sprinkler Fitters	10.75	.50	.80		.05
Truck Drivers:					
Straight, winch, transit-mix on job site, road oilers, dump, pick-up, panel, water and fuel trucks on site	7.09	.37	.37	f	.02
Euclids	7.34	.37	.37	f	.02
Lowboy or lowboy trailers	7.24	.37	.37	f	.02

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holiday: E, provided the employee works the day after the holiday.

b. Holidays: A thru F.

c. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% of basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Holidays: A thru F, Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 days prior to the holiday, and the regularly scheduled work days immediately preceeding and following the holiday.

e. Holidays: A thru F; Washington's Birthday, Election Day for the President of the United States and Election of Governor of New York (provided the employee works the day before and the day after the holiday).

f. One week vacation after one year's work; 2 weeks after 5 years work.

g. Holiday: D, providing employee was on the payroll the week before the holiday or on the payroll the week after the holiday.

h. Employer contributes $15.00 oer year to an apprentice training program.

i. Employer contributes $.50 to an annuity fund.

j. Holidays: D & E, plus two hours on Election Day.

NY-27-LAB-2-3-G

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
Laborers and driller helpers	$6.75	.55	.70	a	
Concrete aggregate bin, mortar mixer, hand or machine vibratce gin buggy, mason tenders, concrete bootmen, chain saw, jackhammer, pavement breaker and all other gas, electric oil and air-tool operators, bull float tamper pipelayers	6.95	.55	.70	a	
Drillers, asphalt rakers, stone or granite curb setters and acetylene torch operator	7.15	.55	.70	a	
Blasters, form setters, stone or granite curb setters	7.35	.55	.70	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holidays A through F, providing the employee works the day before and after the holiday.

N.Y. 3-PEO-1-k 1 of 1

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.80	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

DECISION NO. WY76 3132

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

DECISION NO. NY76 3132

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1

Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2

Tandems, batch trucks, mechanics and dispatcher.

CLASS 3

Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4

Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5

Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

STATE: NEW YORK COUNTY: SCHENECTADY
DECISION NO.: NY76-3133 DATE: DATE OF PUBLICATION
Supersedeas Decision No. NY75 3044 dated April 11, 1975 in 40FR 16610
DESCRIPTION OF WORK: Building Construction , (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway Construction. 47-N.Y.-1-2-3-W 1 of 2

BUILDING, HVY. & HWY. CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	$10.43	.32	.28		.02
Boilermakers	10.00	.60	10%		.01
Bricklayers, cement masons, plasterers, stone masons, caulkers & pointers	10.04	.45	.30		.01
Carpenters:					
Carpenters and soft floor layers, building	9.20	.60	.60		.02
Millwrights, building	9.70	.60	.60		.02
Carpenters, heavy and highway	8.82	.50	.50		.025
Cement masons, heavy and highway	8.95	.45	.30		
Electricians	10.35	.55	1%+.70	a	.05
Elevator constructors	9.48	.445	.29	3%+a+b	.02
Elevator constructors' helpers	6.64	.445	.29	3%+a+b	.02
Elevator constructors' (prob.) helpers	4.74				
Ironworkers, structural, ornamental and reinforcing	9.49	.60	.85		.04
Laborers, Building:					
Laborers	8.20	.60	.75		.02
Air tool op. (jackhammer, vibrator)	8.35	.60	.75		.02
Asphalt rakers	8.35	.60	.75		.02
Mortar mixers, hand or machine	8.35	.60	.75		.02
Wagon drill	8.425	.60	.75		.02
Blasters	8.675	.60	.75		.02
Acetylene burners	8.475	.60	.75		.02
Demolition	8.45	.60	.75		.02
Lathers	9.185	.275	.10		.01
Lead burners	9.25	.35		c	.01
Line Construction:					
Linemen	10.40	.65	1%+.60	d	½%
Cable splicer	11.44	.65	1%+.60	d	½%
Groundman digging machine operator	9.36	.65	1%+.60	d	½%
Groundman mobile equipment oper.	8.32	.65	1%+.60	d	½%
Groundman Truck Driver	7.90	.65	1%+.60	d	½%
Groundmen dynamite man & mechanic	8.32	.65	1%+.60	d	½%
Painters:					
Brush	7.97		.35		
Structural steel and bridge	8.72		.35		

NY76 3133 P. 2

47-N.Y.-1-2-3 W 2 of 2

BUILDING, HVY. & HWY. CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Painters: (Cont'd)						
Spray	$9.07		.35			
Swing scaffold, bosun chair, water towers, flagpoles & window jacks	7.97		.35			
Piledrivermen and dock builders	9.86	.95	1.53	.55	.02	
Plumbers and steam fitters	10.25	.50	.75		.10	
Roofers	9.70	.63	.30		.02	
Sheet metal workers	9.34	.60	.40		.05	
Sprinkler fitters	10.75	.50	.80		.08	
Truck drivers, building:						
Straight, winch, transit-mix and road oilers	7.09	.37	.37	e	.02	
Euclids	7.34	.37	.37	e	.02	
Dump, pick-up, panel, water & fuel	7.09	.37	.37	e	.02	
Lowboy or lowboy trailer	7.24	.37	.37	e	.02	
Welders - Receive rate for craft performing operation to which welding is incidental.						

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: D and E; 2 hours on Election Day. Holidays: A through F.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F, Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

d. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (provided employee works the day before and the day after the holiday).

e. One week's vacation after one year's work; 2 weeks' vacation after 5 years work.

Building, Heavy, Highway Construction in the City of Schenectady and Building Construction in the Remainder of County. N.Y. 3-PEO-1-J 1 of 1

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), economobile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$9.36	.45	.80	a	.10
GROUP 2	9.43	.45	.80	a	.10
GROUP 3	9.54	.45	.80	a	.10
GROUP 4	9.73	.45	.80	a	.10
GROUP 5	10.06	.45	.80	a	.10
GROUP 6	10.21	.45	.80	a	.10
GROUP 7	10.39	.45	.80	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

NY 23 PEO 2 3 B

Remainder of County:

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

DECISION NO NY76 3133

NY 29-LAB 2 3 II

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 7.24	.60	.75	a	
CLASS B	7.44	.60	.75	a	
CLASS C	7.64	.60	.75	a	
CLASS D	7.84	.60	.75	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A
Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B
Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C
All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D
Blasters, form setters, stone or granite curb setters.

DECISION NO. NY76 3133

NY 1 TD 2 3 I

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1

Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2

Tandems, batch trucks, mechanics and dispatcher.

CLASS 3

Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4

Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5

Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

PERSEDEAS DECISION

STATE: New Y... COUNTY: Broome
DECISION NO.: 76-313 DATE: Date of Publication
Supersedes Decision No. NY75-3032 dated April 11, 1975 in 40 FR 16549
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

4-N.Y.-1-2-3 W 1 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Asbestos workers	$10.98	.60	.21		.02
Boilermakers	10.00	.60	10%		.01
Bricklayers:					
Bricklayers, cement masons plasterers and stone mason	9.36	.45	.35		
Carpenters, Building:					
Carpenters and soft floor layers	8.61	.35	.50		
Millwrights and piledrivermen	8.86	.35	.50		
Carpenters & piledrivermen, Heavy & Highway	8.97	.35	.50		.025
Cement masons, Heavy and Highway	8.90	.45	.50		
Electricians	9.09	.58	1%+.37		.035
Elevator constructors	8.895	.445	.29	3%+a+b	.02
Elevator constructors' helpers	6.23	.445	.29	3%+a+b	.02
Elevator constructors' helpers (prob.)	4.45				
Glaziers	7.18	.35	.30		.01
Ironworkers, strucutral, ornamental and reinforcing	9.55	.41	.57		.07
Laborers: (Building)					
Laborers & wreckers	7.68	.50	.50		
Sewer pipelayers, tunnel laborers, rockmen & drillers, powdermen, pneumatic tool, electric tool, jackhammers and similar mechanical tools with 3/4" bits and over	7.96	.50	.50		
Hod carriers, mortar mixers hand or machine), asphalt rakers, asphalt levelers, vibrator operator	7.85	.50	.50		
Mason tenders, scaffold builders bootmen working in concrete	7.79	.50	.50		
Lathers	8.38	.325	.25		.05
Lead burners	9.25	.35		c	.01
Line Construction:					
Linemen	10.40	.65	1%+.60	d	1/2%
Cable splicer	11.44	.65	1%+.60	d	1/2%
Groundman digging machine operator	9.36	.65	1%+.60	d	1/2%
Groundman mobile equipment operator	8.32	.65	1%+.60	d	1/2%
Groundman truck driver	7.90	.65	1%+.60	d	1/2%
Groundman dynamite man & Mechanic	8.32	.65	1%+.60	d	1/2%

Page 2

DECISION NO. 76-3135 4-N.Y.-1-2-3 W 2 of 2

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Marble setters, terrazzo workers and tile setters	9.17	.45	.35		
Painters:					
Painters	7.70	.35	.30		.03
Rollers over 10", sandblasting, swing scaffold, steam cleaning spray helper	8.20	.35	.30		.03
Structural steel, building, steeple jack and spray	8.70	.35	.30		.03
Plumbers:					
Plumbers	8.08	.42	.45		.21
Steamfitters	8.08	.42	.45		.21
Roofers	8.20	.84	1.00		
Sprinkler fitters	10.75	.50	.80		.08
Truck Drivers: (Building)					
Transit-mix, dump trucks and road oilers	5.10			e+f	
Euclids and fuel trucks	5.24			e+f	
Sheet metal workers	8.87	.46	.60		.07
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidyas: A through F.

b. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years as Vacation Pay Credit.

c. Holidays: A through F; Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

d. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (provided employee works the day before and the day after the holiday).

e. One week vacation after 7 months steady work, and 2 weeks vacation after 3 years steady work, 3 weeks after 10 years of steady work.

f. Holidays: A through F; providing employee works 3 days in the calendar week in which the holiday occurs and the scheduled work day before and after the holiday.

DECISION NO. 76-3135

POWER EQUIPMENT OPERATORS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$ 9.75	.90	.50	a	.10
CLASS II	9.50	.90	.50	a	.10
CLASS III	9.25	.90	.50	a	.10
CLASS IV	9.00	.90	.50	a	.10
CLASS V	8.70	.90	.50	a	.10
CLASS VI	7.33	.90	.50	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F; (provided an employee works the day before and the day after the holiday).

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION

Class I - Cranes with boom and jib, 175 feet and over.

Class II - Cranes with boom and jib, 130 feet and over.

Class III - Cranes with boom and jib 100 feet and over.

Class IV - Automatic fine grader, backhoe, cableway, caisson auger, cherry picker (straddle mobile type), cherry picker (hydralic crane) over 5 ton, compressor, pump, generator or welding machines (when used in a battery or not more than four (4), crane derrick, diesel power unit, dragline, excavators (gradall type, hydraulically operated), front end loader (4 cubic yards and over), high speed conveyors (in one line), piledriver, shovel, two and three drum hoist, vibra or sonic hammer controls (when not mounted by rig operator), tower crane.

Class V - "A" frame truck (when used in setting of installation of material), bulldozer, carry-all scraper , cherry picker (5 ton or under), compressor (300 cubic feet and over), concrete paver and mixer, (16S and over), concrete pump, core boring machine, machine, crop dryer (when used as heater), dinkey locomotive, elevator cage hoist, fork lift, full time welder on maintenance, front end loader (under 4 cubic yard), grease truck, high pressure boiler, one drum hoist, maintenance engineer, post hole figger, power grader, pumps (4 inch and over), roller, side boom, test boring machine, tractor mounted backhoe, trenching machine, two cage elevator hoist, tugger hoist, vibro tamp, well drill, well point system.

Class VI - Concrete mixer (under 16S), conveyor, (over 12 foot), firemen, hydraulic pumps, oiler, mechanical heaters (more than two (2) mechanical heaters), power driven welding machine

DECISION NO 76-3135

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS A	$ 7.59	.50	.50	a	
CLASS B	7.79	.50	.50	a	
CLASS C	7.99	.50	.50	a	
CLASS D	8.19	.50	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; E-Christmas Day.

FOOTNOTE:

a. Paid Holidays A through F, provided the employee has worked the day before and after the holiday.

LABORERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS A
Laborers, drill helper, flagmen, outboard and hand boats.

CLASS B

Bull float, chain saw, concrete aggregate, bin, concrete bootman, gin buggy, hand or machine vibrator, jackhammer, mason tender, mortar mixer, pavement breaker, handlers of all steel mesh, small generators for laborers' tools, installation of bridge drainage pipe, pipelayers, vibrator type rollers, tamper, drill doctor, tail or screw op. on asphalt paver, water pump op. (1½" and single diaphragm), nozzle (asphalt, gunnite, seeding and sand blasting), laborers on chain link fence erection, rock splitter and power unit, pusher type concrete saw and all other gas, electric, oil and air tool operators, wrecking laborer.

CLASS C
All rock or drilling machine operators (except quarry master and similar type), acetylene torch op., asphalt raker, powderman.

CLASS D
Blasters, form setters, stone or granite curb setters.

DECISION NO. 76-3135

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

DECISION NO. 76-3135

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

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DECISION NO 76-3135	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Truck Drivers: Warehouse, Yardmen, Truck Helpers, Pick-ups, Panel Trucks, Flatbody Material Trucks (straight jobs), Single Axle Dump Trucks, Dumpster, Material Checkers and Receivers Greasers, Tiremen, Mechanic Helpers and Parts Chaser	$6.75	.45	.40	a	
Tandems and Batch Trucks, Mechanics, Dispatcher	6.80	.45	.40	a	
Semi-trailers, Low-boy Trucks, Asphalt Distributor Trucks, and Agitator, Mixer Trucks and Dumpcrete Type vehicles	6.85	.45	.40	a	
Specialized Earth Moving Equipment Euclid Type or similar Off-Highway Equipment, where not selfloaded	7.00	.45	.40	a	
Off-Highway Tandem Back-Dump, Twin Engine Equipment and Double-Hitched Equipment where not self-loaded	7.15	.45	.40	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Thanksgiving Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holiday: B, C and D; (provided employee works the schedule working day before the holiday and the scheduled working day after the holiday.

DECISION NO 76-3135

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS 1	$7.39	.55	.50	a	
CLASS 2	7.44	.55	.50	a	
CLASS 3	7.49	.55	.50	a	
CLASS 4	7.64	.55	.50	a	
CLASS 5	7.79	.55	.50	a	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid Holidays A through F, provided the employee has worked the working day before and after the holiday.

TRUCK DRIVERS: HEAVY AND HIGHWAY CONSTRUCTION:

CLASS 1
Warehouseman, yardmen, truck helpers, pickups, panel trucks, flatboy material trucks (straight jobs), single axel dump trucks, dumpsters, material checkers and receivers, greasers, truck tiremen, mechanic helpers and parts chaser.

CLASS 2
Tandems, batch trucks, mechanics and dispatcher.

CLASS 3
Semi-trailers, low-boy trucks, asphalt distributor trucks, agitator, mixer trucks and dumpcrete type vehicles, truck mechanic.

CLASS 4
Specialized earth moving equipment - euclid type or similar off-highway equipment, where not self loaded, and straddle (ross) carrier.

CLASS 5
Off-highway tandem back-dump, twin engine equipment and double-hitched equipment where not self loaded.

UNDER DAVIS-BACON DECISION

STATE: NEW YORK COUNTY: ORANGE
DECISION NO: NY76-3136 DATE: Date of Publication
Supersedes Decision No. NY75-3042 dated April 11, 1975 in 40 FR16509
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

36-NY-1-2-3- D

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$12.58	5%	10%	.20%	
Boilermakers	10.57	5%	5%+10%	7%	.02
Bricklayers, cement masons plasterers and stone masons:					
Twps., of Newburg, New Windsor, Blooming Grove, Cornwall, Highlands, Woodbury and Monroe; and Arden and Southfield	8.70	.97	.98	1.25	
Cement finishers, Hvy. & Hwy.	8.70	.97	.98	1.25	
Cement finishers, Bridge & overpass work -	7.70	.97	.98	1.25	
Greenwood Lake, Warwick, Monroe and Tuxedo to Hudson River and areas east thereof to County line	8.90	.69	1.69	1.00+g	.03
Remainder of County	8.75	.83	.78	1.00	
Cement masons, Hvy. & Hwy.	8.05	6%	8%	.50	
Carpenters:					
Tuxedo, Woodbury, Monroe, part of Cornwall, Chester, Blooming Grove and Highlands:					
Carpenters, soft floor layers, bridge dock and wharf carpenters, building, heavy and highway	9.07	.85	.75	1.15	.15
Remainder of County:					
Carpenters, building:					
Carpenters & soft floor layers	9.70	.45	.65	.40	.05
Piledrivermen, dock builders building	9.70	.45	.65	.40	.05
Carpenters, highway:	9.70	.45	.65	.40	.05
Piledrivermen, dock builders, highway	9.70	.45	.65	.40	.05
Electricians:					
Otisville, Middletown, Goshen, Florida, Warwick, Port Jervis, Sparrow Bush, Monroe, Harman, Southfields, Tuxedo Lake and Tuxedo Twp.	10.00	8%	17%	10%	1%

DECISION NO. NY76-3136 36-N.Y.-1-2-3- D 2 of 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Remainder of County	9.70	.45	1%+.69	.60	½ of 1%
Elevator Constructors	9.52	.445	.29+f	b+c	.02
Elevator Constructors' helpers	7.14	.445	.29+f	b+c	.02
Elevator Constructors' helpers (prob.)	4.76				
Elevator Constructors Modernization	8.75	.445	.29+f	b+c	.02
Elevator Constructors Modern. Helpers	6.56	.445	.29+f	b+c	.02
Elevator Constructor repair	7.90	.445	.29+f	b+c	.02
Elevator Constructor repair helper	5.92	.445	.29+f	b+c	.02
Glaziers	9.10	.66	1.66	.365	.03
Ironworkers, structural, ornamental and reinforcing	9.01	1.00	1.67	1.20	.04
Laborers: (Building)					
Common Laborers, mason tenders, mortar mixers, hod carriers, scaffold builder, concrete men, vibrator men, poured gypsum roof work, wrecking, walking power buggy men, landscaper and chipping hammer (air or electric 1" or under)	8.95	.80	.80	a	
Asphalt men, pipe layers, air or electric jackhammer, powermen, gunnite, sandblasting, barmen, chain saw, riding power buggy, vibro barco, joy tamper, or similar walk behind roller	8.50	.80	.80	a	
Lathers	9.02	.90	.55	.75	.01
Leadburners	9.25	.35		d	.01
Line Construction:					
Linemen cable splicer helper & material man	10.40	.65	1%+.60	e	½%
Groundman digging machine operator	9.36	.65	1%+.60	e	½%
Groundman mobile equipment operator	8.32	.65	1%+.60	e	½%
Groundman truck driver and mechanic	7.90	.65	1%+.60	e	½%
Groundman dynamite man	8.32	.65	1%+.60	e	½%
Cable splicer	11.44	.65	1%+.60	e	½%

DECISION NO. 76NY-3126 36-N.Y.-1-2-3- D 3 of 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Marble setters, terrazzo workers and tile setters:					
West Newburgh, Little Britain, Rock tavern, Lagrange, New Hampton, Ridgeburg & Johnson to County Line and all areas inclusive south thereof County lines:					
Marble setters, cutters	7.80	.78	.94		
Marble setters' helpers	8.50	1.05		1.15	
Terrazzo workers	8.40	1.11	.63		
Terrazzo workers' helpers	7.43	.475	.475		
Terrazzo machine operator	7.68	.475	.475		
Tile setters	8.25	.60	1.95		
Tile setters' helpers	7.58	.50	1.27		
Millwrights	9.86	.95	1.63	.55	.02
Painters:					
Tuxedo; Greenwood Lake					
Brush	8.00	7%	.50		
Structural steel	8.90	7%	.50		
Spray	9.00	7%	.50		
Remainder of County:					
Painters, commercial&industrial	8.00	7%	.50		
Spray & sandblasting	9.00	7%	.50		
Steel, smoke stack, bridges, towers, ets.	8.90	7%	.50		
Plumbers & Steamfitters:					
Twps., of Villages & Hamlets and/ or portions thereof:					
Lakeville, Four Corners, Sterling Forest, Tuxedo, Tuxedo Park, Southfield, Arden, Newburgh Junction, Greenwood Lake, Monroe, Harriman, Woodbury Falls, Woodbury, Woodbury Station, Highland Mills, Central Valley, and the Palisades Interstate Park and Bear Mountain Park	8.60	.86	1.73	.54	.09
Remainder of County	9.81	.88	1.22	.59	.10
Roofers:					
Pitch	10.65	1.00	1.51		
Asphalt and Shingle	7.65	1.00	1.51		
Asbestos, slate and tile	10.15	1.00	1.51		

DECISION NO. NY76 3126 36-N.Y.-1-2-3-D 4 of 5

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Sheet metal workers	9.59	6%	13%	0%	.02
Sprinkler fitters	10.75	.50	.80		.08
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F

b. Holidays: A through F; Lincoln's Birthday, Washington's Birthday, Armistice Day, Columbus Day and Election Day.

c. Employer contributes 6.4% of basic hourly rate for 5 years or more of service or 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

d. Holidays: A through F; Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holiday.

e. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (provided employee works the day before and the day after the holiday).

f. Employer contributes $7.00 per day to Annuity Fund.

g. Employee shall receive 2 hours time off with pay on all Election Days

h. Holiday A through F, Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day, Veterans' Day, providing employee works one day in the calendar week in which the holiday falls; and further providing that the holiday falls on a regular work day.

PAID HOLIDAYS: (CONT'D)

i. Employer contributes $.60 per hour to a trust fund and $.15 per hour to an annuity fund.

j. Employer contributes $.20 per hour to an annuity fund.

k. Employer contributes $.73 per hour to a Security benefit fund.

l. Employer contributes $1.08 per hour to a combined health, welfare and pension fund.

m. Employer contributes $.45 per hour to an annuity fund.

n. Paid Holiday, St. Patricks Day.

HEAVY AND HIGHWAY CONSTRUCTION:

GROUP I: Laborer, pitman, flagmen, chuck tender, dump men, handling and distributing of drinking water, placing and maintenance of all flares, lights, barracades and all reflective type materials for traffic control

GROUP II: Concrete men, vibtator men, asphalt men, joint setter, signal men, mason tenders, mortar men, pipelayers, rip rap and dry stone layers, steel rod carriers, jackhammer, pavement breaker, wagon drill, air track, jib rig and joy drill op., ½power buggy op., gunnite and sandblasting, coal passers and other machine op., sprayer and nozzle men on mulching and s seeding machines, all seeding and sod laying, all landscape work, grade checkers, all bridge work, walk behind selfpropelled power saw walk behind rollers and tampers of all types, wrecking laborers (including barmen and burnermen), all sheeting and shoring comming under the laborers jurisdiction bit grinder, operator of form pin pullers and drivers, joint and jet sealers and filling and wiring of baskets for gabion walls, permanent sign man

GROUP III: Concrete finisher on highways, form setter, granite stone layer, ingersoll rand heavy duty crawler - master type HCMZ or equivalent or any drill using a 4" or larger bit

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$7.80	.60	.60	a	
GROUP II	8.05	.60	.60	a	
GROUP III	8.45	.60	.60	a	

HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; Election Day; Veteran's Day; provided employee works one day in the calendar week in which the holiday falls and reports for work the first working day following the holiday.

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP I: Autograde - combn. subgrader, base MTL spreader & base trimmer (CMI & similar types), autograde placer-trimmer-spreader-combn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe loaders), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), derricks (land or floating), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loaders (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jack (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machines, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (superhammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel) koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, brush chopper, chipper & shredder, cableways carryalls, cherry pickers (6 tons & under), concrete pump, concrete pumping system, pumpcrete, squeezecrete & similar types, conveyors (125' & over), economobiles (hilo, lull, hyster similar type equipment), fork lifts, front end loaders (2 yds, but less than 5 yds.), grove cutting machine, heater planer, pans (letourneau, dw's ukes), pumpcrete (unit type), pumpcrete machines (squeezecrete & concrete pumping regardless of size), scrapers (letourneau, dw's ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Aerial platform (used as hoist), hoist (all type hoists, gas, diesel, electric, air hydraulic, single and double drum, concrete, brick shaft caisson, conveyor, snorkel, roof, tugger, and house cars or any other similar type hoisting machines, portable or stationary, except Chicago boom type), elevators or house cars, roof hoist

GROUP IV: Asphalt curbing machine, asphalt plant engineer, autograde tube finisher & texturing machine (CMI & similar), autograde curecrete machine (CMI & similar), autograde crub trimmer & sidewalk, shoulder slipform (CMI & similar types), bar bending machines (power), batchers, batching plant & crusher on site, belt conveyor systems, boilers and steam jennies (irrespective of their use), boom type skimmer machines, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on job site or in conjunction with job site, in loading and unloading of concrete, cement, fly ash, instancrete, or similar type materials), concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders hetzel, rexomatic and similar types, conveyors (under 125'), crushing machines, ditching machines (small, ditch-witch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpsters, fine grade machine (large type), front end loaders (under 2 yds.), generators giraffe grinders, graders and motor patrols, gunite machines (excluding nozzle), hammer vibrator (in conjunction with generator), hoppers, hopper doors (power operated), ladders (motorized), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt

BUILDING & HEAVY CONSTRUCTION - POWER EQUIPMENT OPERATORS CONT'D.:

curbing machines, concrete finishing machines, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement, paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breakers (small, self propelled ride on type, also maintains compressor or hydraulic unit), pipe bending machine (power), pitch pump, plaster pump (regardless of size), post hole digger, rod bending machines (power), scales (power), seaman pulverizing mixer, silas, steam jennies and boilers (irrespective of theiruse), steel cutting machine (service & maintains), vibrating plants (used in conjunction with unloading, welder and repair mechanic

GROUP V: Welding machines (gas or electric converters of any type 2 or 3 in battery), compressors (2 or 3 within a total distance of 100' constitutes a battery), welding system, mutiple (rectifier transformer type)

GROUP VI: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone, spreaders, sweepers & brooms, tractors (D-8 and over), water & sprinkler trucks (used on job site or in conjunction with job site)

GROUP VII: Compressor (single), heaters (nelson or other type including propane, natural gas or flow type units), pumps (4 inch suction & over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), welding machines (gas or electric converters of any type single), wellpoint system (including installation and maintenance), pumps (2 of less than 4 inch suction including submersible pumps)

GROUP VIII: Concrete spreaders (small type), fertilizing equipment and maintenance of), grease, gas, fuel and oil supply trucks, mulching equipment (operation and maintenance of), seeding equipment (operation and maintenance of), tamping machines (vibrating self propelled)

GROUP IX: Assistant engineer/oiler, mechanics helper, tire repair & maintenance

GROUP X: Water Operation: On all power boats used in conjunction with pipe-line, river crossings and all types of construction: captain (power boats), tug master (power boats)

GROUP XI: Water Operations: Deckhand

GROUP XII: Pump (staging)

GROUP XIII: Rollers (grade fill or stone base), tractors umder D-8

GROUP XIV: Helicopters (pilot/engineer)

GROUP XV: Asphalt spreaders, bridge deck finisher, grader finish only

GROUP XVI: Roller blacktop

DECISION NO. NY76 3136 NY-17-PEO-1-2-B 3 of 3

BUILDING AND HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$11.28	7%	10%+5%	a	3%
GROUP II	10.40	7%	10%+5%	a	3%
GROUP III	10.20	7%	10%+5%	a	3%
GROUP IV	9.51	7%	10%+5%	a	3%
GROUP V	9.36	7%	10%+5%	a	3%
GROUP VI	9.31	7%	10%+5%	a	3%
GROUP VII	8.60	7%	10%+5%	a	3%
GROUP VIII	8.45	7%	10%+5%	a	3%
GROUP IX	8.15	7%	10%+5%	a	3%
GROUP X	9.46	7%	10%+5%	a	3%
GROUP XI	8.05	7%	10%+5%	a	3%
GROUP XII	10.50	7%	10%+5%	a	3%
GROUP XIII	8.96	7%	10%+5%	a	3%
GROUP XIV	12.88	7%	10%+5%	a	3%
GROUP XV	9.76	7%	10%+5%	a	3%
GROUP XVI	10.65	7%	10%+5%	a	3%

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE
a. Holidays, A through F plus Washington's Birthday, Presidential Election and Veterans Day provided the employee works any of the three days in the five work days preceeding the holiday and the first work day after the recognized holiday.

DECISION NO. NY76 3136 NY-20-PEO-2-X

STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Power Equipment Operators:					
Cranes and derricks (land or floating), with booms (including jib), less than 140'	$12.08	7%	15%	a	3%
Cranes and derricks (land or floating), with booms (including jib), 140' and over	12.88	7%	15%	a	3%
A-frame, cherry pickers, elevators, permanent or temporary or any other hoisting machine regardless of motor power, fork lifts, hoists house cars, side booms, jacks	11.43	7%	15%	a	3%
Air compressors (2 or 3 in battery), generators, welding machines (gasoline or electric) converters of any type, 2 or 3 in battery multiple welders	9.86	7%	15%	a	3%
Air compressors single, welding machines (gasoline electric converter of any type, single) rod bending machines power	9.05	7%	15%	a	3%
Firemen	9.38	7%	15%	a	3%
Oilers, straddle carrier	8.55	7%	15%	a	3%
Water Operations:					
On all power boats used in conjunction with pipe line, river crossings and all types of construction work:					
Captain, tugmaster	9.80	7%	15%	a	3%
Deckhand	8.50	7%	15%	a	3%

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Paid holidays: A through F; Washington's Birthday; Veteran's Day and Presidential Election Day.

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION:

GROUP I: Autograde-comtn,. subgrader, base mix. spreader & bank trimmer (CMI & similar types), autograde placer-trimmer-spreader-comtn. (CMI & similar types), autograde slipform paver (CMI & similar types), backhoes (all types, including all combination hoe londerr), central power plants (all types), concrete paving machines, cranes (all types including overhead & straddle travelling type), cranes (gantry), drillmaster, quarrymaster (down the hole drill), draglines, elevator graders, engines (large diesel 1620 HP and staging pump), front end loader (5 yds. and over), gradalls, grader, rago, helicopters (co-pilot), jacks (screw air hydraulic power operated unit or console type (not hand jack or pile load test type), locomotive (large), mucking machine, pavers (21-E and over), paver (resinous, broyhill), pavement & concrete breaker (superhammer), pavement breaker truck mounted, piledriver, scooper (loader and shovel), koehring, shovels, tree chopper, trench machines

GROUP II: "A" frame, boring & drilling machines, bruch chopper, chipper & shredder, cableways, carryalls, cherry pickers (6 tons and under), concrete pump, concrete pumping system, pumperete, squeezecrete and similar types, conveyors (125' and over), econemobiles (hilo, lull, hyster and similar type equipment), fork lifts, front end loaders 2 yds. but less than 5 yds., groove cutting machine, heater planer, pans (letourneau, dw's ukes), pumperete (unit type), pumperete machines (squeezecrete & concrete pumping machines regardless of size), hoist (Chicago Booms), scrapers (letourneau, dw's ukes), side booms, squeezecrete, straddle carrier (ross & similar types), winch trucks (hoisting)

GROUP III: Asphalt curbing machine, asphalt plant engineer, autograde tube finisher & texturing machine (CMI and similar), autograde curecrete machine (CMI and similar types), autograde curb trimmer & sidewalk, shoulder slip form (CMI and similar types), bar bending machines (power), batchers, batching plant and crusher on site, belt conveyor systems, car dumpers (railroad), compressor and blower type units (used independently or mounted on dual purpose trucks, on the job site or in conjunction with job site in loading and unloading of concrete, cement, fly ash, instancrete or similar type materials, concrete breaking machines, concrete finishing machines, concrete saws & cutters (ride on type), concrete spreaders, hetzel, rexomatic & similar types, conveyors (under 125'), crushing machines, ditching machines (small ditchwitch or similar), drill doctor (duties include dust collector, maintenance), dope pots (mechanical with or without pump), dumpster, fine grade machine (large type), concrete vibrator, skimmer machines (boom type), generators, giraffe grinders, graders & motor patrols, gunite machine (excluding nozzle), hammer vibratory (in conjunction with generator), hoppers, hopper doors (power operated), laddervator, lights (portable generating light plants), locomotive (dinky type), maintenance and repair of asphalt curbing machines, concrete finishing machines, concrete vibrators, gas buggies, leveling machines, portable generators, power saws, compressor equipment or compressor units used in connection with cement, paint, insulating and acoustical sprays, plaster, curing and sandblasting (all and similar types), mechanic, mixers (excepting paving mixers), motor patrols and graders, pavers (under 21-E), pavement breaker (small, selfpropelled ride on type, also maintains

POWER EQUIPMENT OPERATORS - HIGHWAY, ROAD, STREET, & SEWER CONSTRUCTION CONT'D.: compressor or hydraulic unit), pipe bending machine (power), pitch pump, front end loaders (1 yd. and over, but less than 2 yds.), post hole digger, rod bending machine (power), scales (power), seaman pulverizing mixer, silos, steam jennies and boilers (irrespective of their use), steel cutting machine (services and maintains), vibrating plants (used in conjunction with unloading), welder and repair mechanic

GROUP IV: Bulldozer, fireman, sprinkler and water pump trucks (used on job site or in conjunction with job site), stone spreaders, sweepers and brooms, tractors (D-8 and over), water and sprinkler trucks (used on job site in conjunction with job site)

GROUP V: Compressors (single), heaters (nelson or other type including propane, natural gas ot flowtype units), pumps (4 inch suction and over including submersible pumps), temporary heating plant (nelson or other type including propane, natural gas or flow type units), pumps (diesel engine and hydraulic immaterial of power), wellpoint systems (including installation and maintenance), welding machines (gas or electric converters of any type 2 or 3 in battery), pumps (2 of less than 4 inch suction including submersible pumps

GROUP VI: Front end loaders (under 1 yard)

GROUP VII: Helicopters (pilot/engineer)

GROUP VIII: Pump (staging)

GROUP IX: Rollers (grade fill or stone base), tractors (under D-8)

GROUP X: Tug master (power boats), captain (power boats)

GROUP XI: Compressors (2 or 3 within a total distance of 100' constitutes a battery

GROUP XII: Concrete spreaders (small type), fertilizing equipment (operation & maintenance of) grease, gas, fuel and oil supply trucks, mulching equipment, operation and maintenance of seeding machines, tamping machines (vibrating, self propelled), farm tractors, conveyor loaders (not including elevator graders), fine grade machine (small type), concrete mixers (small), road finishing machines (small type), welding machines (gas or electric converters of any type-single), form line graders (small type)

GROUP XIII: Roof hoists, aerial platform used as hoist

GROUP XIV: Tire repair and maintanence, mechanics helpers & oiler

GROUP XV: Asphalt spreaders, bridge deck finisher, grader (finish only)

GROUP XVI: Roller blacktop

DECISION NO. NY76 3136

NY-18-PEO-3-B 3 of 3

HIGHWAY, ROAD, STREET & SEWER CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$11.28	7%	5%+10%	a	3%
GROUP II	10.40	7%	5%+10%	a	3%
GROUP III	9.51	7%	5%+10%	a	3%
GROUP IV	9.31	7%	5%+10%	a	3%
GROUP V	8.60	7%	5%+10%	a	3%
GROUP VI	9.16	7%	5%+10%	a	3%
GROUP VII	12.88	7%	5%+10%	a	3%
GROUP VIII	10.50	7%	5%+10%	a	3%
GROUP IX	8.96	7%	5%+10%	a	3%
GROUP X	9.46	7%	5%+10%	a	3%
GROUP XI	9.21	7%	5%+10%	a	3%
GROUP XII	8.45	7%	5%+10%	a	3%
GROUP XIII	10.20	7%	5%+10%	a	3%
GROUP XIV	8.15	7%	5%+10%	a	3%
GROUP XV	9.76	7%	5%+10%	a	3%
GROUP XVI	10.65	7%	5%+10%	a	3%

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Paid holidays; A through F, Washington's Birthday, Presidential Election Day and Verterans Pay provided the employee works any three days in the five day work week preceding the holiday and the first work day following the holiday.

DECISION NO. NY76-3136

BUILDING, HEAVY & HIGHWAY CONSTRUCTION N.Y. 2-TD-1-2-3-F

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Drivers on LeTourneau tractors. double barrel Euclids Athey wagon and simi lar equipment (except when hooked to scrapers), low beds. I-Beam. pole trailers, road oil distributors. tire trucks tractors and trailers with 5 axle and over	$7.66	.70	.70	a		
Equipment 25 yards and over up to and including 30 yard bodies. cable dump trailers, powder and dynamite trucks	7.56	.70	.70	a		
Equipment up to and including 24 yards bodies, mixer trucks, dump crete trucks and similar types of equipment, fuel trucks, batch trucks and all other tractor trailers	7.36	.70	.70	a		
Ten wheelers, grease trucks and tiller men	7.26	.70	.70	a		
Straight trucks	7.16	.70	.70	a		
Pick-up trucks used for hauling material parts escort man over the road	7.16	.70	.70	a		
Helpers	7.06	.70	.70	a		

Paid Holidays:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:

a Holidays: A through F; Washington's Birthday; Election Day; Veteran's Day

SUPERSEDEAS DECISION

STATE: NEW YORK COUNTY: SUFFOLK
DECISION NO.: NY76-3137 DATE: DATE OF PUBLICATION
Supersedeas Decision No. NY75-3045 dated April 11, 1975 in 40 FR 16614
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

52-New York-1-2-3- Y 1 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$10.00	.60	1.63	1.30	
Boilermakers	10.57	5%	15%	7%	.02
Bricklayers:					
Center Moriches on the south shore and following Chichester Avenue, North of Walding River and areas east thereof including the off shore islands:					
Bricklayers, cement masons and plasterers	9.40	.40	3.00	.30	
Remainder of County:					
Bricklayers	11.10	.78	2.99		
Cement masons	9.35	1.005	1.505	1.00	.01
Plasterers	8.70	1.00	.20	1.30	.01
Carpenters:					
Fishers Islands:					
Carpenters & soft floor layers	9.26	.70	.40		
Remainder of County:					
Carpenters & soft floor layers	9.78	1.08	1.46	.90	.11
Piledrivermen	9.78	1.08	1.46	.90	.11
Timbermen, wharf & dock builders	9.78	1.08	1.46	.90	.11
Carpenters, Heavy:					
Carpenters	9.78	1.08	1.46	.90	.11
Dock and wharf carpenters	9.78	1.08	1.46	.90	.11
Piledrivermen	9.78	1.08	1.46	.90	.11
Electricians and linemen	11.40	7%+.35	9%+.045	5%	5/8 of1%
Elevator constructors	9.52	.445	.29+b	c+d	.02
Elevator constructors' helpers	7.14	.445	.29+b	c+d	.02
Elevator constructors' helpers (prob.)	4.76	.445	.29+b	c+d	.02
Elevator constructors repair	7.90	.445	.29+b	c+d	.02
Elevator constructors' repair helpers	5.92	.445	.29+b	c+d	.02
Elevator constructors modernization	8.75	.445	.29+b	c+d	.02
Elevator constructors modernization helper	6.56	.075	.26+b	c+d	.02
Glaziers	9.10	.66	1.66	.365	.03

DECISION NO. NY76-3137 52-New York-1-2-3-Z 2 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Ironworkers:					
Structural	10.99	1.10	2.45	1.35	.05
Ornamental finisher	9.59	.86	2.45	.78	.03
Reinforcing	9.10	.785	1.765	.75	.01
Laborers, building:					
Laborers	8.35	.89	.93	.74	
Mason tenders	8.25	.89	.93	.74	
Mortar mixers	8.25	.89	.93	.74	
Plasterers' helpers	9.45	1.40		1.00	
Lathers, Metal	9.10	.785	1.763	.75	.01
Lead Burners	9.25	.35		e	.01
Millwrights	10.39	1.10	1.68	.60	.02
Marble carvers	7.95	.63+.15	.66+.28	o	
Marble setters & cutters	7.80	.63+.15	.66+.28	o	
Marble helpers and crane operator	7.33	.59+.15	.63+.25	o	
Derrick men	7.33	.59+.15	.63+.25	o	
Marble sawers, rubbers and polishers	7.57	.61+.15	.61+.26	o	
Painters:					
Brush	7.65	2.25	.60	.50	.10
Structural steel & spray	10.59	2.25	.60	.50	.10
Plumbers	10.00	.70	1.87	1.30	.16
Roofers:					
Composition damp & waterproofing	8.90	.66	1.98	1.20	.01
Slate and tile	10.60	.55	1.00	1.50	
Slate and tile helpers	5.13	8%	.50	5%	
Sheet metal workers:					
Fishers Island	9.30	.50	.51		.05
Remainder of County	10.45	.56	1.67	1.06	.08
Sprinkler fitters	8.655	7%+1.90	13%	10%	.05
Steam fitters	8.655	7%+1.90	13%	10%	.05
Stone derrickmen and riggers	10.55	.74	.77		.01
Stone masons	10.25	.50	1.00		
Terrazzo workers	9.10	1.09	1.50		
Tile setters	8.50	.75	2.15		
Tile setters' helpers	7.90	.50	.27+1.00		
Plasterers	8.70	1.00	.20	1.30	.01
Lathers-nail on	11.35	.94	.20		

DECISION NO. NY76-3137 — 52-New York-1-2-3-z — 3 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Truck drivers:					
Ready-mix concrete, sand gravel & asphalt	$ 8.02	.44¼	.55¼	g+h	
Euclid and tournapulls operator	8.075	.44¼	.55¼	g	
Tuck Pointers:					
Tuckpointers & waterproofers	8.72	.70	.67+.77	.50	.015
Steam cleaners	8.97	.70	.67+.77	.50	.015
Sand-blasters	9.72	.70	.67+.77	.50	.015
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. NY76-3137 — 52-New York-1-2-3-z — 4 of 4

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $1.29 per hour to an Annuity Fund.

b. Employer contributes $8.00 per day to Annuity Fund.

c. Holidays: A through F; Lincoln's Birthday, Washington's Birthday; Columbus Day; Armistice Day & Election Day.

d. Employer contributes 6.4% of basic hourly rate for 5 years or more of service or 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

e. Holidays: A through F; Washington's Birthday, Xmas Eve and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

f. Employer contributes $4.00 per day to Annuity Fund.

g. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day, Veteran's Day, (providing employee works two days in the calendar week in which the holiday falls and shape each remaining workday during such calendar week.)

h. For each 15 days worked within the contract year an employee will receive one day's vacation with pay, with a maximum vacation of three weeks per year.

i. Employer contributes $4.80 per day to Annuity Fund.

j. Paid Holiday: New Year's Day & Xmas Day providing the employee works the preceding and following the holiday.

k. Employer contributes $28.86 per month to Health & Welfare.

m. Employer contributes $29.13 per month to Pension Fund.

n. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Good Friday; Columbus Day; Armistice Day; Election Day.

o. Paid Holiday: St. Patricks Day.

DECISION NO. NY76-3137

N.Y. 10-IAB-2-3-0

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Laborers:					
Concrete & curb form setters, asphalt rakers	$7.35	10%	13%	.75+a	
Asphalt workers & roller boys, asphalt top shovelers and smoothers, asphalt tampers	7.30	10%	13%	.75+a	
Jackhammers, & drill men, hoppermen, carpenters' tenders, pipe jointers and setters, concrete laborers (structures), stone spreading laborers, trackmen, grading & excavating laborers, yard laborers, puddlers on concrete pavement, laborers (other than above) on concrete pavement, landscape laborers, asphalt plant (batcher & hopper men)	6.90	10%	13%	.75+a	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F, Columbus Day, Lincoln's Birthday, Washington's Birthday, Veterans' Day; Election Day, provided employee works or shapes up the scheduled day before and the schedule day after the holiday.

DECISION NO. NY76-3137 N.Y.-5-PEO-1-A 1 of 2

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS:					
Asphalt spreader	$10.63	6%	1.05	a+b	.15
Backhoe, dragline, gradall, piledriver, shovel	10.905	6%	1.05	a+b	.15
Batching plant (on site of Job), power winch (used for stone or steel), power winch truck mounted (used for stone or steel), pump (concrete)	10.805	6%	1.05	a+b	.15
Bending machine, generator (small), vibrator (1 to 5), dinky locomotive	9.455	6%	1.05	a+b	.15
Boiler, bulldozer, compressor (on crane) compressor (pilework), compressor (stone setting), concrete breaker, conveyor, generator (pilework), loading machine (front end), maintenance engineer, mechanical compactors (machine drawn), powerhouse, power winch truck mounted (used for other than steel or stone), pulvi-mixer, power winch (used for other than stone or steel), pump (double action disphragm), pump (gypsum), pump (hydraulic pump (jet), pump (single action - 1 to 3), pump (well point), welding and burning, welding machine (pilework)	10.455	6%	1.05	a+b	.15
Boom truck, crane (crawler or truck), conveyor-muiti, plant engineer, stone spreader (self-propelled)	10.655	6%	1.05	a+b	.15
Compressor, compressor (2 or more in battery), generator, mulch machine, pin puller, portable heaters, pump (4 inch or over), track tamper (2 engineers each), welding machine	10.205	6%	1.05	a+b	.15
Crane and boom truck (setting structural or stone)	11.03	6%	1.05	a+b	.15
Bulldozer (used for excavation), fireman, loading machine, powerboom, scoop (carry-all scrapper), vac-all	10.08	6%	1.05	a+b	.15
CMI or maxim spreader, concrete spreader, derrick, sideboom tractor	11.005	6%	1.05	a+b	.15
Compressor (structural steel)	10.605	6%	1.05	a+b	.15
Concrete saw or cutter, mixer (with skip) mixer (2 small, with or without skip), pump (up to 3 inches), tractor-caterpiller or wheel	9.705	6%	1.05	a+b	.15

DECISION NO. NY76-3137 N.Y.-5-PEO-1 - A 2 of 2

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Crane with clam shell bucket	$10.905	6%	1.05	a+b	.15
Crane, crawler or truck:					
Boom lengths of 100' (including jib) but less than 150'	11.155	6%	1.05	a+b	.15
Boom lengths of 150' (including jib) but less than 250'	11.405	6%	1.05	a+b	.15
Boom lengths of 250' (including jib) but less than 350'	11.655	6%	1.05	a+b	.15
Boom lengths of 350'	12.155	6%	1.05	a+b	.15
Curb machine (asphalt or concrete), curing machine, pump (submersible), tower crane maintenance man	10.40	6%	1.05	a+b	.15
Dredge	10.70	6%	1.05	a+b	.15
Elevator, forklift, hoist (1 drum)	10.83	6%	1.05	a+b	.15
Forklift (walk-behind, power operated)	10.62	6%	1.05	a+b	.15
Grader	10.23	6%	1.05	a+b	.15
Hoist (2 and drum)	10.97	6%	1.05	a+b	.15
Hoist (multiple platform)	13.50	6%	1.05	a+b	.15
Mechanical compactors (hand operated), trench machine (hand)	9.08	6%	1.05	a+b	.15
Hoist tandem platform	11.88	6%	1.05	a+b	.15
Hydra-hammer, ridge cutter	9.62	6%	1.05	a+b	.15
Lead engineer	12.105	6%	1.05	a+b	.15
Loading machine (with capacity of 10 yds or over	10.33	6%	1.05	a+b	.15
Oiler, stump chipper	9.105	6%	1.05	a+b	.15
Power buggies	9.33	6%	1.05	a+b	.15
Roller, trench machine	10.705	6%	1.05	a+b	.15
Scoop, carry-all, scraper in tandem	11.08	6%	1.0	a+b	.15
Sideboom tractor (used in tank work)	11.165	6%	1.0	a+b	.15
Striping machine	10.13	6%	1.0	a+b	.15
Tank work	10.93	6%	1.0	a+b	.15
Tower crane (engineer)	11.46	6%	1.05	a+b	.15
Tower crane (oiler)	8.955	6%	1.05	a+b	.15
Welding machine, structural steel	10.68	6%	1.05	a+b	.15

PAID HOLIDAY:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:
a. Holdays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day and Veterans' Day.
b. Basic hourly rate includes $1.00 Vacation fund.

DECISION NO. NY76-3137 NY-6-PEO-2-3-A 1 of 2

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
Asphalt spreader, boom truck, boring machine (other than post holes), CMI or maxim spreader, crane (crawler or truck), conveyor (multi), plant engineer, concrete spreader, sideboom tractor, stone spreader, (self-propelled), cherry picker	$10.93	6%	1.25	a+b	.15	
Backhoe, crane (stone setting), crane (structural steel), dragline, gradall, piledriver, road paver, shovel	11.30	6%	1.25	a+b	.15	
Batching plant (on site of job), crane (on barge), derrick, sideboom tractor (used in tank work), tank work	11.155	6%	1.25	a+b	.15	
Bending machine, mechanical compactors (hand operated), pump (centrifugal, up to 3 inches), trench machine (hand)	8.68	6%	1.25	a+b	.15	
Boiler	10.43	6%	1.25	a+b	.15	
Boring machine (post holes)	10.87	6%	1.25	a+b	.15	
Bulldozer, concrete finishing machine, conveyor, curb machine (asphalt or concrete), curing machine, dinky locomotive, fireman, forklift, hoist (1 drum), loading machine, maintenance engineer, pulvi-mixer, pump (4 inches or over), pump (hydraulic), pump (jet) pump (submersible), pump (well point), roller (5 ton and over), scoop (carry-all, scraper), maintenance man (tower crane), vac-all, welding and burning	10.12	6%	1.25	a+b	.15	
Compressor (on crane), generator (pile work), welding machine (pile work), power winch (used for other than stone or structural steel), power house, loading machine (front end), compressor (pile work), power winch (truck mounted, used for other than stone or steel), hoist (2 drum)	10.655	6%	1.25	a+b	.15	
Compressor (2 or more in battery)	10.35	6%	1.25	a+b	.15	
Compressor (stone setting), compressor (structural steel), welding machine (structural steel)	10.815	6%	1.25	a+b	.15	
Compressor, mulch machine, pin puller, pump (double action diaphragm), pump (gypsum), pump (single action 1 to 3), striping machine, welding machine	9.745	6%	1.25	a+b	.15	

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (Cont'd.):						
Concrete breaker, concrete saw or cutter, forklift (walk-behind, power operated), hydra hammer, mixer (with skip) mixer (2 small with or without skips), mixer (2 bag or over with or without skip), power buggies, power grinders, ridge cutter	$ 9.03	6%	1.25	a+b	.15	
Dredge	10.765	6%	1.25	a+b	.15	
Generator	10.04	6%	1.25	a+b	.15	
Generator (small)	8.715	6%	1.25	a+b	.15	
Grader	10.335	6%	1.25	a+b	.15	
Hoist (3 drum), power winch (truck mounted, used for stone or steel), power winch (used for stone setting and structural steel), trench machine	11.145	6%	1.25	a+b	.15	
Lead engineer	13.03	6%	1.25	a+b	.15	
Mechanic	8.735	6%	1.25	a+b	.15	
Mechanic helper	8.395	6%	1.25	a+b	.15	
Mechanical compactors (machine drawn), roller (over 5 tons)	10.47	6%	1.25	a+b	.15	
Oiler, root cutter, stump chipper, tower crane (oiler), track tamper (2 engineers, each)	8.70	6%	1.25	a+b	.15	
Portable heaters	10.295	6%	1.25	a+b	.15	
Powerbroom	9.175	6%	1.25	a+b	.15	
Pump (concrete)	10.39	6%	1.25	a+b	.15	
Scoop (carry-all, scraper in tandem), tower crane (engineer)	11.555	6%	1.25	a+b	.15	
Tractor (caterpilla or wheel)	8.505	6%	1.25	a+b		

FOOTNOTES:

a. Paid Holidays: New Year's Day; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Election Day; Veterans' Day; Thanksgiving Day and Christmas Day. Provided employee is employed the day before and after the holiday

b. Basic hourly rate includes $1.00 vacation fund.

SUPERSEDEAS DECISION

STATE: NEW YORK
COUNTY: DUTCHESS
DECISION NO.: NY76-3138
DATE: Date of Publication
Supersedes Decision No. NY75-3034 dated April 11, 1975 in 40 FR16559

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

14-New York-1-2-3-W 1 of 3

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	12.58	5%	10%		
Boilermakers	10.57	5%	15%	7%	.01
Bricklayers, cement masons, marble setters, plasterers, stone masons and tile setters	9.55	.85	1.65	g	
Carpenters, Building: Wappingers Falls, New Hackensack, Pawling and Beacon, Carpenters, piledrivermen and soft floor layers	10.02	.70	.95	.55+l+m	.10
Remainder of County: Carpenters and soft floor layers	10.12	6%	6%	.80	.10
Carpenters, Heavy and Highway: Wappingers Falls, New Hackensack, Pawling, and Beacon: Carpenters	10.02	.70	.95	.55+l+m	.10
Remainder of County: Carpenters	10.12	6%	6%	.80	.10
Cement masons, Bricklayers, Stone masons (Heavy & Highway)	10.35	.85	1.65	h	
Electricians:					
Beacon and Fishkill	9.70	.45	1%+.69	.60	½%
Remainder of County:	9.50	.50	1%+.85	5%+a+m	½ of 1%
Elevator constructors	9.16	.395	.26	c+d	.02
Elevator constructors' helpers	6.41	.395	.26	c+d	.02
Elevator constructors' helpers (prob)	4.58				
Glaziers	8.75	.66	1.66	.365	.03
Ironworkers, structural, orna. & reinforcing	8.92	.95	1.67	1.20	.04
Lathers	7.70	9%	.55		.01
Lead Burners	9.25	.35		e	.01
Line Construction:					
Lineman	10.40	.50	1%+.50	f	3/8%
Cable Splicer	11.44	.50	1%+.50	f	3/8%
Groundman digging machine operator	9.36	.50	1%+.50	f	3/8%
Groundman mobile equipment operator	8.32	.50	1%+.50	f	3/8%
Groundman truck driver	7.90	.50	1%+.50	f	3/8%
Groundman dynamite man & Mechanic	8.32	.50	1%+.50	f	3/8%
Marble setters helpers	8.50	1.05		1.15+b	

Page 2

DECISION NO. NY76-3138 14-New York-1-2-3-W 2 of 3

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Painters: Brush	$ 6.90	.42	i	k	
Bridges, towers, fire escapes, smoke stacks, flag poles, swing stage, window jacks, boatswain chair, saftey belts, and spray structural steel	7.90	.42	i	k	
Piledrivermen, dock & wharf builders	10.39	1.10	1.68	.60	.02
Plumbers and steamfitters	10.00	.40	1.15	1.30	.05
Roofers, asphalt and shingle	7.65	1.00	1.51		
Roofers, slate, tile asbestos	10.15	1.00	1.51		
Roofers, pitch	10.65	1.00	1.51		
Sheet metal workers	10.34	8%	8%	8%	.02
Sprinkler fitters	10.75	.50	.80		.08
Terrazzo workers' helpers	7.55	1.05		1.15+b	
Tile setters' helpers	7.20	1.05		1.15+b	
Welders - receive prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F; (provided employee is on the payroll two weeks prior to the holiday).

b. Paid Holidays: A through F, Washington's Birthday, Lincoln's Birthday, Good Friday and Columbus Day provided the employee is employed 3 days before the holiday or any of the 3 days following the holiday.

c. Holidays: A through F.

d. Employer contributes 2% of the basic hourly rate for 6 month to 5 years of service or 4% of the basic hourly rate for 5 years or more of service as vacation pay credit.

e. Holidays: A through F; Washington's Birthday, Good Friday and Xmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

FOOTNOTES (CONT'D)

f. Holidays: A through F; Washington's Birthday, Election Day for President of the United States and Election of Governor of New York (provided employee works the day before and the day after the holiday).

g. Holidays: A through F; and two hours off on Election Day for the purpose of voting.

h. Holidays: A through F; Washington's Birthday; Good Friday; Columbus Day; Veteran's Day and Nov. Election Day.

i. Employer contributes $.30 per hour to an annuity fund.

k. Holiday C providing the employee works within the period of (June 20 to July 4th).

l. Employees receive two hours off on Election Day for purpose of voting.

m. Holidays A through F providing the employee works 7 days before and after the holiday.

n. Employee receives two hours off on Election Day for the purpose of voting.

BUILDING CONSTRUCTION

	Basic Hourly Rates	FRINGE BENEFITS/PAYMENTS H & W	Pension	Vacation	Apprentice	Other
Laborers:						
General Laborers	$7.60	.61	1.31	a+.40		
Hod carriers (plasterers' helpers), scaffold builders (padlock & self-supporting scaffold 14 ft. or under all runways), mortar mixers (machine & hand), concrete mixers (by machine under 21-E), vibrators, form setters, pipe layers, asphalt rakers, handling reinforcement rods, working labor foremen, drillers & jackhammer op., signalmen, gunniting, motor buggs, water pumps 2" or under, Barco machines, wreckers, paving breakers, power saw operator, other machine operators	7.85	.61	1.31	a+.40		
Blasters, laser beam op.	8.00	.61	1.31	a+.40		

FOOTNOTE:

a. Two hours off with pay on Election Day.

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION:

GROUP I: Backhoe Oliver 88, Fordson, dynahoe, dual purpose & similar machine, Barber Green loader-Euclid loader or similar type, cherry picker (cableway), compressor (Steel erection), conway or similar mucking machines, dragline, gradall, shovel, backhoe, etc., (crawler or truck), front end loaders, hydraulic boom, Jersey spreader, Letourneau or Tournapull (scrapers over 20 yds. struck), mucking machines, pavement breaker (air ram), paver (concrete), pulsemeter, push button (buzz box) elevator, road boring machine, road mix machines, Ross carrier & similar machines, post hole digger, shovel (tunnels), side boom, spreader (asphalt), scoopmobile-tractor-shovel over 1-½ yds., trenching machines, tractor type demolition equipment, winch truck "A" Frame

GROUP II: Compactor self-propelled, grader, bulldozer D7 & similar tractors with a draw bar horsepower of 100 & over maintenance engineer, mechanic (outside) all types, welder, scraper-20 yds. struck & under, machine pulling sheep's foot roller, etc., roller 4 ton and over, vib. roller

GROUP III: Asphalt plant, boiler (high pressure), bulldozer D6 & similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete mixing plants, concrete pump, conveyor belt machine-irrespective of motor size, fireman, forklift, forklift (electric), joy drill or similar tractor drilling machine, loader-1-½ yds., & under, lighting unit (portable & generator), locomotive (all sizes), mixer concrete-21E & over, portable asphalt plant, portable batch plant, portable crusher, quarry master, stone cursher, welding machine (steel erection excavation), well drilling machine, well point system

GROUP IV: Air tractor drill, batch plant, bending machine, concrete breaker, concrete spreader, compressor to 125 cu. ft., curb cutter machine, dust collector, farm tractor (all types), finishing machine concrete, material hooper-sand-stone-cement, mixer-concrete-under 21E, mulching grass spreader, heater-all types, pump, pump station (water & sewer), pump-gypsum, etc., concrete, pump-plaster roller under 4 ton, spreading & fine grading machine, steam Jenny, steel Jenny, steel cutting machine, sweeper, syphon pump air steam, tar joint machine, Turbo jet burner or similar equipment vibrator (1 to 5) fine grading machine

GROUP V: Concrete saw, mechanic's helper, oiler (fuel truck), oiler (grease truck), paint compressor, welder's helper

GROUP VI:

A. Master mechanic
B. Helicopter hoist op.
C. Oiler, asphalt paver, utility man
D. Welder - certified
E. Second engineer on cranes 30 ton and over
F. Cable splicer
G. Helicopter pilot
H. Helicopter signalman
I. Engineer, all tower cranes, all climbing cranes and all cranes of 100 ton capacity or greater (3900 maintowac or similar) irrespective of manufacturer and regardless of how the same is rigged (except for pile rigs).

POWER EQUIPMENT OPERATORS - BUILDING CONSTRUCTION:

GROUP VI (CONT'D):

J. Cranes (crawlers or truck) 100 ft. but less than 149 ft
K. Cranes (crawlers or truck) 149 ft. and over
L. Loaders op. (over 5 yd. capacity)
M. Shovel op. (over 4 yd. capacity)

GROUP VII: Concrete-portable hoist, crane & hoist engineer-steel (concrete, material, super structure, sub-structure), derrick (stone-steel), elevator & cage, engineer-pile driver, overhead crane, power house plant, telephies, whirly, hoist (single, double or triple drum), hoist (portable mobile unit), hoist engineer-concrete (crane, derrick, mine hoist), hoist engineer material

POWER EQUIPMENT OPERATORS, BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$12.285	6%+.875	8%	a	1½%
GROUP II	11.37	6%+.875	8%	a	1½%
GROUP III	11.2275	6%+.875	8%	a	1½%
GROUP IV	11.085	6%+.875	8%	a	1½%
GROUP V	9.9425	6%+.875	8%	a	1½%
GROUP VI					
A	13.655	6%+.875	8%	a	1½%
B	12.7975	6%+.875	8%	a	1½%
C	8.9975	6%+.875	8%	a	1½%
D	11.7975	6%+.875	8%	a	1½%
E	10.5125	6%+.875	8%	a	1½%
F	11.37	6%+.875	8%	a	1½%
G	16.5125	6%+.875	8%	a	1½%
H	9.9425	6%+.875	8%	a	1½%
I	16.2275	6%+.875	8%	a	1½%
J	14.5125	6%+.875	8%	a	1½%
K	15.5125	6%+.875	8%	a	1½%
L	12.785	6%+.875	8%	a	1½%
M	13.285	6%+.875	8%	a	1½%
GROUP VII	12.5125	6%+.875	8%	a	1½%

DECISION NO. NY76 3138 N.Y. 3-PEO-1-J 1 of 1

REMAINDER OF COUNTY:

BUILDING CONSTRUCTION - POWER EQUIPMENT OPERATORS:

GROUP 1: Oilers

GROUP 2: Firemen and heavy duty greasers, all boilers and steam generators

GROUP 3: Pumps, vibrators, concrete mixers, spreaders, concrete finishing machines, mortar mixers, air compressors, dust collectors, welding machines well points, two or more Herman Nelson and like heaters, batch and plant op., seed and mulching machines, generators, temporary light plants, concrete pump, beltcrete power pac (beltcrete system), electric submersible pump 4" and over

GROUP 4: Dinkey locomotives, Barber Greene loaders, loaders and conveyors, tractors, scoopmobiles, bulldozers, road rollers, form fine graders, power brooms and sweepers

GROUP 5: Black top spreaders, black top rollers, high lifts, fork lifts, one drum hoist or hod hoists, post hole diggers, traxcavators, core and well well drillers (one drum), econompbile and similar type machines, elevators, A-L frame winches, power hoisting (single drum)

GROUP 6: LeTourneau graders or scrapers, trenching machines, push cart

GROUP 7: Tractor road pavers, cranes, power road graders, shovels, backhoes, draglines, pile drivers, hoists two or more drums, three drum engines, hysters, two drum and swinging engines, three drum swinging engine, locomotive cranes, gradalls, hydrocrane, model CHB Vibrotamp or similar, Murphy type diesel generator-beltcrete system, side booms, hydro hammer, tractor mounted drill (quarry master), euclid loaders, concrete pumps, all CMI equipment, concrete central mix plant, automated asphalt, concrete central plant, derrick, whirlies, tower cranes, cableways, hydraulic cranes, power hoisting (2 drum and over), mucking machine

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$8.60	.45	.45+.30	a	.10
GROUP 2	8.66	.45	.45+.30	a	.10
GROUP 3	8.76	.45	.45+.30	a	.10
GROUP 4	8.94	.45	.45+.30	a	.10
GROUP 5	9.24	.45	.45+.30	a	.10
GROUP 6	9.37	.45	.45+.30	a	.10
GROUP 7	9.54	.45	.45+.30	a	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. Holidays: A through F.

SEWER, ROAD, STREET AND HIGHWAY CONSTRUCTION

15-LAB-2-3-J

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
Laborers:						
General laborers	$7.89	9%	7%+.80	a		
Concrete men, joint setter, signal man, mason tender, pipe layer, riprap and dry stone layers, asphalt workers, screed bar operator, steel tod carrier, jackhammerman, wagon driller, air-trac operator, nippers, powderman, high scalers, power buggy operator, vibratory operator, other compactor, wrecking laborers, gunite and sandblasting, coal passer	8.14	9%	7%+.80	a		
Concrete finisher on Highways, blaster, form setter, laser beam operator	8.49	9%	7%+.80	a		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

a. Lincoln's Birthday, Washington's Birthday, Good Friday, Columbus Day, Veteran's Day and November Election Day provided the employee works (?) calendar days before or after the holiday.

Poughkeepsie and South thereof:

HEAVY & HIGHWAY - POWER EQUIPMENT OPERATORS:

GROUP I: Auger, auto grader, backhoe Oliver 88, Fordson, dynahoe, dual purpose and similar machines, barber green loader-euclid loader or similar type, central mix plant operator, cherry picker (cableway), compactor with blade, compressor (steel erection), concrete portable hoist, C.M.I. or similar Conway or similar mucking machines, Crane (crawler or truck) dragline, gradall, shovel backhoe, etc., derrick (stone-steel), elevator & cage, front end loaders, hoist single, double, triple drum, hoist portable mobile unit, hoist engineer-concrete (crane-derrick-mine hoist), hoist engineer-material, hydraulic boom, LeTourneau or Tournapull (scrapers over 20 yards struck), mucking machines, overhead crane, paver (concrete), power house plant, pulsometer, push button (buzz box) elevator, road mix machines, Ross carrier and similar machines, shovel (tunnels), side boom, spreader (Asphalt), scoopmobile-tractor-shovel over 1½ yards, trenching machines, telephies, tractor type demolition equipment, whirly, winch truck "A" frame

GROUP II: Compactor self-propelled, grader, bulldozer D7 and similar tractors with a draw bar horsepower of 100 and over, maintenance engineer, mechanic (outside) all types, welder, scrapers 20 yards struck and under, shop foreman, vibratory roller, etc., roller 4 ton and over

GROUP III: Asphalt plant, boiler (high pressure), bulldozer D6 and similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete pump, conveyor belt machine-irrespective of motor size, firemen, forklift, forklift (electric), joy drill or similar tractor drilling machine, loader-1½ yds. and under, lighting unit (portable & generator), locomotive (all sizes), machine pulling sheeps foot roller, mixer concrete-21E and over, portable asphalt plant, portable batch plant, portable crusher, quarry master, stone crusher, welding machine (steel erection-excavation), well drilling machine, well point system

GROUP IV: Air tractor drill, batch plant, bending machine, concrete breaker, concrete spreader, compressor to 125 cu. ft., curb cutter machine, dust collector, farm tractor (all types), finishing machine-concrete, material hopper-sand-stone-cement, mixer-concrete-under 21E, mulching grass spreader, heater-all types, pump 4 inches and over, pump station (water & sewer), pump-gypsum, etc., pump-plaster, roller under 4 ton, shop mechanic (not employed on job site), spreading & fine grading machine, steam jenny, steel cutting machine, sweeper, syphon pump-air-steam, tar joint machine, Turbo jet burner or similar equipment, vibrator (1 to 5), fine grading machine

GROUP V: Concrete saw, mechanic's helper, oiler, oiler (fuel truck), oiler (grease truck), stockroom or stockroom attendant, paint compressor, pump under 4" or any combination not equal to 4". roller motorized (walk behind), welder's helper

HEAVY & HIGHWAY - POWER EQUIPMENT OPERATORS (CONT'D):

GROUP VI: Hoist engineer-steel, sub-struct., engineer-pile driver

GROUP VII: Welder-certified crawlers or truck: 100 ft. but less than 149 ft. $2.00 per hour additional crawlers or truck: 149 ft. and over $3.00 per hour additional loader operators: Over 5 cu. yd. capacity $.50 per hour additional shovel operators: over 4 cu. yd. capacity $1.00 per hour additional

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$10.75	6%	8%+a	b	1¼%
GROUP II	9.95	6%	8%+a	b	1¼%
GROUP III	9.825	6%	8%+a	b	1¼%
GROUP IV	9.70	6%	8%+a	b	1¼%
GROUP V	8.70	6%	8%+a	b	1¼%
GROUP VI	10.95	6%	8%+a	b	1¼%
GROUP VII	10.325	6%	8%+a	b	1¼%

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. $.66 per hour.

b. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Good Friday Columbus Day; November Election Day and Veteran's Day.

DECISION NO. ~~NY76-3138~~

JY 23 TO 2 3 B

REMAINDER OF COUNTY:

POWER EQUIPMENT OPERATORS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.30	.50	.50+a	b	.10
GROUP II	9.00	.50	.50+a	b	.10
GROUP III	8.35	.50	.50+a	b	.10
GROUP IV	7.60	.50	.50+a	b	.10

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $.30per hour to an Supplemental Unemployment Benefit Fund.

b. Paid Holidays A through F; providing the employee works the working day before and after the holiday.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION

Group I - Automated concrete spreader (CMI), automatic fine grader, backhoe (except tractor mounted, rubber tired), belt placer (CMI type), blacktop plant (automated), cableway, caisson auger, central mix concrete plant (automated), cherry picker (over 5 tons capacity), concrete pump (8" or over), crane, cranes & derricks (steel erection), dragline, dredge, dual drum paver, excavator (all purpose-hydraulically operated, (gradall or similar), fork lift (factor rated 15 ft. and over), front end loader 4 c.y. and over), head tower (sauerman or equal) hoist (2 or 3 drum), mine hoist, mucking machine or mole, over head crane (gantry or straddle type), piledriver, power grader, quarry master (or equivalent), scraper, shovel, sideboom, slip form paver (if second man is needed, he shall be an oiler), tractor drawn belt type loader, truck crane, tunnel shovel.

Group II - Backhoe (tractor mounted, rubber tired), bituminous spreader and mixer, blacktop plant (non-automated), blast or rotary drill truck or tractor mounted), boring machine, cage-hoist, central mix plant (non-automated and all concrete batching plants), cherry picker (5 tons capacity and under), compressors (4 or less) exceeding 2000 C.F.M. combined capacity concrete paver (over 16S), concrete pump (under 8"), crusher, diesel power unit, drill rigs (tractor mounted), front end loader (under 4 c.y.), hi-pressure - boiler (15 lobs. and over), hoist (one drum) Kolman plant loader and similar type loaders (if another man is required to clean screen or to maintain the equipment, he shall be an oiler), locomotive maintenance/engineer/greaseman/welder, mixer (for stablized base self-propelled), monorail machine, plant engineer, pump crete, ready mix concrete plant, refrigeration equipment (for soil stabilization), road widener, roller (all above subgrade), tractor with dozer and/or pusher, trencher, tugger-hoist, winch, winch cat.

POWER EQUIPMENT OPERATORS: HEAVY AND HIGHWAY CONSTRUCTION CONT'D.

Group III - A-frame truck, compressors (4 not to exceed 2000 C.F.M. combined capacity or 3 or less with more than 1200 C.F.M. but not to exceed 2000 C.F.M.), compressors (any size but subject to other provisions for compressors), dust collectors, generators, pumps, welding machines (4 of any type of combination), concrete pavement spreaders and finishers, conveyor, drill-core, drill-well, electric pumps used in conjunction with well point system, farm tractor with accessories, fine grade machine, fork lift (under 15 ft.), gunite machine, hammers (hydraulic-self-propelled), post hole digger and post driver, power sweeper, roller (grade and fill), submersible electric pump (when used in lieu of well point system), tractor with towed accessories, vibratory compactor, vibro tamp, well point.

Group IV - Aggregate plant, boiler (used in conjunction with production), cement and bin operator, compressors (3 or less not to exceed 1200 C.F.M. combined capacity), compressor (any size, but subject to other provisions for compressors) dust collectors, generator pumps, welding machines (3 or less of any type or combination), concrete paver or mixer (16S and under), concrete saw (self-propelled), fireman, form tamper, hydraulic pump (jacking system), lighting plants, mulching machine, oiler parapet- (concrete or pavement grinder), power broom (towed), power heaterman, revinius widener, shell winder, steam cleaner, tractor.

BUILDING, HEAVY & HIGHWAY CONSTRUCTION — N.Y. 2-TD-1-2-3-F

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
TRUCK DRIVERS:						
Drivers on LeTourneau tractors, double barrel Euclids Athey wagon and similar equipment (except when hooked to scrapers), low beds, I-Bean, pole trailers, road oil distributors, tire trucks tractors and trailers with 5 axle and over	$7.66	.70	.70	a		
Equipment 25 yards and over up to and including 30 yard bodies, cable dump trailers, powder and dynamite trucks	7.56	.70	.70	a		
Equipment up to and including 24 yards bodies, mixer trucks, dump crete trucks and similar types of equipment, fuel trucks, batch trucks and all other tractor trailers	7.36	.70	.70	a		
Ten wheelers, grease trucks and tiller men	7.26	.70	.70	a		
Straight trucks	7.16	.70	.70	a		
Pick-up trucks used for hauling material parts escort man over the road	7.16	.70	.70	a		
Helpers	7.06	.70	.70	a		

Paid Holidays:

A-New Year's Day; B-Memorial Day;
C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:

a Holidays: A through F; Washington's Birthday; Election Day; Veteran's Day

SUPERSEDEAS DECISION

STATE: NEW YORK
COUNTY: NASSAU
DECISION NO.: NY76-3139
DATE: Date of Publication
Supersedes Decision No. NY75-3038 dated April 11, 1975 in 40 FR 16591
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

30-NY-1-2-3-A

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers	$10.00	.60	1.63	1.80	
Boilermakers	10.57	5%	5%+10%	7%	.01
Bricklayers	11.10	.78	.87+a		
Carpenters, Building:					
South of the Southern State Parkway in Hempstead Borough:					
Carpenters and soft floor layers	10.39	1.10	1.68	.60	.02
Dock builders and Piledrivermen	10.39	1.10	1.68	.60	.02
Remainder of County:					
Carpenters, piledrivermen and soft floor layers	9.15	1.30	1.24		.11
Carpenters, Heavy:					
Carpenters	10.39	1.10	1.68	.60	.02
Dock and wharf carpenters	10.39	1.10	1.68	.60	.02
Piledrivermen	10.39	1.10	1.68	.60	.02
Cement masons	9.35	1.005	1.005+.50	1.00	.01
Electricians and linemen	11.40	7%+.35	9%+.045	5%	5/8of1%
Elevator Constructors	9.52	.445	.29+b	c+d	.02
Elevator Constructors' helpers	7.14	.445	.29+b	c+d	.02
Elevator Constructors' helpers (prob.)	4.76				
Elevator Constructors modernization	8.75	.445	.29+b	c+d	.02
Elevator Constructors modernization helpers	6.56	.445	.29+b	c+d	.02
Elevator Constructors repair	7.90	.445	.29+b	c+d	.02
Elevator Constructors repair helpers	5.92	.445	.29+b	c+d	.02
Glaziers	9.10	.66	.46+1.20	.365	.03
Ironworkers, structural	10.90	1.10	.845	1.35+b	.05
Ironworkers, reinforcing	9.10	.785	.655+1.10	.75	.01
Ironworkers, ornamental finishers	9.59	.86	.70+1.335	.78	.03
Laborers: (Building)					
Laborers, building	8.25	.89	.93	.74	
Mason tenders	8.25	.89	.93	.74	
Plasterers' helpers	9.45	1.40		1.00	
Mortar mixers	8.25	.89	.93	.74	

DECISION NO. NY76-3139

30-NY-1-2-3-A

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Lathers, metal	$ 9.10	.785	.655+1.10	.75	.01
Lead burners	9.25	.35	e		.01
Marble:					
Cutters	7.80	.78	.94		
Carvers	7.95	.78	.94		
Setters	7.80	.78	.94		
Sawyers, rubbers, polishers	7.57	.76	.87		
Derrickmen	7.33	.74	.66+q		
Helpers, crane operator	7.33	.74	.66+q		
Millwrights	10.39	1.10	1.68	.60	.02
Painters:					
Inwood, Lawrence, Cedarhurst, Woodmere, Hewlett, Hewlett Bay, Hewlett Neck, Hewlett Park, E. rockaway, part of Oceanside part of Lynbrook, part of Rockville Center, Atlantic Beach, Long Beach, Lindo Beach, Point Lookout, Gibson and part of Valley Stream:					
Painter	8.50	.63	.55+f	.25	
Spray & Scaffold	10.32	.63	.55+f	.25	
Fire escape	9.71	.63	.55+f	.25	
West of Port Washington Blvd. and north of Powerhouse Road on the shore and west of Long Beach Road and south of Sunrise Highway on the South Shore:					
Structural steel	7.50	8%	11%		
Structural steel, spray	8.50	8%	11%		
Remainder of County:					
Painters	8.05	.78	1.50	.50	
Plasterers	8.70	1.00	.80	1.30	.01
Plumbers	10.85	.75	1.63	1.03	.30
Riggers	11.05	.74	.77		.01

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Roofers:					
Comp., damp, and waterproofing	$ 8.90	.66	1.98	1.20	.01
Sheet metal workers	10.45	.56	1.67	1.06	.08
Steam fitters	8.655	7%+1.90	13%	10%	.05
Stone masons	10.25	.50	1.00		
Stone derrickmen and riggers	10.55	.74	.77		.01
Sprinkler fitters	8.655		13%	10%	.05
Terrazzo workers	9.10	1.09	1.50		
Tile setters	8.50	.75	2.15		
Tile setters' helpers	7.90	.50	1.27		
Truck drivers:					
Ready-mix concrete, sand gravel and asphalt	8.02	.7325	1.5825	h+i	
Euclid and Turnapull operator	8.075	.7325	1.5825+.10	h+i	
Tuck pointers:					
tuck-pointers and waterproofers	8.72	.70	1.44	.50	.015
Steam cleaners	8.97	.70	1.44	.50	.015
Sandblasters	9.72	.70	1.44	.50	.015
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

BUILDING, HEAVY & HIGHWAY CONSTRUCTION

PAID HOLIDAYS:
A-New Year's Day; B-Memorian Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $2.05 per hour to Annuity Fund.

b. Employer contributes $7.00 per day to Annuity Fund.

c. Holidays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day, Armistice Day.

d. Employer contributes 6.4% basic hourly rate for 5 years or more service or 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

e. Holidays: A through F; Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.

f. $3.50 per day contribution for each man to special annuity fund.

g. Employer contributes $2.35 per hour combined to the Welfare, Pension and Vacation Fund.

h. Holidays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day, Veteran's Day providing employee works two days in the calendar week in which the holiday falls, and shapes each remaining work day during such calendar week.

i. For each 15 days worked within the contract year an employee will receive one day's vacation with pay, with pay, with a maximum vacation of three weeks per year.

o. Holidays: A through F; Election Day and Washington's Birthday.

p. Holidays: A and F, provided the employee works a full half day preceding the holiday.

q. Employer contributes $.60 per hour to a trust fund and $.15 per hour to an annuity fund.

DECISION NO. NY76 3138

N.Y. 10-IAB-2-30

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
Laborers:					
Concrete & curb form setters, asphalt rakers	$ 7.35	10%	13%	.75+a	
Asphalt workers & roller boys, asphalt top shovelers and smoothers, asphalt tampers	7.30	10%	13%	.75+a	
Jackhammers, & drill men, hoppermen, carpenters' tenders, pipe jointers and setters, concrete laborers (structures), stone spreading laborers, trackmen, grading & excavating laborers, yard laborers, puddlers on concrete pavement, laborers (other than above) on concrete pavement, landscape laborers, asphalt plant (batcher & hopper men)	6.90	10%	13%	.75+a	

PAID HOLIDAYS:

A-New Year's Day; B-Menorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F, Columbus Day, Lincoln's Birthday, Washington's Birthday, Veterans' Day; Election Day, provided employee works or shapes up the scheduled day before and the schedule day after the holiday.

DECISION NO. NY76-3139

N.Y.-5-PEO-1- A

1 of 2

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	App. Tr.
POWER EQUIPMENT OPERATORS:					
Asphalt spreader	$10.63	6%	1.05	a+b	.15
Backhoe, dragline, gradall, piledriver, shovel	10.905	6%	1.05	a+b	.15
Batching plant (on site of Job), power winch (used for stone or steel), power winch truck mounted (used for stone or steel), pump (concrete)	10.805	6%	1.05	a+b	.15
Bending machine, generator (small), vibrator (1 to 5), dinky locomotive	9.455	6%	1.05	a+b	.15
Boiler, bulldozer, compressor (on crane) compressor (pilework), compressor (stone setting), concrete breaker, conveyor, generator (pilework), loading machine (front end), maintenance engineer, mechanical compactors (machine drawn), powerhouse, power winch truck mounted (used for other than steel or stone), pulvi-mixer, power winch (used for other than stone or steel), pump (double action disphragm), pump (gypsum), pump (hydraulic pump (jet), pump (single action - 1 to 3), pump (well point), welding and burning, welding machine (pilework)	10.455	6%	1.05	a+b	.15
Boom truck, crane (crawler or truck), conveyor-multi, plant engineer, stone spreader (self-propelled)	10.655	6%	1.05	a+b	.15
Compressor, compressor (2 or more in battery), generator, mulch machine, pin puller, portable heaters, pump (4 inch or over), track tamper (2 engineers each), welding machine	10.205	6%	1.05	a+b	.15
Crane and boom truck (setting structural or stone)	11.03	6%	1.05	a+b	.15
Bulldozer (used for excavation), fireman, loading machine, powerboom, scoop (carry-all scrapper), vac-all	10.08	6%	1.05	a+b	.15
CMI or maxim spreader, concrete spreader, derrick, sideboom tractor	11.005	6%	1.05	a+b	.15
Compressor (structural steel)	10.605	6%	1.05	a+b	.15
Concrete saw or cutter, mixer (with skip) mixer (2 small, with or without skip), pump (up to 3 inches), tractor-caterpiller or wheel	9.705	6%	1.05	a+b	.15

DECISION NO. NY76-3139

N.Y.-5-PEO-1 - A 2 of 2

BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (CONT'D):					
Crane with clam shell bucket	$10.905	6%	1.05	a+b	.15
Crane, crawler or truck:					
Boom lengths of 100' (including jib) but less than 150'	11.155	6%	1.05	a+b	.15
Boom lengths of 150' (including jib) but less than 250'	11.405	6%	1.05	a+b	.15
Boom lengths of 250' (including jib) but less than 350'	11.655	6%	1.05	a+b	.15
Boom lengths of 350'	12.155	6%	1.05	a+b	.15
Curb machine (asphalt or concrete), curing machine, pump (submersible), tower crane maintenance man	10.40	6%	1.05	a+b	.15
Dredge	10.70	6%	1.05	a+b	.15
Elevator, forklift, hoist (1 drum)	10.83	6%	1.05	a+b	.15
Forklift (walk-behind, power operated)	10.62	6%	1.05	a+b	.15
Grader	10.23	6%	1.05	a+b	.15
Hoist (2 and drum)	10.97	6%	1.05	a+b	.15
Hoist (multiple platform)	13.50	6%	1.05	a+b	.15
Mechanical compactors (hand operated), trench machine (hand)	9.08	6%	1.05	a+b	.15
Hoist tandem platform	11.88	6%	1.05	a+b	.15
Hydra-hammer, ridge cutter	9.62	6%	1.05	a+b	.15
Lead engineer	12.105	6%	1.05	a+b	.15
Loading machine (with capacity of 10 yds or over	10.33	6%	1.05	a+b	.15
Oiler, stump chipper	9.105	6%	1.05	a+b	.15
Power buggies	9.33	6%	1.05	a+b	.15
Roller, trench machine	10.705	6%	1.05	a+b	.15
Scoop, carry-all, scraper in tandem	11.08	6%	1.0	a+b	.15
Sideboom tractor (used in tank work)	11.165	6%	1.0	a+b	.15
Striping machine	10.13	6%	1.0	a+b	.15
Tank work	10.93	6%	1.0	a+b	.15
Tower crane (engineer)	11.46	6%	1.05	a+b	.15
Tower crane (oiler)	8.955	6%	1.05	a+b	.15
Welding machine, structural steel	10.68	6%	1.05	a+b	.15

PAID HOLIDAY:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holdays: A through F; Lincoln's Birthday, Washington's Birthday, Columbus Day, Election Day and Veterans' Day.

b. Basic hourly rate includes $1.00 Vacation fund.

DECISION NO. NY76-3139

NY-6-PEO-2-3-A 1 of 2

HEAVY AND HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS:						
Asphalt spreader, boom truck, boring machine (other than post holes), CMI or maxim spreader, crane (crawler or truck), conveyor (multi), plant engineer, concrete spreader, sideboom tractor, stone spreader, (self-propelled), cherry picker	$10.93	6%	1.25	a+b	.15	
Backhoe, crane (stone setting), crane (structural steel), dragline, gradall, piledriver, road paver, shovel	11.30	6%	1.25	a+b	.15	
Batching plant (on site of job), crane (on barge), derrick, sideboom tractor (used in tank work), tank work	11.155	6%	1.25	a+b	.15	
Bending machine, mechanical compactors (hand operated), pump (centrifugal, up to 3 inches), trench machine (hand)	8.68	6%	1.25	a+b	.15	
Boiler	10.43	6%	1.25	a+b	.15	
Boring machine (post holes)	10.87	6%	1.25	a+b	.15	
Bulldozer, concrete finishing machine, conveyor, curb machine (asphalt or concrete), curing machine, dinky locomotive, fireman, forklift, hoist (1 drum), loading machine, maintenance engineer, pulvi-mixer, pump (4 inches or over), pump (hydraulic), pump (jet) pump (submersible), pump (well point), roller (5 ton and over), scoop (carry-all, scraper), maintenance man (tower crane), vac-all, welding and burning	10.12	6%	1.25	a+b	.15	
Compressor (on crane), generator (pile work), welding machine (pile work), power winch (used for other than stone or structural steel), power house, loading machine (front end), compressor (pile work), power winch (truck mounted, used for other than stone or steel), hoist (2 drum)	10.655	6%	1.25	a+b	.15	
Compressor (2 or more in battery)	10.35	6%	1.25	a+b	.15	
Compressor (stone setting), compressor (structural steel), welding machine (structural steel)	10.815	6%	1.25	a+b	.15	
Compressor, mulch machine, pin puller, pump (double action diaphragm), pump (gypsum), pump (single action 1 to 3), striping machine, welding machine	9.745	6%	1.25	a+b	.15	

DECISION NO. NY76-3139 NY-6-PEO-2-3-A 2 of 2

HEAVY AND HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Other
POWER EQUIPMENT OPERATORS (Cont'd.):						
Concrete breaker, concrete saw or cutter, forklift (walk-behind, power operated), hydra hammer, mixer (with skip) mixer (2 small with or without skips), mixer (2 bag or over with or without skip), power buggies, power grinders, ridge cutter	$ 9.03	6%	1.25	a+b	.15	
Dredge	10.765	6%	1.25	a+b	.15	
Generator	10.04	6%	1.25	a+b	.15	
Generator (small)	8.715	6%	1.25	a+b	.15	
Grader	10.335	6%	1.25	a+b	.15	
Hoist (3 drum), power winch (truck mounted, used for stone or steel), power winch (used for stone setting and structural steel), trench machine	11.145	6%	1.25	a+b	.15	
Lead engineer	13.03	6%	1.25	a+b	.15	
Mechanic	8.735	6%	1.25	a+b	.15	
Mechanic helper	8.395	6%	1.25	a+b	.15	
Mechanical compactors (machine drawn), roller (over 5 tons)	10.47	6%	1.25	a+b	.15	
Oiler, root cutter, stump chipper, tower crane (oiler), track tamper (2 engineers, each)	8.70	6%	1.25	a+b	.15	
Portable heaters	10.295	6%	1.25	a+b	.15	
Powerbroom	9.175	6%	1.25	a+b	.15	
Pump (concrete)	10.39	6%	1.25	a+b	.15	
Scoop (carry-all, scraper in tandem), tower crane (engineer)	11.555	6%	1.25	a+b	.15	
Tractor (caterpilla or wheel)	8.505	6%	1.25	a+b		

FOOTNOTES:

a. Paid Holidays: New Year's Day; Lincoln's Birthday; Washington's Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Election Day; Veterans' Day; Thanksgiving Day and Christmas Day. Provided employee is employed the day before and after the holiday

b. Basic hourly rate includes $1.00 vacation fund.

SUPERSEDEAS DECISION

STATE: Oklahoma
DECISION NO.: OK76-4011
COUNTY: Muskogee, Adair, & Cherokee
DATE: Date of Publication
Supersedes Decision No. OK75-4069 dated March 28, 1975 in 40 FR 14257
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), and heavy construction within the City of Muskogee.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ASBESTOS WORKERS	$9.80	.35	.60		.015
BOILERMAKERS	8.00	.50	.76		.02
BRICKLAYERS-STONEMASONS	8.36	.30	.40		.04
CARPENTERS:					
Carpenters	8.25		.25		.01
Millwrights-Piledrivermen	8.75		.25		.01
CEMENT MASONS:					
Cement masons	7.80				
Power tool operator	8.05				
ELECTRICIANS:					
ZONE I - A 20 mile radius from Post Office of City of Muskogee					
ZONE II - Area outside zone I					
Zone I					
Electricians	8.93	.40	1%		½%
Cable splicers	9.33	.40	1%		½%
Zone II					
Electricians	9.23	.40	1%		½%
Cable splicers	9.63	.40	1%		½%
ELEVATOR CONSTRUCTORS	8.25	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (Probationary 6 months)	50%JR				
GLAZIERS	7.68	.40	.30		.01
IRONWORKERS	8.90	.45	.50		.10
LABORERS:					
Group 1	5.50	.25	.30		
Group 2	5.80	.25	.30		
Group 3	6.00	.25	.30		

CLASSIFICATION DEFINITIONS

GROUP I - All digging and dirt work, firing of salamanders and smudge pots, loading and unloading of materials and equipment, loading and unloading of meterials to and from hoist or cages for stock piling only, wheeling and placing of concrete, handling of lumber, steel cement and distribution of materials, all cleaning, including cleaning of windows, wrecking and razing of building and all structures, cleaning and clearing of debris, loading and unloading of materials, hoist or cages, except when the man is directly tending lathers, masons, or plasterers, water boys, when used, carpenter tenders, and common laborers.

DECISION NO. OK76-4011

LABORERS CLASSIFICATION DEFINITIONS CONTD:

GROUP II - All machine tool operators that come under the jurisdiction of the laborers, all sewer and drain tile layers and handling at the ditch, excluding distribution, operators of water pumps up to four inches and slip form jacks, and plasterers, mortar mixers, hod carriers and dry mixers, high work over 30 feet from the ground or floors, cement finisher helper, work on swinging scaffold, all kettle and pot men, tank cleaning, all pipe doping treating and wrapping, including all men working with dope, mortar and plaster mixing machine, pump-crete machines, and gunite mixing machines, including placing of concrete, handling creosoted or treated materials, liquid acids, or like materials when injurious to health, eye and skin or clothes, all newly developed mechanical equipment which replaces wheel barrows or buggies previously used by laborers, all scale men on batch plants, all laborers screening sand, running sand drier, and feeding operating sand blaster, except nozzle, signal men and curring torch operators in connection with laborers' work, concrete grader

GROUP III - Wagon drill operator and powdermen or blaster

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LATHERS	7.65				.01
LINE CONSTRUCTION					
Lineman	8.65		1%		½%
Cable splicers	9.16		1%		½%
Hole digger operator	7.85		1%		½%
Heavy Equipment operator (or Pole cat equivalent)	7.85		1%		½%
Line truck driver (winch operator	7.10		1%		½%
Jack Hammerman	6.48		1%		½%
Powderman	7.85		1%		½%
Groundman	5.77		1%		½%
Truck driver (flat bed, ton and hald and under)	6.16		1%		½%
PAINTERS:					
Commerical brush and roller	6.25		.25	.20	.02
Spray, glove or dipping, sandblasters, spray or sand pot tender (maximum two pots, guns or nozzles), power rollers, power equipment operators, bituminastic and like materials, applicators and kettle tenders	7.50		.25	.20	.02
Spray or sand pot tender (maximum one pot, one nozzle or gun	6.60		.25	.20	.02

DECISION NO OK76-4011

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS (CONTD:)					
Hazardous work Cooning steel, stage bosun chair spiders, jack, roof work, skates, rolling scaffolds and like equipment - fifty cents above basic rate	9.90		.25	.20	.02
POWER EQUIPMENT OPERATORS:					
Group 1	9.25	.45	.50		.12
Group 2	9.00	.45	.50		.12
Group 3	8.75	.45	.50		.12
Group 4	8.50	.45	.50		.12
Group 5	8.25	.45	.50		.12
Group 6	8.00	.45	.50		.12
Group 7	7.60	.45	.50		.12
Group 8	7.50	.45	.50		.12
Group 9	7.30	.45	.50		.12
Group 10	7.00	.45	.50		.12

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP I - All crane type equipment with 200' of boom or over (including jib)
GROUP II - All crane type equipment with 150-200' of boom (including jib)
GROUP III - All crane type equipment with 100-150' of boom (including jib), all tower cranes and all crane type equipment of 3 cu. yd. of more (as rates by mfg.), sideboon (booms 30' & over), guy derrick
GROUP IV - Heavy duty mechanic welder, crane-hook & overhead monorail, whirley, panel board batch plant operator, piledriver engineer, dragline, shovel, clamshell, backhoe, sideboon (under 30'), gradall, hydro crane, cherry picker, hoists while operating 2 or more drums, hoists while doing stack & chimney work (1 or 2 drums), power driven hole digger (with 30' & longer mast)
GROUP V - Motor patrol (blade), fork lift (35' and over), dozer (engine h.p. 65 or over), fordson tractor or like equipment with hoe or loader equipment or ditcher, scraper type equipment, tournapull, DW 10, 15, 16, 20, 21, & similar rubber-tired equipment, Euclid, TS-24 and similar, loader operator or Hi-lift (Engine h.p. 65 or over), asphalt lay machine, tail toom, conveyor-multiple, panel board control, power driven hole digger with less than 30' mast, trenching machine, concrete pump - boom type

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications.

DECISION NO. OK76-4011

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS CONTD:

GROUP VI - Locomotive engineer, boring machine, tug boat, mixer, 18 cu. ft. and over, sand barge, dredging machine, tugger, hoist - when operating one drum, welding machine, 3 to 6, air compressor, 3 to 5, 500 cu. ft. and under, air compressor, over 500 cu. ft, (1) pumps, battery, 3 to 6, fork lift, bobcat and similar equipment, generator plant engineers, diesel elec., winch truck eith a frame, roller, all types, outside elevator or building type of personnel hoist, concrete buster or tamper, heaters under jurisdiction of oper. engrs., fireman, boiler operator, crushing plants, oiler distributor, pulvimixer, farmer tractor-with or without attachments, batch plant operator - duel, continous or belt bulk handling, screed operator, concrete pump, form grader, screening plant, well point pump operator, signal man on large whirleys when and if required, operator for rotary drilling machines when operated from console or machines

Engineers for machines not listed under the above classifications shall receive the scale comparable to these classifications

GROUP VII - Greaser, tilt top trailer operator
GROUP VIII - Permanent elevator - building type (automatic), concrete mixer, with hopper less than 18 cu. ft., air compressor, 500 cu. ft. & under (1 or 2) welding machine (1 or 2), pum (1 or 2), fuelman, conveyor operator-single-continous belt bulk handling
GROUP IX Aspahlt lay machine back end man, helpers
GROUP X - Truck crane oiler driver or truck crane oiler

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLUMBERS-STEAMFITTERS	9.70	.40	.80		.15
ROOFERS	7.68	.25	.25		.06
SHEET METAL WORKERS	8.83	.45	.45		.10
SPRINKLER FITTERS	10.10	.50	.80		.08
TERRAZZO WORKERS	8.49		.20		
TERRAZZO WORKERS HELPERS	6.93				
TERRAZZO WORKERS HELPERS' FLOOR OP.	7.03				
TERRAZZO WORKERS'HELPERS BASE MACHINE OPERATOR	7.23				
TILE LAYERS	8.49		.20		
TRUCK DRIVERS:					
Group 1	6.55				
Group 2	6.65				
Group 3	6.75				
Group 4	6.70				
Group 5	6.85				

DECISION NO. OK76-4011

CLASSIFICATION DEFINITIONS

Group I - Pick-up 1½ tons, or 2½ yards and up to but not including 3 tons or 4 yards, such as dump trucks, flat beds, stake bodies and buses
Group II - 3 tons or 4 yards and up to but not including 4 tons or 6 yards
Group III - 5 tons or 6 yards and over including heavy equipment such as pole trucks, winch trucks, euclids, Mississippi wagons, semi-dumps, turner pulls, or other heavy material moving equipment, tractor trailer drivers and similar equipment, such as tractors, ten wheelers
Group IV - Ready-mix concrete trucks up to but not including 3 yards
Group V - Ready-mix concrete trucks 3 yards and over

FOOTNOTES: a. 1st 6 mos. to 5 yrs. - 2% over 5 yrs. - 4% of basic hourly rate.
b. Paid holidays - A through F
PAID HOLIDAYS: A-New Years Day, B-Memorial Day, C-Independence Day, D-Labor Day, E-Thanksgiving Day, F-Christmas Day.

STATE: Oklahoma COUNTY: Statewide (except heavy construction within the City of Muskogee)

DECISION NO.: OK76-4012 DATE: Date of Publication

Supersedes Decision No. AQ-124, dated June 28, 1974, in 39 FR 24194

DESCRIPTION OF WORK: Construction, alteration, and/or repair of streets, highways, runways, erosion control structures, well drilling, and water and sewer utilities.

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air tool man	2.75	2.50	2.50	3.00	2.50
Asphalt heaterman	3.00	3.25	3.25	3.25	3.25
Asphalt raker	2.75	2.50	2.50	2.50	2.50
Asphalt shoveler	2.75	2.50	2.50	2.50	2.50
Carpenter	3.75	3.50	3.50	3.50	3.50
Carpenter helper	2.75	3.00	2.75	2.75	2.75
Concrete finisher	3.75	3.50	3.50	3.50	3.50
Concrete finisher helper	2.75	2.85	2.75	2.75	3.00
Concrete rubber	3.75	3.50	3.50	3.50	3.50
Electrician	6.80	6.80	6.80	7.10	7.10
Electrician helper	5.00	5.00	5.00	5.00	5.00
Fireman	3.25	3.25	3.25	3.00	3.25
Form builder	3.75	3.50	3.50	3.50	3.50
Form builder helper	2.75	2.75	2.75	2.75	2.75
Form setter	3.75	3.50	3.50	3.50	3.50
Form setter helper	2.75	2.75	2.75	2.75	2.75
Laborer, common	2.75	2.30	2.50	2.50	2.50
Manhole builder	3.75	3.50	3.50	3.50	3.50
Mechanic	3.75	3.50	3.50	3.75	4.00
Mechanic helper	2.75	3.00	2.75	3.25	3.25
Oiler	3.25	3.00	3.50	3.25	3.25
Painter	3.00	3.00	3.00	3.25	3.25
Painter helper	2.75	2.75	2.75	2.75	2.75
Piledriverman	3.25	3.50	3.50	3.80	3.50
Powderman	3.00	2.75	3.25	3.00	3.00
Powderman helper	2.75	2.50	2.75	2.75	2.75
Reinforcing steel setter(paving)	3.00	3.00	3.25	3.25	3.50
Reinforcing steel setter (structures)	3.00	3.00	3.25	3.25	3.50
Reinforcing steel setter helper	2.75	2.75	2.75	2.75	2.75
Structural steel worker	3.75	3.50	3.50	3.50	3.50
Structural steel worker helper	3.00	3.00	3.00	3.00	3.00
Spreader box man	3.00	3.00	3.00	3.00	3.00
Vibrator(hand type)	2.75	2.50	2.50	3.00	2.50
Weighman (truckscales)	2.75	2.50	2.50	2.50	2.50
Welder	3.75	3.25	3.25	3.75	3.25
Welder helper	2.75	2.75	2.75	3.00	2.75
Pipelayers	2.75	2.30	2.50	2.75	2.75

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air tool man	2.50	2.50	3.00	3.00	3.00
Asphalt heaterman	2.35	3.25	3.25	3.25	3.50
Asphalt raker	2.50	2.75	2.50	2.50	3.00
Asphalt shoveler	2.50	2.75	2.50	2.50	2.75
Carpenter	3.50	3.50	3.75	3.75	3.75
Carpenter helper	2.75	2.75	2.75	3.00	3.00
Concrete finisher	3.50	3.50	3.50	3.50	3.75
Concrete finisher helper	2.75	2.75	2.75	2.75	2.75
Concrete rubber	3.50	3.50	3.50	3.50	3.75
Electricians	6.80	6.80	7.10	7.10	7.10
Electricians helper	5.00	5.00	5.00	5.00	5.00
Fireman	3.00	3.00	3.00	3.00	3.50
Form Builder	3.50	3.50	3.75	3.75	3.75
Form Builder helper	2.75	2.75	2.75	2.75	3.00
Form Setter	3.50	3.50	3.75	3.75	3.75
Form setter helper	2.75	2.75	2.75	2.75	3.00
Laborer, common	2.50	2.50	2.50	2.50	2.50
Manhole builder	3.50	3.50	3.75	3.75	3.75
Mechanic	3.75	3.75	3.80	3.80	3.75
Mechanic helper	3.00	3.00	3.25	3.25	3.25
Oiler	3.50	3.25	3.60	3.60	3.40
Painter	3.25	3.25	3.50	3.50	3.50
Painter helper	2.75	2.75	3.00	3.00	3.00
Piledrivermen	3.50	3.75	3.75	3.75	3.75
Powderman	3.00	3.00	3.00	3.00	3.25
Powderman helper	2.75	2.75	2.75	2.75	2.75
Reinforcing steel setter (paving)	3.50	3.50	3.50	3.50	3.25
Reinforcing steel setter (structures)	3.50	3.50	3.50	3.50	3.25
Reinforcing steel setter helper	2.75	2.75	2.75	2.75	2.75
Structural steel worker	3.50	3.50	3.50	3.50	3.50
Structural steel worker helper	2.75	2.75	2.75	2.75	2.75
Spreader box man	3.00	3.00	3.00	3.00	3.00
Vibrator (hand type)	2.50	2.50	2.75	3.00	3.00
Weighman (truckscales)	2.50	2.50	2.50	2.50	3.00
Welder	3.50	3.50	3.50	3.50	3.50
Welder helper	2.75	2.75	2.75	2.75	2.75
Pipelayers	2.75	2.75	2.75	2.75	2.75

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
TRUCK DRIVERS:					
Over 2 tons	2.75	2.60	2.60	3.00	2.75
2 tons and under	2.75	2.50	2.50	2.60	2.50
Tandem Axle & semitrailer	3.00	3.00	2.75	3.25	3.00
Lowboy	3.00	3.00	2.75	3.25	3.00
Transit mix	3.00	3.00	2.75	3.25	3.00
Winch	3.00	3.00	2.75	3.00	3.00
POWER EQUIPMENT OPERATORS:					
Asphalt distributor	3.00	3.00	3.00	3.00	3.00
Asphalt paving Machine	3.50	3.50	3.50	3.25	3.25
Bulldozer	3.75	3.50	3.50	3.75	3.25
Cement unloading & machine op.	3.75	3.50	3.50	3.50	3.50
Concrete paving machine	3.75	3.50	3.25	3.50	3.50
Concrete finishing machine	3.75	3.50	3.25	3.50	3.50
Concrete saw operator	3.50	3.50	3.25	3.00	3.00
Concrete batching plant	3.00	3.00	3.00	3.50	3.25
Crane, clamshell, backhoe, derrick, dragline & shovel	3.75	3.50	3.75	3.80	2.75
Crusher & screening plant op.	3.25	3.25	3.25	3.25	3.25
Front end loader (1 cy & less)	3.25	3.25	3.50	3.50	3.25
Front end loader (over 1 cy)	3.50	3.50	3.50	3.50	3.25
Hoist	3.25	3.25	3.25	3.25	3.25
Mixer (over 16 C. F.)	3.00	3.00	3.25	3.25	3.25
Mixer (16 C.F. and less)	3.00	3.00	3.25	3.25	3.25
Mixer (Conc. Paving)	3.00	3.00	3.25	3.25	3.25
Motor grader operator	3.75	3.75	3.75	3.75	3.95
Pug mill operator	3.25	3.00	3.75	3.25	3.00
Pump crete	3.00	3.00	3.00	3.00	3.00
Roller (steel wheel)	3.25	3.50	3.15	3.50	3.25
Roller (pneumatic)	3.00	3.00	3.15	3.25	3.00
Scrapers	3.75	3.50	3.50	3.75	3.75
Tractors:					
Crawler, 80 HP & Less	3.25	3.00	2.75	3.00	2.75
Crawler, over 80 HP	3.75	3.50	3.25	3.25	3.25
Pneumatic, 80 HP & less	3.00	3.00	2.75	3.00	2.75
Pneumatic, over 80 HP	3.75	3.50	3.25	3.25	3.25
Traveling plant(stabilization	3.50	3.50	3.50	3.50	3.50
Trenching machine	3.50	3.25	3.75	3.50	3.25
Wagon drill	3.00	3.00	3.00	3.00	3.00

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
TRUCK DRIVERS:					
Over 2 tons	2.50	2.50	3.00	3.00	3.00
2 tons and under	2.50	2.50	2.50	2.50	2.75
Tandem axle & semitrailer	3.30	3.00	3.60	3.60	3.30
Lowboy	3.30	3.00	3.60	3.60	3.30
Transit mix	3.30	3.00	3.60	3.60	3.30
Winch	3.00	3.00	3.60	3.60	3.30
POWER EQUIPMENT OPERATORS:					
Asphalt distributor	3.35	3.50	3.60	3.60	3.75
Asphalt paving machine	3.35	3.50	3.60	3.60	3.75
Bulldozer	3.75	3.75	3.60	3.60	3.75
Cement unloading & machine op.	3.50	3.25	3.25	3.25	3.25
Concrete paving machine	3.50	3.25	3.50	3.50	3.50
Concrete finishing machine	3.50	3.25	3.50	3.50	3.50
Concrete saw operator	3.00	3.00	3.00	3.00	3.00
Concrete batching plant	3.00	3.00	3.25	3.25	3.25
Crane, clamshell, backhoe, derrick, dragline & shovel	3.75	3.75	3.75	3.75	3.75
Crusher & screening plant op.	3.25	3.25	3.25	3.25	3.25
Front end loader (1 cy & less)	3.25	3.25	3.60	3.60	3.75
Front end loader (over 1 cy)	3.25	3.25	3.60	3.60	3.75
Hoist	3.25	3.25	3.60	3.60	3.75
Mixer (over 16 C. F.)	3.25	3.25	3.60	3.60	3.25
Mixer (16 C.F. and less)	3.25	3.25	3.60	3.60	3.25
Mixer (concrete paving)	3.25	3.25	3.60	3.60	3.25
Motor grader operator	3.75	3.75	3.60	3.60	3.75
Pug mill operator	3.00	3.00	3.25	3.25	3.75
Pump crete	3.00	3.00	3.00	3.00	3.25
Roller (steel wheel)	3.00	3.50	3.25	3.25	3.50
Roller (pneumatic)	3.00	3.25	3.25	3.25	3.25
Scrapers	3.75	3.75	3.60	3.60	3.75
TRACTORS:					
Crawler, 80 HP & less	2.75	2.75	3.00	3.00	2.75
Crawler, over 80 HP	3.25	3.25	3.60	3.60	3.25
Pneumatic, 80 HP & less	2.75	2.75	3.00	3.00	2.75
Pneumatic, over 80 HP	3.25	3.25	3.60	3.60	3.25
Traveling plant stabilization	3.50	3.25	3.60	3.60	3.50
Trenching machine	3.25	3.25	3.50	3.50	3.50
Wagon drill	3.00	3.00	3.00	3.00	3.00

AREAS COVERED BY VARIOUS ZONES

Construction, alteration, and/or repair of streets, runways, erosion control structures, and water and sewer utilities.

ZONE 1 - Adair, Cherokee, Haskell, McIntosh, Muskogee, Okmulgee, Sequoyah and Wagoner Counties.

ZONE 2 - Atoka, Bryan, Choctaw, Latimer, Leflore, Marshall, McCurtain, Pittsburg and Pushmataha Counties.

ZONE 3 - Cleveland, Coal, Garvin, Hughes, Johnston, Murray, McClain, Okfuskee, Pontotoc, Pottawatomie, and Seminole Counties.

ZONE 4 - Canadian, Creek, Garfield, Grant, Kay, Kingfisher, Lincoln, Logan, Noble and Payne Counties.

ZONE 5 - Beckham, Blaine, Custer, Dewey, Greer, Harmon, Jackson, Kiowa, Roger Mills, Tillman and Washita Counties.

ZONE 6 - Alfalfa, Beaver, Cimarron, Ellis, Harper, Major, Woods, Woodward and Texas Counties.

ZONE 7 - Caddo, Carter, Comanche, Cotton, Grady, Jefferson, Love and Stephens Counties

ZONE 8 - Craig, Delaware, Mayes, Nowata, Osage, Ottawa, Pawnee, Rogers, and Washington Counties.

ZONE 9 - Tulsa County

ZONE 10 - Oklahoma County

WELL DRILLING

	ZONE-A	ZONE-B			
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Well Drillers	$4.00	3.00			
Well Driller-helpers	3.00	2.50			

AREA COVERED BY VARIOUS ZONES

Well Drilling

Zone-A - Adair, Atoka, Beckham, Blaine, Caddo, Canadian, Cherokee, Choctaw, Craig, Custer, Delaware, Dewey, Haskell, Kingfisher, Latimer, Leflore, McCurtain, McIntosh, Mayes, Muskogee, Nowata, Okmulgee, Ottawa, Pushmataha, Roger Mills, Rogers, Sequoyah, Tulsa, Wagoner, Washington and Washita Counties.

Zone-B - Alfalfa, Beaver, Bryan, Carter, Cimarron, Cleveland, Coal, Comanche, Cotton, Creek, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Hughes, Jackson, Jefferson, Johnston, Kay, Kiowa, Lincoln, Logan, Love, McClain, Major, Marshall, Murray, Noble, Okfuskee, Oklahoma, Osage, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Seminole, Stephens, Texas, Tillman, Woods and Woodward Counties.

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Bell, Bosque, Coryell, Falls, Hill & McLennan

DECISION NO.: TX76-4009

DATE: Date of Publication

Supersedes Decision No. TX75-4162, dated October 24, 1975, in 40 FR 49971.

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction in Bosque, Falls, Hill & McLennan Counties).

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
ZONE 1 - Bell, Coryell & Falls Counties	$ 9.23	.35	.45		.08
ZONE 2 - Bosque, Hill & McLennan Counties	8.78	.30	.51		.025
BOILERMAKERS	8.00	.50	.76		.02
BRICKLAYERS	8.60		.55		.03
CARPENTERS:					
ZONE 1 - Bell & Coryell Counties:					
Carpenters	7.74				
Millwrights	7.99				
ZONE 2 - Bosque, Falls, Hill & McLennan Counties:					
Carpenters	7.97	.23			
Millwrights	8.37	.23			
CEMENT MASONS	7.59	.35	.20		
ELECTRICIANS:					
ZONE 1 - Bosque, Falls, Hill & McLennan Counties; Parts of Bell & Coryell Counties north of Cowhouse Creek	8.90		1%		1/4%
ZONE 2 - Parts of Bell & Coryell Counties south of Cowhouse Creek	9.80		1%		.8%
ELEVATOR CONSTRUCTORS	8.21	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	6.30				
IRONWORKERS	8.44	.55	.60		.12
LABORERS:					
Unskilled	2.97				
Mason tenders	3.55				
Mortar mixers	3.55				
LATHERS	8.30			.80	.05
LINE CONSTRUCTION:					
Linemen; Linemen operators	10.26		1%		1/2%
Cable splicer	11.29		1%		1/2%
Groundman, 1st 6 months	6.16		1%		1/2%
Groundman, 2nd 6 months	6.67		1%		1/2%
Groundman, 1 year & over	7.18		1%		1/2%

DECISION NO. TX76-4009

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush	$ 6.10				
Boiler pipes & steel, structural steel, window jacks, roofs, stage work, smoke stack, water towers, boatswain chair	6.60				
Ames tools for dry walls	6.70				
Spray work & self feeding rollers	6.85				
Steam cleaning, sandblasting & hazardous work	7.20				
PLASTERERS	9.00	.25	.10		.01
PLUMBERS & PIPEFITTERS:					
ZONE 1 - Area within a 35 mile radius of Waco, including Temple, Marlin, Clifton & Hillsboro	7.80	.30	.30		.03
ZONE 2 - All other areas	8.20	.30	.30		.03
ROOFERS:					
GROUP 1 - Slate, tile, asbestos, roofing & siding	5.95				.03
GROUP 2 - Composition, built-up, damp & waterproofing	5.80				.03
SHEET METAL WORKERS:					
ZONE 1 - Within a radius of 20 miles from the McLennan County Courthouse, Waco	8.22				.05
ZONE 2 - Over 20 miles but less than 45 miles	8.72				.05
ZONE 3 - Over 45 miles	9.22				.05
SPRINKLER FITTERS	10.10	.50	.80		.08
TRUCK DRIVERS	2.80				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. TX76-4009

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate
b - Paid Holidays - A thru F

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. TX76-4009

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 7.38		.40		
GROUP 2	6.46		.40		
GROUP 3	5.43		.40		
GROUP 4	5.33		.40		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grader - Self-propelled; Bull Clam; Back Filler; Derricks, power operated (all types); Dragline; Push Cat Operator; Euclid Operator; Bull Dozer and all types of Cat Tractors; Cable-Way; Back Hoe; Crane, Power Operated (all types); Elevating Grader, self-propelled; Hoist, Motor-Driven, two drums or more; Mix Mobile; High-Lifts & Loaders, over 1/3 cu. yd. capacity; Winch Truck; Locomotive; Mixer, 14 cu. ft. or over; Paving Mixer (all sizes); Scraper; Trenching Machine (all sizes); Gradall; Foundation Boring Machine; Scoopmobile; Shovel, Power Operated; Pump Crete Machine; Clam Shell Operator; Rock Crusher Operated on Job; Welding Machine, 6 to 12; Two 125 cu. ft. Compressors; Well points, including installations
GROUP 2 - Blade Grader, Towed; Flex Plane; Form Grader; Mixer, less than 14 cu. ft.; Pulsometer; Truck Crane Driver & Oiler, Combination man; Gasoline or Diesel Driven Welding Machine, 3 to 6; Hoist, Single Drum; Pump, 2½ in. or larger; Pneumatic Roller; High-Lifts & Loaders, 1/3 cu. yd. or less; Forklift, 1500 lbs. capacity or less; Air Compressors, anytime there are two or more attachments operating on a 125 cu. ft. compressor, a light equipment operator shall be employed. One 125 cu. ft. air compressor and one welding machine requires no operator. One 125 cu. ft. compressor and two welding machines or any 2 air compressors equivalent to a 125 cu. ft. air compressor requires a light equipment operator
GROUP 3 - Fireman
GROUP 4 - Oiler

DECISION NO. TX76-4009

INCIDENTAL PAVING & UTILITIES (BELL & CORYELL COUNTIES)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air Tool Man	$ 2.80				
Asphalt Heaterman	3.40				
Asphalt Raker	3.25				
Batching Plant Scaleman	3.75				
Carpenter	4.00				
Carpenter Helper	3.00				
Concrete Finisher (Structures)	3.85				
Concrete Finisher Helper (Structures)	2.50				
Electrician	6.40				
Form Builder (Structures)	4.00				
Form Builder Helper (Structures)	3.25				
Form Setter (Structures)	4.00				
Form Setter Helper (Structures)	3.00				
Laborer, Common	2.50				
Laborer, Utility Man	2.90				
Mechanic	4.50				
Mechanic Helper	3.80				
Oiler	3.75				
Serviceman	3.50				
Pipelayer (Concrete & Clay)	3.25				
Pipelayer Helper (Concrete & Clay)	2.50				
Plumbers:					
Zone 1 - 35 miles of Waco, Texas including town of Temple	7.80	.30	.30		.03
Zone 2 - all area not included in Zone 1	8.20	.30	.30		.03
Powderman	3.75				
Reinforcing Steel Setter (Structures)	3.50				
Reinforcing Steel Setter Helper	2.50				
Sign Erector	3.25				
Spreader Box Man	3.65				
Swamper	3.30				
Power Equipment Operators:					
Asphalt Distributor	4.00				
Asphalt Paving Machine	4.00				
Broom or Sweeper Operstor	3.10				

DECISION NO. TX76-4009

INCIDENTAL PAVING & UTILITIES (BELL & CORYELL COUNTIES)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Power Equipment Operators (Cont'd):					
Bulldozer, 150 HP and Less	$ 3.75				
Bulldozer, over 150 HP	4.00				
Concrete Paving Curing Machine	3.50				
Concrete Paving Saw	3.50				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	4.00				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and Over)	4.25				
Crusher or Screening Plant Op.	3.75				
Foundation Drill Operator (Truck Mounted)	5.15				
Foundation Drill Operator Helper	3.00				
Front End Loader (2½ CY & Less)	3.75				
Front End Loader (Over 2½ CY)	4.00				
Motor Grader Operator, Fine Grade	4.50				
Motor Grader Operator	4.00				
Roller, Steel Wheel (Plant-Mix Pavements)	3.00				
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.00				
Roller, Pneumatic (Self-Propelled)	2.95				
Scrapers (17 CY and Less)	3.50				
Scrapers (Over 17 CY)	3.75				
Tractor (Crawler Type) 150 HP and Less	3.00				
Tractor (Crawler Type) over 150 HP	3.50				
Tractor (Pneumatic) 80 HP & Less	2.70				
Tractor (Pneumatic) over 80 HP	3.10				
Trenching Machine, Heavy	3.75				
Wagon Drill, Boring Machine or Post Hole Driller Operator	3.15				
Truck Drivers:					
Single Axle, Light	3.00				
Single Axle, Heavy	3.00				
Tandem Axle or Semitrailer	3.00				
Lowboy-Float	3.00				
Weighman (Truck Scales)	2.50				
Welder	4.00				
Welder Helper	3.25				

[FR Doc.76-1795 Filed 1-22-76;8:45 am]

federal register

FRIDAY, JANUARY 23, 1976

PART IV:

DEPARTMENT OF LABOR

PRIVACY ACT

■

Notice of Systems of Records

DEPARTMENT OF LABOR

Office of the Secretary

PRIVACY ACT OF 1974

Supplemental Notice of Proposed Systems of Records

Pursuant to the requirements of sections 3 (e) (4) and (11) of the Privacy Act of 1974 (5 U.S.C. 552a, 88 Stat. 1896), the Department of Labor hereby gives notice of the maintenance of the following systems of records. These systems of records were in existence on September 27, 1975 and should have been published in the notice of proposed systems of records published by the Department of Labor in the Federal Register on September 8, 1975 (40 FR 41739), but due to an administrative oversight were inadvertently omitted from that notice. The same principles used in selecting the previously published systems of records were used in selecting the systems listed below. In addition, the prefatory statement accompanying the initial publication of systems of records setting forth certain routine uses for all systems of records unless otherwise indicated to the contrary, applies to the systems contained herein and is hereby incorporated by reference. It should also be noted that this notice contains a proposal pursuant to section 3(k) of the Act to exempt the system of records designated DOL/ESA-21 from certain provisions of Act and the corresponding sections of the Department's regulations. The reasons for and the scope of the exemption are included with the notice of that system of records.

The Department of Labor invites public comment on all parts of this notice. Interested persons are invited to submit written data, views and arguments to Seth Zinman, Associate Solicitor of Labor, Division of Legislation and Legal Counsel, Room N2428, New Department of Labor Building, 200 Constitution Avenue, NW., Washington, DC 20210, on or before February 23, 1976. Written material received from the public through said date will be considered by the Department before taking action on the final notice. Submissions will be available for public inspection at the above address during normal business hours.

Signed in Washington, D.C., this 19th day of December, 1975.

John T. Dunlop,
Secretary of Labor.

DOL/ESA-21

System name: Farm Labor Contractor Employee Records File.

System location: Employment Standards Administratior, Wage and Hour Division in the NO and each Regional Office.

Categories of individuals covered by the system: Applicants for and Holders of Farm Labor Contractor Employee Identification Cards.

Categories of records in the system: Persoral identification, fingerprints, FBI records.

Authority for maintenance of the system: Public Law 93-518, the Farm Labor Contractor Registration Act of 1963, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A public central registry of all persons issued identification cards is maintained by name and address which is available to anyone as required by section 5 (d) of the Farm Labor Contractor Registration Act of 1963, as amended. The supporting records may be made available on a cooperative basis to State agencies administering similar programs, to the Immigration and Naturalization Service, and to the Department of Justice.

Storage: Maintained in manual files.

Retrievability: Indexed by the name of the applicant.

Safeguards: Accessible only to persons engaged in the administration of the program and there is screening to prevent unauthorized disclosure.

Retention and disposal: A retention and disposal system is in the process of being prepared.

System manager(s) and address: Assistant Administrator for the Office of Fair Labor Standards, Wage and Hour Division, 200 Constitution Avenue, N.W., Room S3502, Washington, D.C. 20210, and Associate Assistant Regional Director for Wage and Hour Division of Employment Standards Administration of relevant Regional Offices.

Notification procedure: To System Manager at above address.

Record access procedures: As above.

Contesting record procedures: As above.

Record source categories: The sources for records in the system include information furnished by the applicant, insurarce companies, FBI, court and police records, and from investigations conducted by DOL.

Systems exempted from certain provisions of the act: In accordance with paragraph 3 (k) (2) of the Privacy Act, the Farm Labor Contractor Employees Record File containing investigatory material compiled for law enforcemert purposes is exempt from paragraphs (c) (3), (d), (e) (4) (G), (H) and (I) ard paragraph (f) of 5 U.S.C. 552a. The disclosure of the information contained in these files, including the identity of agencies to whom the information has been transmitted, would substantially compromise the effectiveness of the Division's investigations. Knowledge of such investigations would enable subjects to take such action as is necessary to prevent detection of illegal activities, conceal evidence, or otherwise escape civil law enforcement action. In addition, disclosure of the information could lead to the intimidation of, or harm to, informants, witnesses, and their respective families. The information in this file is exempt as set forth above until such time as a determination is made based upon information contained therein, at which time, the relevant records will be made available to the extent that it does rot reveal the identity of a confidential source who has furnished information under an express promise that his or her identity would be held in confidence (or prior to September 27, 1975, under an implied promise that the source's identity would be protected). This exemption is necessary in order to protect the integrity of law enforcement investigations as well as to protect the identities of sources who would not otherwise provide information.

DOL/OASA-9

System name: National Defense Executive Reserve Personnel Files

System location: Office of the Assistant Secretary for Administration and Management, U.S. Department of Labor, 200 Constitution Avenue, N.W., New Department of Labor Building, Room S5516, Washington, D.C. 20210.

Categories of individuals covered by the system: Officials selected from the business community, labor organizations, and the academic and the legal professions to assume responsibilities in the wage ard salary stabilization and labor disputes, and employment and training activities in the event of rational defense emergencies.

Categories of records in the system: Security clearance and investigation data, statement of understanding, appointment letter and biographical data.

Authority for maintenance of the system: Executive Order 11179 dated September 22, 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released upon request to law enforcement agencies, personnel offices, and other authorized officials on a need to know basis only.

Storage: Manual file.

Retrievability: By name of individual.

Safeguards: Records are located in locked metal file cabinets with access limited to authorized employees ard restricted to official business within the agency.

Retention and disposal: Files with historical value are sent to the Federal Records Center for an indefinite period. Other files destroyed.

System manager(s) and address: Director, National Defense Executive Reserve Program, Office of the Assistant Secretary for Administration and Management, U.S. Departmert of Labor, Room S5516, New Department of Labor Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Notification procedure: Mail all inquiries to System Manager at above address.

Record access procedures: As above.

Contesting record procedures: As above.

Record source categories: Subject individual.

DOL/OSHA-1

System name: Discrimination Complaint File

System location: For Standard Federal Region I through V, at the following address: Operations Review Office, U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 1110A, Charles Center, 31 Hopkins Plaza, Bal-

timore, Maryland 21201; For Standard Federal Regions VI through X, at the following address: Operations Review Office, U.S. Department of Labor, Occupational Safety and Health Administration, Smith Tower Building, Room 2019, 506 Second Avenue, Seattle, Washington 98104.

Categories of individuals covered by the system: Individuals who have filed complaints pursuant to section 11 (c) of the Occupational Safety and Health Act.

Categories of records in the system: Case files compiled in connection with investigation of discrimination complaints.

Authority for maintenance of the system: Section 11 (c) of the Occupational Safety and Health Act (Pub. L. 91-596).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Storage: Manual Files.

Retrievability: By complainant's name or case indentification number.

Safeguards: Locked file cabinets.

Retention and disposal: Retained for three years after completion of investigation then forwarded to GSA Records Center.

System manager(s) and address: Operations Review Officer at address where System is located.

Notification procedure: To Systems Managers at above address.

Record access procedures: As above.

Contesting record procedures: As above.

Record source categories: Complaints filed by individuals alleging discrimination and information compiled in connection with investigations of alleged acts of discrimination.

DOL/OSHA-2

System name: Complaints about State Program Administration Files (CASPA)

System location: All Regional Offices; for addresses see 29 CFR 70.36.

Categories of individuals covered by the system: Individuals who have filed complaints about the administration of State Occupational Safety and Health programs.

Categories of records in the system: Case files compiled in connection with investigation of subject complaints.

Authority for maintenance of the system: Section 18 (F) of the Occupational Safety and Health Act (Pub. L. 91-596).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None

Storage: Manual files.

Retrievability: By name of complainant.

Safeguards: Access to such files restricted to only those employees whose duties require that they be familiar with the contents of such files.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Regional Director for Occupational Safety and Health at relevant Regional Office: for address see 29 CFR 70.36.

Notification procedure: Systems Manager at above address.

Record access procedures: As above.

Contesting record procedures: As above.

Record source categories: Complaints filed by individuals and information compiled in connection with investigations of such complaints.

DOL/OSHA-3

System name: State Compliance Office Evaluation Records

System location: All Regional Offices; see 29 CFR 70.36 for address.

Categories of individuals covered by the system: State Compliance Officers of developmental state programs.

Categories of records in the system: Performance evaluations of state compliance officers.

Authority for maintenance of the system: Section 18 (F) of the Occupational Safety and Health Act (Pub. L. 91-596).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To administrator of state program upon request.

Storage: Manual files.

Retrievability: By name of state compliance officer.

Safeguards: Access to such files restricted to only these employees whose duties require that they be familiar with the contents of such files.

Retention and disposal: Indefinite.

System manager(s) and address: Assistant Regional Director for Occupational Safety and Health at relevant Regional Office; for address see 29 CFR 70.36.

Notification procedure: System Manager at above address.

Record access procedures: As above.

Contesting record procedures: As above.

Record source categories: Report forms submitted by Federal monitoring inspectors.

[FR Doc.76-1872 Filed 1-22-76;8:45 am]

federal register

FRIDAY, JANUARY 23, 1976

PART V:

FEDERAL ELECTION COMMISSION

Presidential Preferential, Delegate Selection, Senatorial and Congressional Primary Elections and 1976 General Election

■

Calendars of 1976 Filing Deadlines

FEDERAL ELECTION COMMISSION

[Notice 1976–11]

PRESIDENTIAL PREFERENTIAL, DELEGATE SELECTION, SENATORIAL AND CONGRESSIONAL PRIMARY ELECTIONS AND 1976 GENERAL ELECTION

Four 1976 Calendars of Filing Deadlines

The Federal Election Commission publishes today four 1976 calendars of pre-election and post election-filing deadlines for Presidential Preferential and Delegate Selection, Senatorial and Congressional primary elections and the 1976 general election. There are two calendars of 1976 Presidential Preferential and Delegate Selection Primary Dates; one is alphabetical by State, and the other is chronological by date of election. Please note that these filing dates are not applicable to Presidential candidates and their authorized political committees, as these candidates and committees are required to file monthly. There are two calendars of 1976 Congressional Election Primary Dates for candidates for the U.S. House of Representatives and the U.S. Senate and the political committees supporting them; one is alphabetical by State, and the other is chronological by date of election. The States holding elections for the U.S. Senate are preceded by an asterisk (*). Multicandidate committees supporting candidates for Federal office in more than one State that have requested and received permission from the Commission to report monthly are not required to file the pre-election and post-election reports for Presidential or Congressional primaries; however, these committees are required to file the pre-election and post-election reports for the general election on November 2, 1976. These calendars include the date of the elections, the filing dates for the pre-election and post-election reports and the closing date of books for these reports.

Dated: January 20, 1976.

THOMAS B. CURTIS,
Chairman of the
Federal Election Commission.

1976 PRESIDENTIAL PREFERENTIAL AND DELEGATE SELECTION PRIMARY DATES AND CAMPAIGN ELECTION REPORT FILING DATES

ALPHABETICAL LIST BY STATE

State	Date of Election	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
Alabama.....	May 4	April 24	April 22	April 19	June 3	May 24
Arkansas.....	May 25	May 15	May 13	May 10	June 24	June 14
California.....	June 8	May 29	May 27	May 24	July 8	June 28
Florida.....	March 9	February 28	February 26	February 23	April 8	March 29
Georgia.....	May 4	April 24	April 22	April 19	June 3	May 24
Idaho.....	May 25	May 15	May 13	May 10	June 24	June 14
Illinois.....	March 16	March 6	March 4	March 1	April 15	April 5
Indiana.....	May 4	April 24	April 22	April 19	June 3	May 24
Kentucky.....	May 25	May 15	May 13	May 10	June 24	June 14
**Louisiana.....	May 1	April 21	April 19	April 16	May 31	May 21
Maryland.....	May 18	May 8	May 6	May 3	June 17	June 7
Massachusetts....	March 2	February 21	February 19	February 16	April 1	March 22
Michigan.....	May 18	May 8	May 6	May 3	June 17	June 7
Montana.....	June 1	May 22	May 20	May 17	July 1	June 21
Nebraska.....	May 11	May 1	April 29	April 26	June 10	May 31
Nevada.....	May 25	May 15	May 13	May 10	June 24	June 14
New Hampshire....	February 24	February 14	February 12	February 9	March 25	March 15
New Jersey.....	June 8	May 29	May 27	May 24	July 8	June 28
New York.....	April 6	March 27	March 25	March 22	May 6	April 26
North Carolina..	March 23	March 13	March 11	March 8	April 22	April 12
Ohio.....	June 8	May 29	May 27	May 24	July 8	June 28
Oregon.....	May 25	May 15	May 13	May 10	June 24	June 14
Pennsylvania....	April 27	April 17	April 15	April 12	May 27	May 17
Rhode Island....	June 1	May 22	May 20	May 17	July 1	June 21
South Dakota....	June 1	May 22	May 20	May 17	July 1	June 21
Tennessee.....	May 6	April 26	April 24	April 21	June 5	May 26
Texas.....	May 1	April 21	April 19	April 16	May 31	May 21
Vermont.....	March 2	February 21	February 19	February 16	April 1	March 22
Washington, D.C.	May 4	April 24	April 22	April 19	June 3	May 24

(continued)

State	Date of Election	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
West Virginia..	May 11	May 1	April 29	April 26	June 10	May 31
Wisconsin.....	April 6	March 27	March 25	March 22	May 6	April 26
GENERAL ELECTION	November 2	October 23	October 21	October 18	December 2	November 22

WAIVER OF FILING

When the last day for filing any quarterly report occurs within 10 days before or after an election, the filing of such quarterly report shall be waived and superseded by the timely filing of the pre-election report.

** Denotes a Democratic Party primary only

1976 PRESIDENTIAL PREFERENTIAL AND DELEGATE SELECTION PRIMARY DATES AND CAMPAIGN ELECTION REPORT FILING DATES

CHRONOLOGICAL LIST BY DATE

Date of Election	State	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing Date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
February 24	New Hampshire.....	February 14	February 12	February 9	March 25	March 15
March 2	Massachusetts.....	February 21	February 19	February 16	April 1	March 22
	Vermont.....	February 21	February 19	February 16	April 1	March 22
March 9	Florida.....	February 28	February 26	February 23	April 8	March 29
March 16	Illinois.....	March 6	March 4	March 1	April 15	April 5
March 23	North Carolina....	March 13	March 11	March 8	April 22	April 12
April 6	New York.....	March 27	March 25	March 22	May 6	April 26
	Wisconsin.....	March 27	March 25	March 22	May 6	April 26
April 27	Pennsylvania.....	April 17	April 15	April 12	May 27	May 17
May 1	**Louisiana.....	April 21	April 19	April 16	May 31	May 21
	Texas.....	April 21	April 19	April 16	May 31	May 21
May 4	Alabama.....	April 24	April 22	April 19	June 3	May 24
	Georgia.....	April 24	April 22	April 19	June 3	May 24
	Indiana.....	April 24	April 22	April 19	June 3	May 24
	Washington, D.C...	April 24	April 22	April 19	June 3	May 24
May 6	Tennessee.....	April 26	April 24	April 21	June 5	May 26
May 11	Nebraska.....	May 1	April 29	April 26	June 10	May 31
	West Virginia.....	May 1	April 29	April 26	June 10	May 31
May 18	Maryland.....	May 8	May 6	May 3	June 17	June 7
	Michigan.....	May 8	May 6	May 3	June 17	June 7
May 25	Arkansas.....	May 15	May 13	May 10	June 24	June 14
	Idaho.....	May 15	May 13	May 10	June 24	June 14
	Kentucky.....	May 15	May 13	May 10	June 24	June 14
	Nevada.....	May 15	May 13	May 10	June 24	June 14
	Oregon.....	May 15	May 13	May 10	June 24	June 14
June 1	Montana.....	May 22	May 20	May 17	July 1	June 21
	Rhode Island.....	May 22	May 20	May 17	July 1	June 21
	South Dakota.....	May 22	May 20	May 17	July 1	June 21
June 8	California.....	May 29	May 27	May 24	July 8	June 28
	New Jersey.....	May 29	May 27	May 24	July 8	June 28
	Ohio.....	May 29	May 27	May 24	July 8	June 28
November 2	GENERAL ELECTION..	October 23	October 21	October 18	December 2	November 22

WAIVER OF FILING

When the last day for filing any quarterly report occurs within 10 days before or after an election, the filing of such quarterly report shall be waived and superseded by the timely filing of the pre-election report.

** Denotes a Democratic Party primary only

1976 CONGRESSIONAL ELECTION PRIMARY DATES
AND CAMPAIGN ELECTION REPORT FILING DATES
FOR CANDIDATES FOR THE U.S. HOUSE OF
REPRESENTATIVES AND THE U.S. SENATE
AND THE POLITICAL COMMITTEES SUPPORTING THEM

ALPHABETICAL LIST BY STATE

State	Date of Election	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
Alabama.....	May 4	April 24	April 22	April 19	June 3	May 24
Runoff.....	May 25	May 15	May 13	May 10	June 24	June 14
Alaska.....	August 24	August 14	August 12	August 9	September 23	September 13
*Arizona.....	September 7	August 28	August 26	August 23	October 7	September 27
Arkansas.....	May 25	May 15	May 13	May 10	June 24	June 14
Runoff.....	June 8	May 29	May 27	May 24	July 8	June 28
*California.....	June 8	May 29	May 27	May 24	July 8	June 28
Colorado.....	September 14	September 4	September 2	August 30	October 14	October 4
*Connecticut.....	September 7	August 28	August 26	August 23	October 7	September 27
*Delaware.....	September 11	September 1	August 30	August 27	October 11	October 1
*Florida.....	September 7	August 28	August 26	August 23	October 7	September 27
Runoff.....	September 28	September 18	September 16	September 13	October 28	October 18
Georgia.....	August 10	July 31	July 29	July 26	September 9	August 30
Runoff.....	August 31	August 21	August 19	August 16	September 30	September 20
*Hawaii.....	October 2	September 22	September 20	September 17	November 1	October 22
Idaho.....	August 3	July 24	July 22	July 19	September 2	August 23
Illinois.....	March 16	March 6	March 4	March 1	April 15	April 5
*Indiana.....	May 4	April 24	April 22	April 19	June 3	May 24
Iowa.....	June 8	May 29	May 27	May 24	July 8	June 28
Kansas.....	August 3	July 24	July 22	July 19	September 2	August 23
Kentucky.....	May 25	May 15	May 13	May 10	June 24	June 14
Louisiana.....	August 14	August 4	August 2	July 30	September 13	September 3
Runoff.....	October 2	September 22	September 20	September 17	November 1	October 22
*Maine.....	June 8	May 29	May 27	May 24	July 8	June 28
*Maryland.....	May 18	May 8	May 6	May 3	June 17	June 7
*Massachusetts...	September 14	September 4	September 2	August 30	October 14	October 4
*Michigan.....	August 3	July 24	July 22	July 19	September 2	August 23
*Minnesota.....	September 14	September 4	September 2	August 30	October 14	October 4

(continued)

State	Date of Election	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
*Mississippi.....	June 1	May 22	May 20	May 17	July 1	June 21
Runoff.....	June 22	June 12	June 10	June 7	July 22	July 12
*Missouri.....	August 3	July 24	July 22	July 19	September 2	August 23
*Montana.....	June 1	May 22	May 20	May 17	July 1	June 21
*Nebraska.....	May 11	May 1	April 29	April 26	June 10	May 31
*Nevada.....	September 14	September 4	September 2	August 30	October 14	October 4
New Hampshire...	September 14	September 4	September 2	August 30	October 14	October 4
*New Jersey.....	June 8	May 29	May 27	May 24	July 8	June 28
*New Mexico.....	June 1	May 22	May 20	May 17	July 1	June 21
*New York.....	September 14	September 4	September 2	August 30	October 14	October 4
North Carolina..	August 17	August 7	August 5	August 2	September 16	September 6
Runoff.....	September 14	September 4	September 2	August 30	October 14	October 4
*North Dakota....	September 7	August 28	August 26	August 23	October 7	September 27
*Ohio.....	June 8	May 29	May 27	May 24	July 8	June 28
Oklahoma.....	August 24	August 14	August 12	August 9	September 23	September 13
Oregon.....	May 25	May 15	May 13	May 10	June 24	June 14
*Pennsylvania....	April 27	April 17	April 15	April 12	May 27	May 17
*Rhode Island....	September 14	September 4	September 2	August 30	October 14	October 4
South Carolina..	June 8	May 29	May 27	May 24	July 8	June 28
South Dakota....	June 1	May 22	May 20	May 17	July 1	June 21
*Tennessee.....	August 5	July 26	July 24	July 21	September 4	August 25
*Texas.....	May 1	April 21	April 19	April 16	May 31	May 21
Runoff.....	June 5	May 26	May 24	May 21	July 5	June 25
*Utah.....	September 14	September 4	September 2	August 30	October 14	October 4
*Vermont.....	September 14	September 4	September 2	August 30	October 14	October 4
*Virginia.....	June 8	May 29	May 27	May 24	July 8	June 28
*Washington.....	September 21	September 11	September 9	September 6	October 21	October 11
*West Virginia...	May 11	May 1	April 29	April 26	June 10	May 31
*Wisconsin.....	September 14	September 4	September 2	August 30	October 14	October 4
*Wyoming.....	September 14	September 4	September 2	August 30	October 14	October 4

(continued)

State	Date of Election	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
Washington, D.C.	May 4	April 24	April 22	April 19	June 3	May 24
Guam.....	September 4	August 25	August 23	August 20	October 4	September 24
Puerto Rico.....	July 10	June 30	June 28	June 25	August 9	July 30
Virgin Islands..	September 14	September 4	September 2	August 30	October 14	October 4
GENERAL ELECTION	November 2	October 23	October 21	October 18	December 2	November 22

WAIVER OF FILING

When the last day for filing any quarterly report occurs within 10 days before or after an election, the filing of such quarterly report shall be waived and superseded by the timely filing of the pre-election report.

* Denotes an election for the U.S. Senate

1976 CONGRESSIONAL ELECTION PRIMARY DATES AND CAMPAIGN ELECTION REPORT FILING DATES FOR CANDIDATES FOR THE U.S. HOUSE OF REPRESENTATIVES AND THE U.S. SENATE AND THE POLITICAL COMMITTEES SUPPORTING THEM

CHRONOLOGICAL LIST BY DATE

Date of Election	State	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing Date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
March 16	Illinois.....	March 6	March 4	March 1	April 15	April 5
April 27	*Pennsylvania.....	April 17	April 15	April 12	May 27	May 17
May 1	*Texas.....	April 21	April 19	April 16	May 31	May 21
May 4	Alabama.....	April 24	April 22	April 19	June 3	May 24
	*Indiana.....	April 24	April 22	April 19	June 3	May 24
	Washington, D.C..	April 24	April 22	April 19	June 3	May 24
May 11	*Nebraska.....	May 1	April 29	April 26	June 10	May 31
	*West Virginia....	May 1	April 29	April 26	June 10	May 31
May 18	*Maryland.....	May 8	May 6	May 3	June 17	June 7
May 25	Arkansas.....	May 15	May 13	May 10	June 24	June 14
	Kentucky.....	May 15	May 13	May 10	June 24	June 14
	Oregon.....	May 15	May 13	May 10	June 24	June 14
June 1	*Mississippi.....	May 22	May 20	May 17	July 1	June 21
	*Montana.....	May 22	May 20	May 17	July 1	June 21
	*New Mexico.....	May 22	May 20	May 17	July 1	June 21
	South Dakota.....	May 22	May 20	May 17	July 1	June 21
June 8	*California.....	May 29	May 27	May 24	July 8	June 28
	Iowa.....	May 29	May 27	May 24	July 8	June 28
	*Maine.....	May 29	May 27	May 24	July 8	June 28
	*New Jersey.....	May 29	May 27	May 24	July 8	June 28
	*Ohio.....	May 29	May 27	May 24	July 8	June 28
	South Carolina...	May 29	May 27	May 24	July 8	June 28
	*Virginia.....	May 29	May 27	May 24	July 8	June 28
July 10	Puerto Rico.....	June 30	June 28	June 25	August 9	July 30
August 3	Idaho.....	July 24	July 22	July 19	September 2	August 23
	Kansas.....	July 24	July 22	July 19	September 2	August 23
	*Michigan.....	July 24	July 22	July 19	September 2	August 23
	*Missouri.....	July 24	July 22	July 19	September 2	August 23
August 5	*Tennessee.....	July 26	July 24	July 21	September 4	August 25
August 10	Georgia.....	July 31	July 29	July 26	September 9	August 30
August 14	Louisiana.....	August 4	August 2	July 30	September 13	September 3
August 17	North Carolina...	August 7	August 5	August 2	September 16	September 6
August 24	Alaska.....	August 14	August 12	August 9	September 23	September 13
	Oklahoma.....	August 14	August 12	August 9	September 23	September 13

(continued)

Date of Election	State	10-day pre-election report filing date	Mailing date (registered or certified mail) for 10-day pre-election report	Closing date of books for 10-day pre-election report	Filing Date/ Mailing date for 30-day post-election report	Closing date of books for 30-day post-election report
September 4	Guam.....	August 25	August 23	August 20	October 4	September 24
September 7	*Arizona.....	August 28	August 26	August 23	October 7	September 27
	*Connecticut.....	August 28	August 26	August 23	October 7	September 27
	*Florida.....	August 28	August 26	August 23	October 7	September 27
	*North Dakota.....	August 28	August 26	August 23	October 7	September 27
September 11	*Delaware.....	September 1	August 30	August 27	October 11	October 1
September 14	Colorado.....	September 4	September 2	August 30	October 14	October 4
	*Massachusetts....	September 4	September 2	August 30	October 14	October 4
	*Minnesota.....	September 4	September 2	August 30	October 14	October 4
	*Nevada.....	September 4	September 2	August 30	October 14	October 4
	New Hampshire....	September 4	September 2	August 30	October 14	October 4
	*New York.....	September 4	September 2	August 30	October 14	October 4
	*Rhode Island.....	September 4	September 2	August 30	October 14	October 4
	*Utah.....	September 4	September 2	August 30	October 14	October 4
	*Vermont.....	September 4	September 2	August 30	October 14	October 4
	*Wisconsin.....	September 4	September 2	August 30	October 14	October 4
	*Wyoming.....	September 4	September 2	August 30	October 14	October 4
	Virgin Islands...	September 4	September 2	August 30	October 14	October 4
September 21	*Washington.....	September 11	September 9	September 6	October 21	October 11
October 2	*Hawaii.....	September 22	September 20	September 17	November 1	October 22
November 2	GENERAL ELECTION.	October 23	October 21	October 18	December 2	November 22

WAIVER OF FILING

When the last day for filing any quarterly report occurs within 10 days before or after an election, the filing of such quarterly report shall be waived and superseded by the timely filing of the pre-election report.

* Denotes an election for the U.S. Senate

[FR Doc.76-2128 Filed 1-22-76;8:45 am]

federal register

FRIDAY, JANUARY 23, 1976

PART VI:

FEDERAL COMMUNICATIONS COMMISSION

■

CABLE TELEVISION RELAY SERVICES

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20523; FCC 75-1040]

PART 78—CABLE TELEVISION RELAY SERVICES

Proceeding Terminated

In the Matter of adoption of FCC Form 327, application for authorizations in the Cable Television Relay Service.

Adopted: September 9, 1975; Released: January 16, 1976.

1. On June 18, 1975, the Commission adopted a Notice of Proposed Rule Making in the above-captioned proceeding, which was published in the FEDERAL REGISTER on June 26, 1975 (40 FR 27051). We proposed adoption of a new application form (FCC Form 327) designed exclusively for requests for authorization in the Cable Television Relay Service (CARS).

2. Our experience in processing CARS applications during the past several years has demonstrated the inadequacy of FCC Form 402, which was initially designed for microwave station applications in the Safety and Special Radio Services but is also presently used by CARS applicants. Applications for CARS authorizations filed on FCC Form 402 have not contained all the information required under Parts 1, 17, 76 and 78 of the Commission's Rules and, as a result, there have been processing delays because of incomplete submittals. In the Notice we indicated the necessity for expeditious action in adopting a new form in order to have it available for the efficient processing of over 400 CARS license renewal applications due to be filed by February 1, 1976. We also expressed our belief that FCC Form 327, as proposed, would facilitate the integration of the information contained in CARS applications into an automatic data processing base.

3. Comments were received from Cable Dynamics Incorporated (Cable Dynamics); Greeley, Bernard and Tierney (Greeley); National Cable Television Association (NCTA); and Theta-Com of California (Theta-Com). Reply comments were submitted by Greeley; Theta-Com; Illinois-Indiana Cable Television Association; and Nebraska Cable Television Association. In addition, a public meeting was held at the Commission on July 8, 1975, so that interested parties might discuss the proposed form with members of the Commission's staff. The meeting was attended by representatives of NCTA, Cable Dynamics, Theta-Com, Society of Cable Television Engineers, and several communications law firms.

4. It is significant to note that the parties to this proceeding unanimously support our determination that a new CARS application form is needed. The comments generally favor the form as proposed, but recommend certain changes. The major points of criticism concern the amount of detailed information requested, and, in particular, the control and ownership information sought in Schedule B. A number of comments, including those submitted by the Nebraska Cable Television Association and the Illinois-Indiana Cable Television Association, assert that Schedule B, as proposed, seeks information already on file with the Commission in FCC Form 325 Annual Report of Cable Television Systems. Both associations recommend the deletion of Schedule B because of the potentially duplicative nature of the information requested in the schedule.

5. We wish to emphasize that in proposing FCC Form 327, it was not our intention to require CARS applicants to submit information already on file at the Commission. However, in order to fulfill our statutory responsibilities, we must be able to determine the ownership and control of CARS licensees and permittees. While we agree that the ownership information provided in Section 3 of FCC Form 325 is sufficient if the controlling entity owns 25 percent or more of the reporting cable television system, we consider Form 325 inadequate in those instances where the controlling entity owns less than 25 percent. Also, if the applicant is a cooperative organization formed to supply microwave relay service to its member cable television systems, it is not presently required to file FCC Form 325. We have concluded, therefore, that deletion of Schedule B at this time would be unwise. However, we find merit in the contention that CARS applicants should not be required to duplicate information already submitted in FCC Form 325, and we have revised Schedule B accordingly.

6. Under the revised schedule, the CARS applicant will be required to file detailed control and ownership information only if FCC Form 325 has not been filed or if the most recently filed FCC Form 325 fails to indicate all entities which either directly or indirectly control the applicant. This approach would appear to resolve the objections raised in the various comments on Schedule B, without impeding our ability to carry out the mandates of the Communications Act of 1934, as amended. In addition, it should be noted that we have added Section II to Schedule B to be filled out by the licensee or permittee, and submitted when an application for assignment of authorization or transfer of control is filed. It is anticipated that with the necessary information provided in Section II and elsewhere in Form 327, there will be no further need for CARS applicants to file either FCC Form 1046 or Form 703, presently submitted when requests are made for approval of assignments of authorization or transfers of control, respectively.

7. In addition to our consideration of the Schedule B comments, we have thoroughly reviewed the comments directed to the four other schedules, and, where considered appropriate, have revised Form 327 to include suggestions made by parties to this proceeding. Thus, Schedule A has been revised to add "Amendment of Application" as a specific category, as suggested in a Greeley comment. In view of a comment by Theta-Com, the second footnote in Schedule C has been revised to provide for an exhibit in those instances where all of the channels do not operate with the same emission. Also, as a result of observations made by Cable Dynamics and Greeley, we have modified Schedule D to eliminate a requirement which we are now convinced might have placed a substantial burden on CARS applicants. Schedule D, as originally proposed, required a CARS applicant to submit a detailed engineering statement concerning the effect, if any, of a CARS structure on any Standard Broadcast station within 0.5 mile. Instead of requiring submission of a potentially expensive engineering study, Form 327 has been revised so that the applicant need only indicate the call sign of any Standard Broadcast station within one kilometer (.62 mile) of the proposed CARS structure.

8. Perusal of Form 327 as revised will reveal additional changes made pursuant to suggestions contained in the comments, as well as changes made by the Commission sua sponte. An example of the latter is the inclusion of metric measurements in Schedules D and E, and the addition of a new general instruction to provide that all heights and distances are to be indicated in metric units (meters and kilometers) as well as in feet and miles. The use of metric units will facilitate integrating the information into the Commission's automatic data processing base, and will also be consistent with proposed national policy as set forth in the pending House of Representatives Bill (H.R. 254) and Senate Bill (S. 100).

9. Several of the parties contend that Form 327 would require submission of an application for modification of a CARS facility, such as a change in height of an antenna structure or in the make and model of an antenna, changes not previously requiring formal application. Their contention appears to reflect a misconception of the scope and purpose of Form 327 inasmuch as the form does not determine which applications must be filed; that determination is based on the requirements set forth in the Communications Act of 1934, as amended, and in the Commission's rules promulgated pursuant thereto. Thus, § 78.109(a) of the rules clearly describes the equipment changes for which a formal application is required; Form 327 merely describes the information which a required application should contain.

10. A few parties suggest that we amend § 78.109(a) to permit change in the type of transmitter without filing a formal application, if the substitute

transmitter is type accepted and operates with the same power and bandwidth. We find merit in the recommendation, and we shall give consideration to revising Part 78 of the rules to permit such a change without filing a formal application.

11. NCTA contends that much of the information sought in Form 327 should be required only at the time of the initial application for a construction permit, and not, for example, in an application for renewal of a station license. We agree that a renewal application which reflects no change in the facts since the issuance of the original station license would normally need to contain a minimum of information. However, we have determined that submittal of a complete Form 327 for renewal of the licenses expiring February 1, 1976, will enable us to meet our objectives of updating and verifying our records, and integrating the information into an automatic data processing base. Once these objectives are achieved, it is possible that filing a full set of schedules may no longer be needed, and we shall reconsider this requirement at that time.

12. We have carefully considered many alternatives in devising a form which elicits all the information required to be filed by a CARS applicant pursuant to Parts 1, 17, 76, and 78 of the Commission's rules. To those unfamiliar with microwave technology, it may appear that Form 327 solicits a plethora of detailed information. In fact, a few parties have commented that the new form may be so detailed that "less sophisticated" cable television operators might find it burdensome, and delays in processing would occur. None of the parties thus commenting has submitted any evidence in support of this misgiving, nor does our experience in processing CARS applications submitted on Form 402 lend weight to this contention. Many of the delays we have encountered in processing applications submitted on Form 402 have resulted from the form's inadequacy; it simply does not request information in sufficient detail. We are convinced that FCC Form 327 will, for the first time, enable CARS applicants to provide all necessary data in a single package, thereby ensuring expeditious processing by the Commission's staff. Furthermore, it should be noted that detailed engineering specifications must be submitted so that the Commission may determine whether the proposed microwave operations will result in harmful interference to existing facilities. In conclusion, we believe that the form we adopt today will best serve the public interest by promoting the efficient processing of CARS applications.

13. Authority for the adoption of FCC Form 327 is contained in Sections 4(i) and (j), 303(r), 308, and 309 of the Communications Act of 1934, as amended. The amendments to Part 76, Subpart B of the Commission's Rules necessary to implement Form 327 are set forth in Appendix A. Because they are procedural in nature, the prior notice and effective date requirements of 5 U.S.C. 553 are inapplicable. The adopted Form is set forth in Appendix B.

Accordingly, *it is ordered*, That

(a) Effective January 30, 1976, FCC Form 327 is adopted as set forth herein.

(b) Part 78, Subpart B of the Commission's rules and Regulations is amended as set forth below.

(c) All comments, to the extent they have not been accepted herein, are denied.

(d) This proceeding is terminated.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

APPENDIX A

1. Section 78.15 is revised to read as follows:

§ 78.15 Contents of applications.

(a) Applications for authorization in Cable Television Relay Service shall be submitted on FCC Form 327, and shall contain the information requested therein.

(b) An application for a CAR studio to headend link or LDS station construction permit shall contain a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable.

NOTE: Each applicant filing pursuant to § 78.15 is responsible for the continuing accuracy and completeness of all information in such applications. The provisions of § 1.65 are wholly applicable to applications pursuant to § 78.15, as well as to amendments filed pursuant to § 78.17, and objections filed pursuant to § 78.22, except that where the specific provisions of §§ 78.15, 78.17, 78.22 conflict with the provisions of § 1.65, the specific provisions are controlling, e.g., where requirements for service on specified parties of certain information may vary.

APPENDIX B

Federal Communications Commission
Washington, D.C. 20554

Instructions for Completion of FCC Form 327
(September 1975 Edition)

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

A. This form shall be used when applying for a Cable Television Relay Service (CARS) station authorization.

B. Applicants for:

CONSTRUCTION PERMIT (CP) for a new station or **LICENSE RENEWAL.** File a complete set of schedules and requested exhibits.

CONSTRUCTION PERMIT (CP) for a licensed station or **MODIFICATION OF CP.** File with Schedule A only those additional schedules which describe the proposed construction or modification.

LICENSE or MODIFICATION OF LICENSE. File only Schedule A if no changes have been made from the most recent filing. File any other schedules necessary to show any changes that did not require prior Commission authorization. If the license request does not apply to all authorized construction, attach an additional exhibit to Schedule A explaining which portions of the construction are covered and the reasons why the other portions are not covered. Requests for modification of license should be made for authorized construction not previously licensed.

REINSTATEMENT. File only Schedule A. If changes made since the most recent filing did not require prior Commission authorization, file those additional schedules which describe the changes.

AMENDMENT. File Schedule A and any additional schedules which describe the amendment of the pending application.

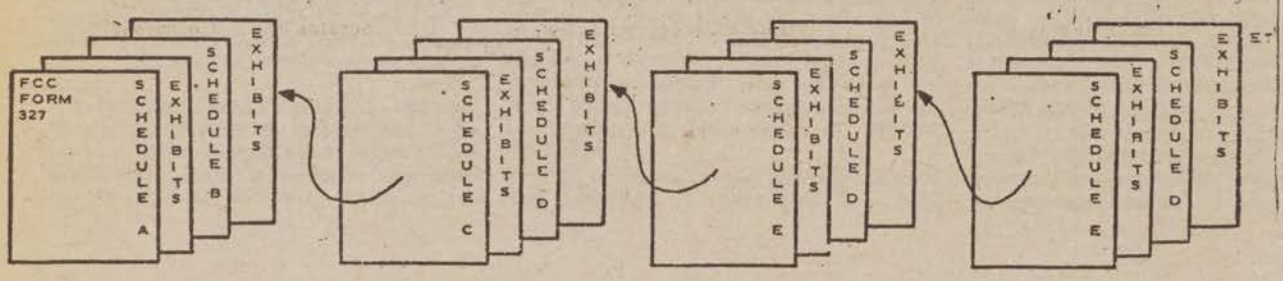
TRANSFER OF CONTROL or ASSIGNMENT OF AUTHORIZATION. File Schedule A, Schedule B (Sections I & II), and the requested exhibits. The transferee or assignee must complete Schedule A and Section I of Schedule B. The licensee or permittee must complete Section II of Schedule B. If the transferee or assignee has not previously filed an FCC Form 325, Annual Report of Cable Television Systems, or if the transferee's or assignee's Form 325 ownership information has changed from the most recent filing, attach new Form 325 ownership information for the transferee or assignee.

C. This form should be filed with the Federal Communications Commission, Washington, D.C. 20554. Submit three copies of each Schedule A, B, C, and E, and the exhibits associated therewith. Submit five copies of each Schedule D (Site Sketch and Data) and the exhibits associated therewith. The application should be accompanied by the appropriate fee pursuant to the Commission's Rules.

D. Number the pages serially in the space provided in the upper right corner in the following order:

Schedule A
  Exhibits requested in Schedule A
Schedule B (Control and Ownership Information)
  Exhibits requested in Schedule B
Schedule C (Transmitter and Signal Data)
  Exhibits requested in Schedule C
Additional Schedules C and requested exhibits
Schedule D (Site Sketch and Data) for transmit site
  Exhibits requested in Schedule D
Schedule E (Path Data)
  Exhibits requested in Schedule E
Schedule D (Site Sketch and Data) associated with Schedule E for receive or passive repeater site
  Exhibits requested in Schedule D
Additional Schedules E, requested exhibits, associated Schedules D and requested exhibits for other receive or passive repeater sites

PICTORIAL ILLUSTRATION:



DO NOT RETURN THESE INSTRUCTIONS

E. Place all requested exhibits directly after the schedule which requests the exhibits. If additional supplemental information (e.g., a waiver request or a proposal which the form does not specifically accommodate) is being filed, attach such information as an exhibit following the appropriate schedule.

F. If the applicant is

AN INDIVIDUAL:	This form shall be signed by the applicant personally.
A PARTNERSHIP:	This form shall be signed by a member of the partnership.
A CORPORATION or ASSOCIATION:	This form shall be signed by an officer of the applicant.
A GOVERNMENTAL ENTITY:	This form shall be signed by an official of the applicant.

The form shall be signed in the space provided on Schedule A. Signing of this form is a representation that the person who signs the form is familiar with the contents of this form and all associated exhibits, and supports and approves the representations made therein on behalf of the applicant. In case of the applicant's physical disability or of his absence from the United States, the application should be signed by the applicant's attorney. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

G. All items must be answered fully and all necessary information furnished. If any items of the application are not applicable, write N.A. Defective or incomplete applications may be returned without consideration. Applicants, however, are hereby notified that where this form requests a Social Security Account Number in lieu of an Internal Revenue Service Employer Identification Number, they may withhold the Social Security Number without prejudice to the merits of the application. When supplied, the Social Security Account Number will be used solely as a unique identifier within the Commission's systems of records alone. Disclosure of said Social Security Account Number is solicited under Section 78.15(a) of the Commission's Rules as well as 47 U.S.C. §§4(i), 4(j), 303(r) and 308.

H. When an abbreviation of a state is required, use the United States Postal Service abbreviation.

I. Use only the indicated number of spaces when answering each question. Type or print, placing one letter or number in each space. If insufficient spaces are available, abbreviate or truncate the information to fit. For example, operator's legal name must fit in 60 spaces.

J. All heights and distances should be indicated in both English units (feet and miles) and metric units (meters and kilometers).

K. Specific instructions for each schedule may be found on the back of the schedule.

L. Pursuant to the Privacy Act of 1974, 5 U.S.C. §552a(e)(3), the Federal Communications Commission hereby informs those applicants who are real persons supplying information on FCC Form 327 that:

(1) the disclosure of said information is solicited under the Communications Act of 1934, as amended, 47 U.S.C. §§151-155, 301, 302a, 303, 307, 308, 309, 312, 316, 317, 318, 319, & 403;

(2) the disclosure of said information is mandatory;

(3) the principal purpose of said information is to provide basic technological, financial, public service, and ownership data concerning the qualifications of the applicant;

(4) said information is routinely used in the processing of applications filed with the Commission; it is also used to assemble general industry statistics for abstract analysis or rule making proceedings;

(5) failure to provide said information may result in the authorization not being granted or specific relief by the Commission; it may also result in appropriate enforcement action against said operator by the Commission.

FCC Form 327
September 1975

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

Page 1 of ____
Approved by GAO
B-180227 (R0076

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE A

1.(a) Application for: *(Check only one box)*

☐ Construction Permit (CP) ☐ Modification of CP ☐ Assignment of Authorization
☐ Modification of License ☐ License Renewal ☐ Transfer of Control
☐ License ☐ Reinstatement ☐ Amendment of Application

(b) Does this application refer to an existing station? ☐ YES ☐ NO If "YES," give call sign. | | | | | | |

(c) If this application is for a modification of CP or for a CP for a licensed station, check the box(es) for the appropriate description(s). Attach as Exhibit A-1 a complete explanation of the modification or proposed construction.

☐ Add Channel(s) ☐ Change Transmit Site ☐ Add Receive Site(s) ☐ Change Antenna System
☐ Delete Channel(s) ☐ Change Control System ☐ Delete Receive Site(s) ☐ Change Height of Antenna Structure
☐ Change Transmitter ☐ Change Operating Power ☐ Change Receive Site(s) ☐ Change Horizontal Location of Antenna
☐ Extension of Time ☐ Other (Specify)

2.(a) Indicate the name, mailing address, and telephone number of the applicant.

LEGAL NAME OF APPLICANT *(If person, list last name first.)*
CONTINUE NAME HERE IF NEEDED
ASSUMED NAME USED FOR DOING BUSINESS *(If any)*
MAILING STREET ADDRESS OR P.O. BOX — AREA CODE — TELEPHONE NO.
CITY — STATE — ZIP CODE

(b) Indicate Internal Revenue Service Employer Identification (E.I.) Number used by the applicant. If the applicant has no E.I. Number, use Social Security Number.

E.I. NO. (OR SOC. SEC. NO.)

(c) Indicate the name, mailing address, and telephone number of person to contact, if other than applicant.

NAME *(Last name first)*
CONTINUE NAME HERE IF NEEDED
FIRM OR COMPANY NAME
MAILING STREET ADDRESS OR P.O. BOX — AREA CODE — TELEPHONE NO.
CITY — STATE — ZIP CODE

Attach as Exhibit A-2 the name, mailing address, and telephone number of each additional person who should be contacted, if any.

(d) Indicate the address where the station's records will be maintained.

STREET ADDRESS
CITY — STATE — ZIP CODE

	YES	NO
3. (a) Will the applicant provide program material to cable television systems other than those which the applicant owns or operates?		
If "YES", attach as Exhibit A-3 a copy of a written contract specifying that service will be provided on a non-profit, cost-sharing basis; or a copy of a written statement specifying that service will be provided without charge.		
(b) Will the applicant control the station equipment?		
(c) Will the applicant have unlimited access to the equipment?		
(d) Will effective measures be taken to prevent use of the equipment by unauthorized persons?		
(e) Has the applicant or any controlling party to this application had any FCC station license, permit, or authorization revoked?		
If "YES", attach as Exhibit A-4 a statement identifying the license, permit, or authorization revoked and the circumstances relevant to the revocation.		
4. Attach as Exhibit A-5 a statement showing that the applicant is eligible pursuant to Part 78 of the Rules to be a licensee.		
5. Attach as Exhibit A-6 a map or drawing of appropriate detail showing the complete proposed relay system including points of interconnection, if any, with other cable television relay stations, common carrier stations, and/or other stations. The map or drawing should show the following: (a) Direction of true north; (b) Location of transmitting site(s), the location of any intermediate relay station(s), passive repeater(s), and terminal receiving point(s); (c) Call sign(s) and licensee(s) of any station(s) to which applicant's proposed station will be interconnected; (d) Every path number for the station for which this application is filed.		
6. Is the applicant, or any of its partners, members, or owners: (a) a foreign government or the representative thereof; or (b) an alien or the representative of any alien; or (c) a corporation organized under the laws of any foreign government; or (d) a corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens, or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country; or (e) a corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, or of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?		
If "YES", attach as Exhibit A-7 a detailed statement which fully describes all alien interests, officers, and directors of the applicant and any controlling entities, including identity, address, nationality, biographical data, and extent of capital stock ownership.		

CERTIFICATION

All the statements made in the application and attached exhibits are considered material representations, and all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application.

The applicant certifies that he has a current copy of the Commission's Rules governing the Cable Television Relay Service (CARS).

The applicant waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.

I CERTIFY that the statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

SIGNATURE *DATE*

(Check appropriate classification)

☐ INDIVIDUAL APPLICANT ☐ MEMBER OF APPLICANT PARTNERSHIP ☐ OFFICER OF APPLICANT CORPORATION ☐ OFFICER OF APPLICANT ASSOCIATION ☐ OFFICIAL OF APPLICANT GOVERNMENT ENTITY

Page ____ of ____

FCC Form 327 APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE B. Control and Ownership Information *(The information submitted in this schedule should enable the Commission to identify all entities which either directly or indirectly control the applicant.)*

SECTION I. Control and Ownership

1. The following information must be provided for the applicant; for each member or partner, if the applicant is an unincorporated association or partnership; and for each cable television owner or operator, if the applicant is a cooperative enterprise wholly owned by cable television owners or operators. Indicate the legal name; the type of entity (1=Individual, 2=Partnership, 3=Corporation, 4=Unincorporated Association, or 5=Governmental Entity); and the Internal Revenue Service Employer Identification (E.I.) Number used by the entity (if the entity has no E.I. Number, use Social Security Number). If the entity is a nongovernmental corporation, indicate the state under whose laws the corporation is organized.

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

Indicate applicant's members; partners; or owners (if a cooperative enterprise).

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

(If additional space is needed, attach as Exhibit B-1 the requested information in the same format as above.)

	YES	NO
2. Is the applicant a cooperative enterprise wholly owned by cable television owners or operators?		
3. Has the above-named applicant filed FCC Form 325 indicating all entities which either directly or indirectly control the applicant?		
If "YES", no further items in this section need be answered.		
4. If the applicant is an unincorporated association or partnership, have the applicant's controlling members or partners filed FCC Form(s) 325 indicating all entities which either directly or indirectly control such controlling members or partners?		
If "YES", attach as Exhibit B-2 a statement explaining which members or partners control the applicant; no further items in this section need be answered.		

Page ____ of ____

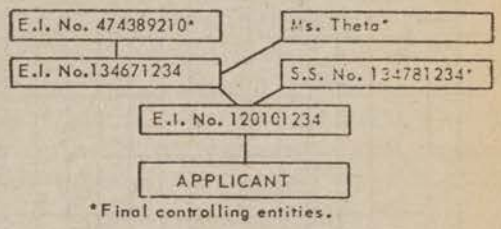
	YES	NO
5. If the answer to item 2 is "YES", have the controlling owners or operators of the cooperative enterprise filed FCC Form(s) 325 indicating all entities which either directly or indirectly control such controlling owners or operators?		
If "YES", attach as Exhibit B-3 a statement explaining which owners or operators control the applicant; no further items in this section need be answered.		

6. If the applicant does not answer "YES" to item 3, 4, or 5:

Attach as Exhibit B-4 the information requested of the applicant in item one for each entity which either directly or indirectly controls the applicant. In addition, attach as Exhibit B-5 a detailed diagram of the "family tree" showing the direct or indirect control of the applicant, to and including the final controlling entity or entities. The final controlling entity or entities should be specifically identified.

EXAMPLE

If the applicant is controlled by Partnership Alpha (E.I. No. 120101234) which in turn is controlled by Corporation Beta (E.I. No. 134671234) and by Mr. Dee (who has no E.I. No., but Social Security No. 134781234); and finally Mr. Cay (E.I. No. 474389210) and Ms. Theta (who has no E.I. No. and has elected not to provide her Social Security No.) control Corporation Beta, the diagram would be depicted as shown on the right:



*Final controlling entities.

NOTE: Use the word "applicant," not the applicant's name. For controlling entities, use the E.I. No. If they have no E.I. No., use Social Security No. Use controlling entities' name only if no E.I. No. or Social Security No. is given. Also, indicate the final controlling entities.

SECTION II. Assignment of Authorization or Transfer of Control

Indicate the name, mailing address, and telephone number of the licensee or permittee.

LEGAL NAME OF APPLICANT (If person, list last name first.)

CONTINUE NAME HERE IF NEEDED

ASSUMED NAME USED FOR DOING BUSINESS (If any)

MAILING STREET ADDRESS OR P.O. BOX | AREA CODE | TELEPHONE NO.

CITY | STATE | ZIP CODE

Commission authorization is hereby requested for: (Check only one box)

☐ Assignment of CARS license or construction permit

☐ Transfer of control of CARS licensee or permittee.

Attached as Exhibit B-6 is a statement describing the proposed assignment or transfer of control. The assignment or transfer of control shall not be completed or become effective until authorization has been issued by the Commission.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE & IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

_____ Signature _____ Date

(Check appropriate classification.)

☐ Individual Applicant ☐ Member of Applicant Partnership ☐ Officer of Applicant Corporation ☐ Officer of Applicant Association ☐ Official of Applicant Governmental Entity

Page ____ of ____

FCC FORM 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE C. Transmitter and Signal Data *(Each Schedule C should indicate the requested information for each model of transmitter which will transmit channels of the same channel group. See reverse side for further instructions.)*

NO. | FCC TYPE ACCEPTANCE NO. | MAKE | MANUFACTURER

EMISSION DESIGNATOR 2

CLASS OF STATION: F = FIXED, M = MOBILE ►

IF MOBILE, ATTACH AS EXHIBIT C-1 A STATEMENT INDICATING THE SERVICE AREA.

MODE: A = ATTENDED, U = UNATTENDED, R = REMOTE CONTROL ►

IF UNATTENDED OR REMOTE CONTROL, ATTACH AS EXHIBIT C-2, THE APPROPRIATE SHOWING AS TO THE MANNER OF COMPLIANCE WITH SECTION 78.51 OR 78.53 OF THE RULES.

Check (✓) the path numbers that this transmitter(s) feeds. ►

2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

INDICATE THE MICROWAVE CHANNEL GROUP ►

MICROWAVE CHANNELS	CALL SIGN OF TELEVISION BROADCAST STATION TO BE RELAYED OR THE 3 APPROPRIATE CODE	SOURCE OF SIGNAL 4 CODE	SOURCE OF SIGNAL 4 MICROWAVE STATION CALL SIGN OR FILE NO. OF PENDING APPL.	AUTHORIZATION CODE 5
01				
02				
03				
04				
05				
06				
07				
08				
09				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				

MICROWAVE CHANNELS	CALL SIGN OF TELEVISION BROADCAST STATION TO BE RELAYED OR THE 3 APPROPRIATE CODE	SOURCE OF SIGNAL 4 CODE	SOURCE OF SIGNAL 4 MICROWAVE STATION CALL SIGN OR FILE NO. OF PENDING APPL.	AUTHORIZATION CODE 5
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				

1/ Indicate the number of transmitters with the same FCC type acceptance number which will transmit channels of the same channel group.

2/ Indicate the emission designator of the transmitter. If the transmitter will operate with more than one emission designator, for example if it will have different emissions for aural and visual components of the signal(s) relayed, indicate all designators, separating the designators by an oblique line (/). If all of the channels will not have the same emission, attach as Exhibit C-3 a list of the channels indicating their emission.

3/ Indicate the call sign of the television broadcast station to be relayed on each microwave channel during the majority of the transmitting hours. If more than one television broadcast station is to be carried on a microwave channel, attach as Exhibit C-4 a statement indicating the call sign(s) of the additional television broadcast station(s) relayed on each microwave channel. If a microwave channel(s) will relay the signals of standard or FM radio broadcast stations during the majority of the transmitting hours, enter the code letters AM or FM, whichever is appropriate, adjacent to the microwave channel so used; and attach as Exhibit C-5 a statement indicating whether the radio signals relayed will be all-band or indicating the call signs of particular standard or FM radio stations. If a microwave channel(s) will relay nonbroadcast programming, enter the appropriate code adjacent to the microwave channel so used. The nonbroadcast codes are as follows (use as many codes as are applicable):

Public Access - PA
Governmental Access - GA
Educational Access - EA
Leased Access - LA
Automated Origination - AO
Non-automated Origination - NO
Pay Cable - PC
Control Signal - CS
Other - OH

If nonbroadcast programming will be relayed; include as Exhibit C-6 a statement indicating nature, source and extent of the programming.

4/ Indicate the source of the signal at the proposed station by the appropriate code (1= off air, 2= CARS, 3= Common Carrier, 4= pending CARS application, 5= pending Common Carrier application, 6= other) and give the call sign of the microwave station if the source is a CARS or Common Carrier station. If the source of the signal at the proposed station is a CARS or Common Carrier station for which an application is pending, enter code 4 or 5, and indicate the file number of the pending application (e.g., the CARS file number CAR-10063-01 would be indicated by only "10063;" and the Common Carrier file number 432-CF-MP-75 would be indicated by only "432-CF"). If other, enter code 6 and attach as Exhibit C-7 a complete explanation.

5/ Indicate by the appropriate code the authorization for the cable television system(s) to carry the signal(s) relayed (1= Certificate of Compliance, 2= pending Certificate of Compliance, 3= pre-February 15, 1966, 4= former Section 74.1105, 5= more than one of the foregoing codes, 6= other). If the authorization is not the same for each cable television system, enter code 5. If the appropriate code is 5 or 6, attach as Exhibit C-8 a complete explanation.

Page _____ of _____

FCC Form 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE D. Site Search and Data *(File a separate Schedule D for each transmit, receive, and passive repeater site. See reverse side for further instructions.)*

LEGAL NAME OF APPLICANT *(If person list last name first)*

CONTINUE NAME HERE IF NEEDED

If a receive or passive repeater site, indicate the number of the path which feeds this site. If transmit site enter number 00. ► NO.

Draw a vertical profile sketch of the complete antenna support structure in this space.

If the structure is proposed, indicate the call sign of any Standard Broadcast station transmitter located within 1.0 kilometer (0.62 mile) of the proposed structure. ► CALL SIGN

If the applicant proposes construction of a major communications facility as defined in Part 1, Subpart I, of the Commission's Rules, attach as Exhibit D-1 a statement containing the information required in Subpart I.

If these facilities will be mounted on an antenna support structure previously authorized by the Commission, include as Exhibit D-2 a statement identifying the licensee or permittee; call sign, service of station, and current obstruction lighting (list by reference applicable paragraphs of FCC Form 715).

Construction of certain structures and alterations to structures may require notification to the Federal Aviation Administration (FAA). (See Section 17.7 of the Rules.) If such a notification was made, and the construction or alteration is proposed, attach as Exhibit D-3 a copy of such notification.

If the structure will be located on land under the jurisdiction of the U.S. Forest Service, the U.S. Department of Agriculture, or the Bureau of Land Management, the U.S. Department of Interior, certification shall be made as Exhibit D-4 that approval has been received from the appropriate agency for the use of the site, subject to the grant of this application.

NOTE: 1.0 foot = 0.3048 meter
1.0 meter = 3.2808 feet

OHAGL of complete structure ►	feet	=	meters
OHAGL of building (if any) ►	feet	=	meters
Height of ground AMSL	feet	=	meters
North Latitude ►	°	'	"
West Longitude ►	°	'	"

SITE COMMUNITY

COUNTY

LOCATION (STREET ADDRESS OR DISTANCE AND DIRECTION OUTSIDE THE COMMUNITY)

STATE

Page ____ of ____

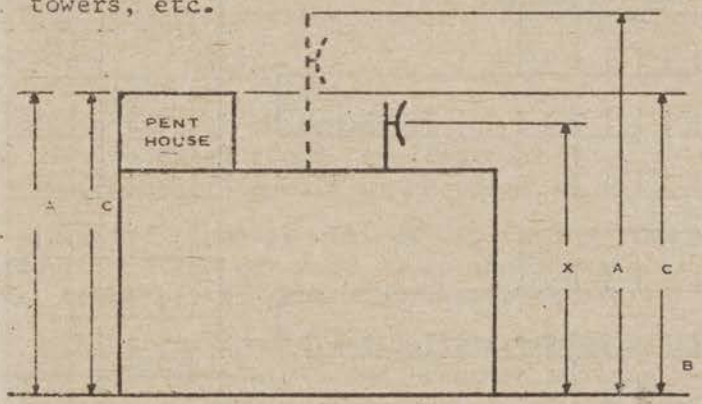
Sketch: The sketch should be a vertical profile of the antenna support structure. The sketch should show the antenna support structure in its entirety, whether it is a tower, building, or other. If the antenna support structure is to be mounted on a building, include the complete structure, e.g., penthouses and chimneys. The sketch should include:

1. Proposed and existing CARS station antenna installation including parabolic dishes and passive reflectors. In the case of a periscope configuration where the antenna and reflector are not co-mounted on the same structure, include both antenna support structures.
2. All other top-mounted devices, e.g., whip or search antenna(s) or obstruction lighting which contribute to the overall height of the structure.
3. Any base on which the support structure is mounted.

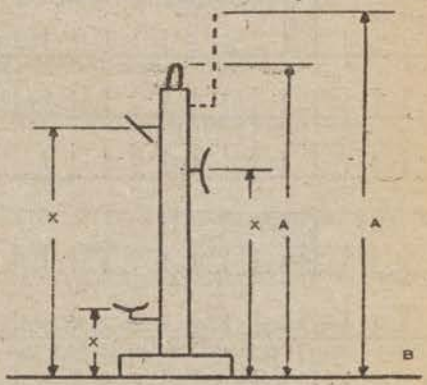
If a particular site will have two or more antenna support structures associated with this application, e.g., two towers in close proximity or two separate buildings, submit a separate sketch for each support structure.

Representative sketches showing components whose elevations should be included are given below:

Sketch 1: Applies to antenna structures mounted on buildings, water or fire towers, etc.



Sketch 2: Applies to antennas mounted on conventional towers, masts, poles, etc.



A is the total overall height above ground level (OHAGL) of the antenna support structure including all appurtenances. A includes all penthouses and chimneys if the support structure is a building as in sketch 1, and top-mounted obstruction lighting which contributes to the overall height of the support structure as in sketch 2. Note that A includes any base that the tower might be mounted on. Note also that A includes any top-mounted devices such as whip antennas as shown in the dotted portion of sketch 2.

B is the elevation of the ground above mean sea level (AMSL) at the antenna support structure site.

C is the overall height above ground level (OHAGL) of the building, if applicable. Note that C will not equal A if the antenna tower extends above the topmost point of the building (see dotted portion of sketch 1).

X is the center height above ground level (AGL) of the antenna(s) and reflector(s) which should be used when stating the height(s) of these components.

Page ____ of ____

FCC Form 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE E. Path Data *(Each Schedule E should contain information for one path only, should list all the cable television systems served from the receive site, and should list all the microwave channels transmitted on this path and the transmit antenna input power for each channel. See reverse side for further instructions.)*

PATH NUMBER 1/ ►

TRANSMIT ANTENNA MODEL NUMBER 2/			TRANSMIT ANTENNA MAKE (MANUFACTURER)				HEIGHT (AGL) FT.	=	METERS
SECOND TRANSMIT ANTENNA MODEL NUMBER (IF USED) 2/			SECOND TRANSMIT ANTENNA MAKE (IF USED)				HEIGHT (AGL) FT.	=	METERS
	TRANSMIT REFLECTOR SIZE ►	FEET X FEET =	METERS X METERS	SHAPE CODE ►		CURVATURE CODE ►	HEIGHT (AGL) FT.	=	METERS
RECEIVE ANTENNA MODEL NUMBER 2/			RECEIVE ANTENNA MAKE (MANUFACTURER)				HEIGHT AGL) FT	=	METERS
	RECEIVE REFLECTOR SIZE ►	FEET X FEET =	METERS X METERS	SHAPE CODE ►		CURVATURE CODE ►	HEIGHT (AGL) FT.	=	METERS

PATH DATA 3/ — PATH DISTANCE ► MILES = KM. — TRANSMITTING AZIMUTH ► °

If Part 78 of the Rules requires a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable, attach as Exhibit E-1 such a statement.

If any of the programming relayed on this path will not be delivered to a cable television system(s), attach as Exhibit E-2 a statement identifying such cable system(s) and identifying such programming the cable system system(s) will receive.

Indicate below all Cable Television Systems to be served from the receive site. 5/

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

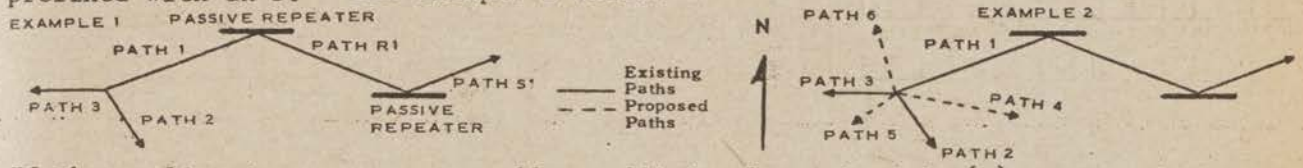
LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

Indicate below the Microwave Channels to be relayed on this path and the Antenna Input Power 4/

Channel designator	Antenna input power (dBm)

1/ Path Number: Paths shall be numbered consecutively starting clockwise at true north. In the case of a path which utilizes a passive repeater(s), each component path to and from the repeater(s) shall be considered separately. The path from the transmitting antenna to the first passive repeater shall be numbered in accordance with the procedure given above; the path from the first repeater to the receiving antenna or second repeater (if any) shall be labeled with the same path number as the initial portion of the total path but shall be prefixed with an R; the path from the second repeater to the receive antenna should be numbered similarly but prefixed with an S. See Example 1 below:



If the application proposes to add an additional receive site(s) to an existing station, the new path(s) shall be numbered sequentially. See Example 2.

2/ Transmit and Receive Antennas: For the antennas used to transmit and receive on a particular path, the antenna manufacturer, model number, and height of the center of the antenna above ground level (AGL) shall be stated in the appropriate spaces. If a second transmit antenna will be utilized on the path, include the foregoing information in the spaces provided. If a periscope configuration will be utilized for either the transmit or receive antennas, the following information shall be provided in the appropriate spaces: size of reflector (give smallest and largest dimensions), height above ground level (AGL) of center of reflector, and reflector configuration. Use the two character code given below, e.g., 2 F.

SHAPE	CURVATURE
1- round or elliptical	F- flat
2- square or rectangular	P- parabolic
3- truncated round or elliptical	
4- truncated square or rectangular	

If a passive repeater will be utilized on the path, include (in the spaces set aside for reflector) data as to the repeater's size and the height above ground level (AGL) of the center of the repeater.

3/ Path Data: The following information shall be provided in the appropriate spaces: path distance (from transmit antenna to receive antenna--if there is an intervening passive repeater(s), do not use total path length, use distance to or from repeater as appropriate), and azimuthal angle of path (to nearest tenth of a degree--again in the case of a passive repeater(s), use azimuth of applicable portion of total path).

4/ Channel Designator and Antenna Input Power: The microwave channel(s) to be transmitted along a particular path should be listed by its proper designator(s) including channel group, number, and polarization. Associate with each channel designator the antenna input power (after waveguide and multiplexing losses) for that particular channel.

5/ Cable Television Systems to be Served from the Receive Site: Include cable television systems that will be served from the path's receive site. If the path will perform a repeater function, i.e., will serve no cable television system at the receive site, no system should be listed. For each cable television system listed, include the following in the appropriate spaces: name of community served by the cable television system, FCC community unit code (e.g., NJ2101), legal name of operator (if individual, last name first), and name for doing business in cable television system community (if different from legal name). If more space is needed for listing the cable television systems served or the microwave channels to be relayed, use additional Schedules E.

[FR Doc.76-1935 Filed 1-22-76;8:45 am]

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