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federal register

Tuesday
February 19, 1980

Highlights

10749 **World Trade Week, 1980** Presidential proclamation

10837-10839 **Minority Business** Commerce/MBDA solicits applications for projects which will serve Alabama; South Bronx area of New York; Chicago; and Richmond, Virginia (4 documents)

10821 **Law School Clinical Experience Program** HEW/OE proposes regulations to govern the award of grants; comments by 4-21-80

10794 **Summer Youth Recreation Program** CSA notifies eligible applicants that variation of A-95 Clearinghouse process which was granted in FY 1979 is no longer in effect; effective 3-20-80

10990 **Three Mile Island** NRC extends time to determine whether accident constitutes "extraordinary nuclear occurrence"; extended to 3-14-80

10809 **Black Lung** HEW/SSA plans to publish proposed regulations to enable us to recover overpayment of benefits made to miners

11108 **Passengers Safety Orientation** DOT/CG issues regulations requiring operators of small passenger carrying vessels to conduct safety orientation; effective 4-1-80 (Part III of this issue)

CONTINUED INSIDE

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Area Code 202–523–5240

Highlights

10820 **"Release of Adverse Information to the News Media"** HEW/Office of the Secretary issues proposed regulations making it easier for people to understand how they can obtain retraction or correction when the Department has issued an incorrect statement; comments by 4–21–80

10796 **Standards Enforcement and Defects Investigation** DOT/NHTSA issues regulations codifying existing agency procedures; effective 3–20–80

10752 **National School Lunch** USDA/FNS apportions child care food service equipment assistance funds among States for FY 1980; effective 2–4–80

10789 **Federal Procurement Regulations** GSA amends regulations to provide a new disputes clause and related procedures for use in Government contracts; effective 2–19–80

10754 **Disaster Loans** SBA issues regulations decentralizing approval authority to Regional Administrators for determining substantial hardship; effective 2–19–80

10810 **Food Labeling** HEW/FDA, USDA/FSQS, and FTC extends comment period to 4–21–80 for submitting comments stating agencies' tentative positions

10824, 10825, 10840 **Privacy Act** USDA/FS/SCS and DOD/Marine Corps publishes documents affecting the systems of records

10848, 10882 **Educational Data Acquisition** HEW/Office of the Secretary issues list of education data acquisition activities for school year 1980–81 (2 documents)

10786 **Federal Procurement Regulations** GSA amends regulations to revise the contract cost principles on compensation for personal services; effective 2–19–80

10902 **Community Education Program** HEW/OE gives notice of intention to extend closing date for submission of applications

11082 **Food and Nutrition** CSA issues proposal revising its policy statement; comments by 3–20–80 (Part II of this issue)

10997 **Treasury Notes** Treasury invites tenders for Series P–1982

11000 **Sunshine Act Meetings**

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Presidential Documents

Title 3—

The President

Proclamation 4722 of February 14, 1980

World Trade Week, 1980

By the President of the United States of America

A Proclamation

The United States has set out with vigor and determination to implement the historic trade agreements concluded in the Tokyo Round of the Multilateral Trade Negotiations. The Administration has conducted a major reorganization of the Federal Government's trade functions in order to take greater advantage of the opportunities these agreements offer. The 1980s begin to emerge as a time both of challenge and renaissance in the world of international commerce. They will be America's decade for trade.

Expanded world trade contributes to the growth of economies throughout the world and opens new avenues of cooperation that serve us in our quest for peace and human rights.

Increased U.S. exports will mean more jobs for American workers, new markets for American business, more secure income for American farmers, a strengthened American dollar and lower costs for American consumers. Trade promotes our economic health and moves us closer to our goal of a prosperous and secure America at peace with the world.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim the week beginning May 18, 1980, as World Trade Week, and I request all Americans to cooperate in observing that week by participating with the business community and all levels of Government in activities that emphasize the importance of world trade to the United States economy and to our relations with other nations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of February, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

Jimmy Carter

[FR Doc. 80-5338
Filed 2-15-80; 11:28 am]
Billing code 3195-01-M

Rules and Regulations

Federal Register
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Tuesday, February 19, 1980

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 213

Excepted Service; Entire Civil Service

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: This amendment authorizes the exception under Schedule B for periods not exceeding three years for participants in Senior Executive Service Candidate Development Programs who are selected from outside the career service. This amendment is authorized because it is impractical to competitively examine for these positions.

EFFECTIVE DATE: February 6, 1980.

FOR FURTHER INFORMATION CONTACT: James Dullea, Office of Personnel Management, 202-632-4661.

Office of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, 5 CFR 213.3202 (f) through (i) are reserved, and (j) is added to read as follows:

§ 213.3202 Entire executive civil service.

* * * * *

[(f) through (i) Reserved]

(j) Special executive development positions established in connection with Senior Executive Service candidate development programs which have been approved by OPM. A Federal agency may make new appointments under this authority for any period of employment not exceeding three years for one individual.

[FR Doc. 80-5264 Filed 2-15-80; 8:45 am]
BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegations of Authority by the Secretary of Agriculture and General Officers of the Department

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document revises the delegations of authority to reflect establishment of the position of Assistant Secretary of Agriculture for Governmental and Public Affairs.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Edwardene P. Rees, Management Staff, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-6983.

SUPPLEMENTARY INFORMATION: The delegations of authority are being amended to reflect the establishment of the position of Assistant Secretary of Agriculture for Governmental and Public Affairs as a General Officer of the Department. The Assistant Secretary will head the Office of Governmental and Public Affairs. In conjunction with the establishment of this new position, the position of Director, Office of Governmental and Public Affairs has been abolished.

Accordingly, 7 CFR Part 2 is amended as follows:

Subpart A—General

1. Section 2.4 is amended to read as follows:

§ 2.4 General officers.

The work of the Department is under the supervision and control of the Secretary, who is assisted by the following general officers: the Deputy Secretary; the Under Secretary for International Affairs and Commodity Programs; the Assistant Secretary for Natural Resources and Environment; the Assistant Secretary for Food and Consumer Services; the Assistant Secretary for Marketing and Transportation Services; the Assistant Secretary for Rural Development; the Assistant Secretary for Governmental and Public Affairs; the General Counsel; the Director of Economics, Policy Analysis and Budget; the Assistant Secretary for Administration; the Inspector General; the Judicial Officer; and the Director, Science and Education.

§ 2.5 [Amended]

2. Section 2.5(b) is amended by deleting the word "and" before the term "the Assistant Secretary for Rural Development", by adding a semicolon after that term and inserting "and the Assistant Secretary for Governmental and Public Affairs".

3. The title of Subpart C is amended as follows:

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretary for International Affairs and Commodity Programs, Assistant Secretaries, and the Director of Economics, Policy Analysis and Budget

4. The heading and preamble of § 2.29 are amended to read as follows:

§ 2.29 Delegations of authority to the Assistant Secretary for Governmental and Public Affairs.

The following delegations of authority are made by the Secretary of Agriculture to the Assistant Secretary for Governmental and Public Affairs:

* * * * *

5. A new Subpart M is added as follows:

Subpart M—Delegations of Authority by the Assistant Secretary for Governmental and Public Affairs

§ 2.96 Deputy Assistant Secretary for Governmental and Public Affairs.

(a) *Delegations.* Pursuant to § 2.29 and subject to policy guidance and direction by the Assistant Secretary, the following delegation of authority is made by the Assistant Secretary for Governmental and Public Affairs to the Deputy Assistant Secretary for Governmental and Public Affairs, to be exercised only during the absence or unavailability of the Assistant Secretary:

(1) Perform all duties and exercise all powers which are now or which may hereafter be delegated to the Assistant Secretary for Governmental and Public Affairs.

(5 U.S.C. 301 and Reorganization Plan No. 2 of 1953)

Dated: January 21, 1980.

For Subparts A and C:

Bob Bergland,

Secretary of Agriculture.

James Webster,

Assistant Secretary for Governmental and Public Affairs.

[FR Doc. 80-5087 Filed 2-15-80; 8:45 am]

BILLING CODE 3410-01-M

Food and Nutrition Service

7 CFR Part 226

Initial Apportionment of Fiscal Year 1980 Child Care Food Service Equipment Assistance Funds

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

SUMMARY: This rule apportions child care food service equipment assistance funds among States in compliance with Section 17(n)(1) of the National School Lunch Act, as amended by Pub. L. 95-627.

EFFECTIVE DATE: February 4, 1980.

FOR FURTHER INFORMATION CONTACT: Jordan Benderly, Director, Child Care and Summer Programs Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, 202-447-8211.

PART 226—CHILD CARE FOOD PROGRAM

7 CFR Part 226 is amended by adding the following appendix to read as follows:

Appendix—Initial Apportionment of Fiscal Year 1980 Child Care Food Service Equipment Assistance Funds pursuant to the National School Lunch Act.

Pursuant to Section 17(n)(1) of the National School Lunch Act, as amended by Pub. L. 95-627, Child Care Food Service Equipment Assistance funds available for the fiscal year ending September 30, 1980, are apportioned among the States as follows:

State	Total apportionment
Connecticut	$58,454
Maine	33,694
Massachusetts	137,408
New Hampshire	19,140
Rhode Island	22,416
Vermont	14,248
Delaware	14,858
District of Columbia	18,722
Maryland	96,912
New Jersey	174,196
New York	406,332
Pennsylvania	295,036
Virginia	131,810
Virgin Islands	4,620
West Virginia	58,912
Alabama	137,872
Florida	246,258
Georgia	181,402
Kentucky	108,884
Mississippi	110,366
North Carolina	162,498
South Carolina	104,372
Tennessee	136,954
Illinois	291,590
Indiana	127,176
Michigan	201,444
Minnesota	84,854
Ohio	309,594
Wisconsin	101,118
Arkansas	85,928
Louisana	140,716
New Mexico	50,078
Oklahoma	88,172
Texas	525,236
Colorado	69,196
Iowa	58,546
Kansas	57,690
Missouri	129,932
Montana	24,336
Nebraska	42,830
North Dakota	20,636
South Dakota	23,170
Utah	51,864
Wyoming	11,018
Alaska	13,702
Arizona	92,832
California	493,892
Hawaii	38,362
Idaho	29,850
Nevada	17,032
Northern Marianas	326
Oregon	51,252
Trust Territory	1,856
Washington	90,406
Total	6,000,000

(Sec. 2, Pub. L. 95-627, 92 Stat. 3610).

Note.—The Food and Nutrition Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: February 4, 1980.

Robert Greenstein,

Administrator.

[FR Doc. 80-5291 Filed 2-19-80; 8:45 am]

BILLING CODE 3410-30-M

Animal and Plant Health Inspection Service

9 CFR Part 92

Pet Birds

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final Rule.

SUMMARY: This document amends the regulations (9 CFR Part 92) to provide an alternate procedure for the re-entry of certain pet birds into the United States from a foreign country; establish procedures for transporting pet birds imported at certain ports where no quarantine facilities presently exist to quarantine stations at other ports; and amend the method in which payment of a reservation fee may be made for pet birds imported into the United States. These changes are necessary to relieve certain restrictions on the importation of certain pet birds and to facilitate the importation of pet birds into the United States.

EFFECTIVE DATE: February 19, 1980. Comments must be received on or before: April 4, 1980.

ADDRESS: Send comments to Deputy Administrator, USDA, APHIS, VS, Room 815, Federal Building, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT: Dr. Sam Richeson, USDA, APHIS, Import/Export Staff, Room 817, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8170.

SUPPLEMENTARY INFORMATION: On July 20, 1979, there was published in the **Federal Register** (44 FR 42670-42673) an amendment to the regulations (9 CFR Part 92) to revise the manner in which pet birds are imported into the United States to prevent the undue risk of spread of disease, and to provide for the recovery of costs incurred by Veterinary Services in providing services required by the importer which are associated with the importation of such birds.

The amendment in general required pet birds imported into the United States to be accompanied by a veterinary health certificate; that a request for quarantine space be made by the importer and the request be accompanied by a reservation fee prior to the importation of the birds; that a 30-day quarantine period at the owner's expense be completed at a USDA quarantine facility located at specifically designated ports of entry. The amendment also provides for the re-entry of pet birds of United States origin which have not been out of the country for more than 60 days, when such birds are accompanied by a United States veterinary health certificate issued prior to their departure from the United States and they are identified to confirm that they are the same birds that left the United States within the previous 60 days.

The Department has determined that pet birds of United States origin that must be returned within 60 days or be subject to a 30-day quarantine period at owner expense is unnecessarily restrictive. A significant segment of United States residents work, travel or live in other countries for periods in excess of 60 days. Pet birds certified by a veterinarian as being healthy prior to export from the United States, which the owner can certify as not having contact with poultry or other birds while out of the country and which can be maintained for inspection and testing

subsequent to physical entry into the United States would not present an undue risk of introducing a disease.

Therefore, pet birds of United States origin, when accompanied by a United States veterinary health certificate issued prior to their departure from the United States, identified by a leg band or tattoo number affixed to the birds prior to departure from the United States to confirm that they are the same birds that left the United States and which have been out of the country for more than 60 days, may be permitted entry when the owner agrees to maintain the birds in confinement in a place specified by the owner for a minimum of 30 days following importation.

Further, additional disease control would be provided by the birds being required to be made available at a premises specified by the owner for health inspection and testing by Department inspectors upon request; and agreement by the owner of such imported bird to notify designated Federal officials in the State of destination should a bird show signs of disease or die.

Unanticipated delays in obtaining adequate sites at the ports of New York, New York, and Brownsville, Texas, and sufficient biologically secure isolation units to quarantine pet birds separate and apart from all other avian species will require pet birds entered at these ports to be transported to facilities at other locations for quarantine and testing.

Sites for quarantine facilities are not presently available at the ports of entry at Brownsville, Texas, and New York, New York. Pet birds entered at the port of Brownsville, Texas, will be transported for quarantine to the USDA quarantine facility at Mission, Texas, and pet birds entered at the port of New York, New York, will be transported to the USDA Animal Import Quarantine Center at Newburg, New York, as long as space is available at those sites, and until quarantine facilities are available at such ports. Also, as the Department has been temporarily unable to provide the necessary quarantine facilities for pet birds entered at these ports, transportation from these specified ports of entry to the respective alternate quarantine facility will be at the Department's expense, provided space is available and the importer deposits the $40 registration fee as required by the regulations in Part 92.

Following the isolation period, if the birds are found to be free from communicable disease of poultry, the birds will be returned to the respective ports of entry at the expense of the Department in order that an agriculture release for entry through U.S. Customs may be issued.

This document also amends section § 92.4(a)(4) concerning the requirement that the $40 reservation fee for pet birds quarantined at USDA quarantine facilities shall be in the form of a certified check or U.S. Money Order. The regulations require that an importer of pet birds, which must be quarantined prior to release for unrestricted movement into the United States, should request a reservation for the pet bird in a USDA quarantine facility prior to arrival of the pet bird in the United States. Such request is to be accompanied by a reservation fee of $40 payable by certified check or money order. However, the regulations also permit an importer who brings pet birds to the United States without having first obtained a reservation at a USDA quarantine facility, to quarantine his birds if space is available and the $40 fee is paid. It has been determined that such an importer may have great difficulty in securing a certified check or money order at the port of entry and, therefore, an additional method of payment of the reservation fee (personal check) will be authorized. Payment in cash has not been authorized because of the problems this may create for the port inspector insofar as handling the funds.

Accordingly, Part 92, Title 9, Code of Federal Regulations, is amended in the following respects:

§ 92.2 [Amended]

1. Section 92.2(c)(2) is redesignated § 92.2(c)(2)(i) and the last sentence of redesignated § 92.2(c)(2)(i) is deleted.

2. Section 92.2(c)(2)(ii) is added to read:

* * * * *

(c) * * *

(2)(i) * * *.

(ii) Lots of pet birds of United States origin which have been outside the United States for more than 60 days which are found upon port of entry veterinary inspection to be free of poultry diseases, and that otherwise meet the requirements of subparagraph (2)(i) of this paragraph, may be imported by the owner thereof if, the owner importing such birds signs and furnishes to the Deputy Administrator, Veterinary Services, the following:

(A) A notarized declaration under oath or affirmation (or a statement signed by the owner and witnessed by a Department inspector) stating that the bird or birds have not been in contact with poultry or other birds while out of the country (For example, association with other avian species at exhibitions or at aviaries); and

(B) An agreement on VS Form 17–8, obtainable from a Federal inspector at the port of entry, stating (*1*) that the birds will be maintained in confinement in his personal possession separate and apart from all poultry and other birds for a minimum of 30 days following importation at the address where the birds are to be held and made available for health inspection and testing by Department inspectors upon request until released at the end of such period by such an inspector and (*2*) that appropriate Federal officials in the State of destination will be immediately notified if any signs of disease are noted in any of the birds or any bird dies during that period. The owner importing such birds must comply with the provisions of the aforementioned agreement before the birds may be released from confinement. Lots of pet birds of United States origin which do not otherwise meet the requirements of paragraphs (c)(1) or (c)(2) of this section may be offered for entry under the provisions of paragraph (c)(3) of this section.

3. In § 92.2(c)(3)(ii) the third sentence is amended to read:

* * * * *

(c) * * *

* * * * *

(ii) * * * However, such pet birds may be transported at the owner's expense to another port of entry designated in § 92.3 if available quarantine space exists, if the $40 reservation fee is paid by the importer and the birds are shipped to such other port under conditions deemed sufficient by the Deputy Administrator to prevent the spread of communicable diseases of poultry: *Provided*, That pet birds arriving with or without an advance reservation at the port of Brownsville, Texas, will be transported at Department expense to the quarantine facility at Mission, Texas, if available quarantine space exists at that facility, until quarantine facilities are available at Brownsville, Texas; and pet birds arriving with or without an approved reservation entered at the port of New York, New York, will be transported at Department expense to the quarantine facility at Newberg, New York, if available quarantine space exists at the facility, until quarantine facilities are available at New York, New York. Following the isolation period, if such birds are found to be free from communicable diseases of poultry, the birds shall be returned at Department expense to the respective ports of Brownsville, Texas, or New York, New York, as appropriate, for Agriculture release for entry through U.S. Customs.

4. In § 92.4(a)(4) the second sentence is amended to read:

§ 92.4 Import permits for ruminants, swine, horses from countries affected with CEM, poultry, poultry semen, animal semen, birds, and for animal specimens for diagnostic purposes, and special permits for cattle entering Harry S. Truman Animal Import Center.

(a) * * *

* * * * *

(4) * * *Such fee shall be in the form of a certified check or U.S. Money Order and will be returned to the payee if the permit requested is not issued; *Except,* That the reservation fee for pet birds may be paid by personal check.

(Sec. 2, 32 Stat. 792, as amended; secs. 2, 3, 4, and 11, 76 Stat. 129, 130, 132 (21 U.S.C. 111, 134a, 134b, 134c, and 134f); 37 FR 28464, 28477; 38 FR 19141)

These amendments remove certain restrictions and amend procedures for pet birds imported pursuant to regulations which became effective January 15, 1980, and therefore, must be made effective immediately to accomplish their purpose in the public interest. It does not appear that public participation in the rulemaking procedure would make additional relevant information available to this Department.

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this final rule are impracticable and contrary to the public interest and good cause is found for making this final rule effective less than 30 days after publication of this document in the **Federal Register.**

Further, this final rule has not been designated as "significant," and is being published in accordance with the emergency procedures in Executive Order 12044 and Secretary's Memorandum 1955. It has been determined by Dr. M. J. Tillery, Director, National Program Planning Staffs, VS, APHIS, USDA, that the emergency nature of this final rule warrants publication without opportunity for public comment and preparation of an impact analysis statement at this time.

This final rule will be scheduled for review under provisions of Executive Order 12044 and Secretary's Memorandum 1955.

Comments concerning the amendment are presently being sought as part of this review and must be received on or before March 31, 1980.

The comment period provided in this document will permit additional participation in the rulemaking process. The Department's response to additional comments will be published in a future edition of the **Federal Register.** All written submissions made pursuant to this rule will be made available for public inspection at the Federal Building 6505 Belcrest Road, Room 821, Hyattsville, Maryland 20782, during regular hours of business (8 a.m. to 4:30 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the **Federal Register.**

Done at Washington, D.C., this 12th day of February 1980.

Pierre A. Chaloux,

Deputy Administrator, Veterinary Services.

[FR Doc. 80-5084 Filed 2-15-80: 8:45 am]

BILLING CODE 3410-34-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 123

[Rev. 9, Amdt. 16]

Disaster Loans; Decentralization of Loan Approval Authority, Change of Interest Rates

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: SBA is decentralizing approval authority to Regional Administrators for determining substantial hardship and approving SBA's share of a direct or participation loan to a small business concern exceeding $500,000. Formerly, approval authority and hardship determinations were required to be made by the Administrator. Relief from this restriction is effected by this amendment. The amendment permits delegation of such authority.

The change in our procedures is based on providing a final decision to the loan applicant within a reasonable period of time, and a need to provide Regional Administrators with sufficient authority to execute the Disaster Assistance Program effectively.

In addition, changes in interest rates for direct loans made as a result of physical disasters occurring on or after October 1, 1978, and prior to October 1, 1982, and for various economic injury loan programs necessitate additional amendment of these regulations to conform to statutory changes.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. John E. Moore, Office of Disaster Loans, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416, (202) 653-6879.

SUPPLEMENTARY INFORMATION: Because portions of this Amendment effect legislative changes and the remainder pertain to internal agency procedures, proposed rulemaking and public participation thereon as prescribed in 5 U.S.C. 553 is not required and this Amendment to Part 123 is adopted without resort to those procedures.

Accordingly, pursuant to authority of Section 5(b)(6) of the Small Business Act 15 U.S.C. 634(b)(6), § 123.5 of Chapter I, Title 13 of the Code of Federal Regulations is amended as follows:

§ 123.5 [Amended]

In § 123.5(a)(1)(i), delete "Administrator" and substitute "Administration."

At the end of § 123.5(c)(2) and immediately preceding paragraph (d) thereof, insert a new § 123.5(c)(3) as follows:

* * * * *

(c) * * *

(3) On loans made as a result of a physical disaster occurring on or after October 1, 1978 and prior to October 1, 1982, the interest rates are:

(i) Three percent for loans or portions of loans to repair or replace real property used for a primary residence, or repair or replace any personal property.

(ii) The "statutory formula interest rate" for loans or portions thereof used for refinancing eligible under § 123.3(a)(2). The "statutory formula interest rate" is derived from the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eight of 1 per centum plus one-quarter of 1 per centum.

(iii) The statutory forumla interest rate for all loans to repair or replace homes which an applicant owns but does not use as a primary residence.

(iv) Five percent for all loans to businesses which, in SBA's judgment, are unable to obtain credit elsewhere: *Provided, however,* That the interest rate shall be the statutory formula interest rate for any loans or portion of loan used for refinancing. The applicable test for "credit elsewhere" is the availability of sufficient credit from non-federal sources on reasonable terms and rates, considering prevailing private rates and terms for similar purposes and periods of time in or near the community in which the concern transacts business. The statutory formula interest rate also applies to all loans to businesses which, in SBA's judgment, are able to obtain such credit elsewhere.

(v) The statutory formula (see item ii above) interest rate for all other loans.

(vi) All repayments of principal on the Administration's share of any loan made under the above provisions shall first be applied to reduce the principal of such portions of loans which bear interest at the lowest rate.

* * * * *

(Catalog of Federal Domestic Assistance Program Nos. 59.001, Displaced Business Loans; 59.002, Economic Injury Disaster Loans; 59.008, Physical Disaster Loans; 59.010, Product Disaster Loans; 59.014, Mine Safety and Health Loans; 59.017, Consumer Protection Loans; 59.018, Occupational Safety and Health Loans; 59.020, Base Closing Economic Injury Loans; 59.022, Emergency Energy Shortage Economic Injury Loans; 59.023, Strategic Arms Economic Injury Loans; 59.024, Water Pollution Control Loans; 59.025, Air Pollution Control Loans; 59.027, Economic Dislocation Loans; 59.028, Regulatory Loans)

Dated: February 5, 1980.

A. Vernon Weaver,

Administrator.

[FR Doc. 80-5019 Filed 2-15-80; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 79-EA-56; Amdt. 39-3699]

Airworthiness Directives; Canadair

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends AD 71-20-06, applicable to Canadair CL-44D4 type airplanes, which requires an inspection of the front spar horizontal stabilizer for cracks. This amendment revises the applicability paragraph to include CL-44J type airplanes and also increases the area of inspection from the vicinity of station 22 left and right to "all stations" from station 22 left to 22 right. This results from the discovery of additional cracks beyond the former areas of inspection.

EFFECTIVE DATE: February 21, 1980. Compliance is required as set forth in the AD.

ADDRESS: Canadair Service Bulletins may be acquired from the manufacturer at P.O. Box 6087, Montreal, Canada.

FOR FURTHER INFORMATION CONTACT: A. Maila, Airframe Section, AEA-212, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212-995-2875.

SUPPLEMENTARY INFORMATION: In view of the continuing air safety problem, notice and public procedure hereon are impractical, and the amendment may be made effective in less than 30 days.

Adoption of the Amendment

Accordingly, and pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by amending AD 71-20-06, as follows:

§ 39.13 [Amended]

1. Add "and CL-44]" after "CL-44D4" as it appears in the applicability statement.

2. Amended paragraph (a) to read as follows:

(a) Inspect horizontal stabilizer front spar web, spar cap, and local structure at all stations from station 22 left to station 22 right for cracks in accordance with the inspection procedure defined in paragraphs 3, 3.1, and 3.2 of Canadair Service Information Circular No. 377-CL-44 dated May 20, 1971, as amended by amendment A, dated May 15, 1979, or in accordance with an FAA approved, equivalent inspection.

Effective Date: This amendment is effective February 21, 1980.

(Secs. 313(a), 601 and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, and 1423; Sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c); and 14 CFR 11.89)

Issued in Jamaica, New York, on February 6, 1980.

Lonnie D. Parrish,

Acting Director, Eastern Region.

[FR Doc. 80-4871 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 80-CE-1-AD; Amendment 39-3675]

Airworthiness Directive; Cessna Model 441 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction of final rule.

SUMMARY: This action corrects a rule issued on January 14, 1980, and appearing in FR Doc. 80-2144 on page 5668 in the issue of Thursday, January 24, 1980, (80-CE-1-AD). A service bulletin number was incorrectly cited in the body of the Airworthiness Directive (AD) which necessitates this correction.

EFFECTIVE DATE: February 8, 1980.

FOR FURTHER INFORMATION CONTACT: Donald L. Page, Aerospace Engineer, Engineering and Manufacturing Branch, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 374-3446.

SUPPLEMENTARY INFORMATION: The FAA issued a Final Rule AD with an effective date of January 29, 1980. Twice in the body of the AD, Garrett AiResearch Service Bulletin TPE 331-73-0093 was erroneously cited as Garrett AiResearch Bulletin TPE 331-73-8893. Action is taken herein to make this correction. Since the change is editorial in nature, notice and public procedure thereon are not considered necessary.

In FR Doc. 80-2144 appearing on page 5668 in the **Federal Register** of January 24, 1980, make the following corrections:

(1) In Paragraph B1 "Garrett AiResearch Service Bulletin TPE 331-73-8893" should be corrected to read "Garrett AiResearch Service Bulletin TPE 331-73-0093"

(2) In the paragraph immediately following Paragraph D "Garrett AiResearch Service Bulletin TPE 331-73-8893" should be corrected to read "Garrett AiResearch Service Bulletin TPE 331-73-0093."

(Secs. 313(a), 601 and 603 of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421 and 1423; Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)); Sec. 11.89 of the Federal Aviation Regulations (14 CFR Sec. 11.89)

Issued in Kansas City, Missouri, on February 8, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-4872 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 79-NE-16, Amdt. 39-3698]

Airworthiness Directives; Sikorsky S-76A Series Helicopters Certificated in All Categories

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: On November 17, 1979, a telegraphic Airworthiness Directive (AD), T79-NE-16, was issued requiring initial fluorescent penetrant and recurrent visual inspections to detect cracking of the main rotor hub on Sikorsky Model S-76A helicopters. This action was required as a result of cracking found in a main rotor hub, and a defect in a certain batch of main rotor hubs was suspect.

This publishes that AD in the Federal Register.

DATES: This AD became effective upon receipt to all recipients of telegraphic

AD issued November 17, 1979. This amendment to FAR Part 39 becomes effective upon publication in the **Federal Register.** Compliance schedule—as prescribed in body of AD.

ADDRESSES: The applicable service bulletins may be obtained from Sikorsky Aircraft, Division of United Technologies Corporation, Stratford, Connecticut 06602.

A copy of the service bulletins is contained in the Rules Docket at the FAA New England Region Headquarters, Burlington, Massachusetts.

FOR FURTHER INFORMATION CONTACT: Stephen J. Soltis, Airframe Section, ANA–212, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone: (617) 273–7336.

SUPPLEMENTARY INFORMATION: On November 17, 1979, a telegraphic AD, T79–NE–16, was adopted and made effective immediately to all known United States operators of the Sikorsky S–76A helicopter. That AD required initial fluorescent penetrant and repetitive visual inspections for cracks in the main rotor hub. It also required replacement of these components prior to further flight if cracks were found.

The telegraphic AD was necessary because of cracking found in a main rotor hub. Corrective action was required to preclude potential structural failure of the hub and subsequent loss of a main rotor blade.

Since it was found that immediate corrective action was required, notice and public procedure thereon were impracticable and contrary to the public interest, and good cause existed for making the AD effective immediately to all known United States operators of Sikorsky Model S–76A helicopters by individual telegrams dated November 17, 1979.

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

Adoption of the Amendment

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an AD was adopted on November 17, 1979 (Docket No. 79–NE–16), and made effective immediately by telegram to all known United States operators of Sikorsky Model S–76A helicopters. These conditions still exist, and the AD as revised herein is hereby published in the **Federal Register** as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13):

§ 39.13 [Amended]

Sikorsky Aircraft. Applies to S–76A series helicopters certificated in all categories, S/Ns 76002, 76004, 76005, 76006, 76007, 760001 through 760029 inclusive.

Compliance required as indicated.

To prevent operation with a cracked main rotor hub, accomplish the following:

1. Compliance required prior to next flight unless previously accomplished.

a. Clean exterior forging main rotor hub, P/N 76103–08010–043, parting line area between inspection hole and damper attachment arm on each hub arm using a clean cloth damp with solvent, P–D–680 Type II CAUTION: Protect elastomeric bearing against cleaning and inspection solvents.

b. Conduct a fluorescent penetrant inspection per Spec MIL–I–6866, Type I, Method C, and visually inspect for cracks the exterior of the forging parting line surface areas.

c. If no crack indication is found, using a cloth damp with solvent, P–D–680 Type II, clean as much of the interior forging parting line area as is possible through the inspection hole in each hub arm.

d. Using a light and mirror, visually inspect internal forging parting line surface area for possible cracks.

e. If a crack is found, replace cracked main rotor hub with serviceable main rotor hub, prior to next flight, that has been inspected in accordance with the procedures found in this paragraph.

2. Compliance required prior to the first flight of each day.

a. Conduct visual inspections of the exterior and interior surfaces of the main rotor hub for cracks in the area described in Paragraphs 1(b) and 1(d) of this AD.

b. If a crack is found, replace cracked main rotor hub with serviceable main rotor hub, prior to next flight, that has been inspected in accordance with Paragraph 1 of this AD.

3. Report in writing any discrepancies found during the inspections required herein to Chief, Engineering and Manufacturing Branch, Federal Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803. Each report must include the length and location of the cracks and main rotor hub total time in service. Reporting approval by the Office of Management and Budget under OMB No. 04–R0174. Equivalent inspections and replacements must be submitted for approval to the Chief, Engineering and Manufacturing Branch, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803.

4. Aircraft may be ferried to a base for maintenance in accordance with Section 21.197 of the Federal Aviation Regulations.

Note.—Sikorsky References noted herein pertain to this AD:

1. Telex CST–SPT–252, dated November 15, 1979.

2. Alert Customer Service Bulletin No. 76–65–9, dated November 15, 1979.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89)

This AD became effective upon receipt to all recipients of the telegraphic AD issued November 17, 1979. This amendment to FAR Part 39 becomes effective upon publication in the **Federal Register.**

The manufacturer's procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Sikorsky Aircraft, Stratford, Connecticut 06602. These documents may also be examined at FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and at FAA Headquarters, 800 Independence Avenue, S.W., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its Headquarters in Washington, D.C., and at the FAA, New England Region Headquarters, Burlington, Massachusetts.

Note.—The Federal Aviation Administration has determined that this action is an emergency nonsignificant regulation under Executive Order 12044 as implemented by Department of Transportation Policies and Procedures (44 FR 11034, February 26, 1979). A final evaluation is contained in the Rules Docket.

Issued in Burlington, Massachusetts, on February 7, 1980.

Robert E. Whittington,

Director, New England Region.

[FR Doc. 80–4870 Filed 2–15–80; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 80–WA–2]

Alteration of Airways

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to change the description of the airspace excluded from Federal Airways V–132, V–350 and V–354 within a Military Operations Area (MOA). This action is required because the MOA has been reduced in size and renamed, and will result in a reduced portion of the federal airways being excluded within the MOA.

EFFECTIVE DATE: March 20, 1980.

FOR FURTHER INFORMATION CONTACT: George O. Hussey, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-3715.

SUPPLEMENTARY INFORMATION:

History

The purpose of this amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to describe those portions of the airspace excluded from Federal Airways V-132, V-350 and V-354 within the Eureka MOA during the time the MOA is activated. The existing MOA is sectorized in an East-West configuration and named Eureka I and Eureka II. Effective March 20, 1980, the military will reduce the size of the Eureka MOA and change the configuration to high and low sectors which will be named Eureka High and Eureka Low. Exclusion of airspace from airways within MOAs facilitates military training which is not compatible to airway operations. This action reduces the portion of airspace excluded from the affected airways within the Eureka High MOA and reflects a name change to the MOA. Because this amendment does not impose a burden or restriction on the public, I find that a notice of proposed rulemaking is unnecessary.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) changes the description of those portions of the airspace excluded from Federal Airways V-132, V-350 and V-354 within the Eureka High MOA when the MOA is activated.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (45 FR 307), is amended, effective 0901 GMT, March 20, 1980, as follows:

In § 71.123:

1. In V-132, "The airspace 6,000 feet MSL and above is excluded within the Eureka I MOA during the time it is activated by NOTAM and the Eureka II MOA during the time that it is activated by NOTAM" is deleted and "The airspace at and above 6,000 feet MSL from 9 nautical miles to 34 nautical miles northwest of Chanute VOR is excluded during the time that the Eureka High MOA is activated." is substituted therefor.

2. In V-350, "The airspace 6,000 feet MSL and above is excluded within the Eureka I MOA during the time that it is activated by NOTAM and the Eureka II MOA during the time that it is activated by NOTAM." is deleted and "The airspace at and above 6,000 feet MSL from 8 nautical miles to 54 nautical miles west of Chanute VOR is excluded during the time that the Eureka High MOA is activated." is substituted therefor.

3. In V-354, "The airspace 6,000 feet MSL and above is excluded within the Eureka I MOA during the time that it is activated by NOTAM." is deleted and "The airspace at and above 6,000 feet MSL from 45 nautical miles to 73 nautical miles north of Pioneer VORTAC is excluded during the time that the Eureka High MOA is activated." is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C., on February 12, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-5033 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-EA-1]

Designation of Controlled Airspace

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to include Restricted Area R-4007B, Patuxent River, Md., within controlled airspace which will thereby be made available for joint civil-military use.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: George O. Hussey, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-3715.

SUPPLEMENTARY INFORMATION:

History

On July 3, 1978, the FAA published a rule to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) which designated new Restricted Area R-4007B, Patuxent River, Md., (43 FR 28813). Normally in cases of this type, concurrent action is taken to designate applicable portions of the restricted airspace as controlled airspace to permit joint civil use of the affected airspace whenever the restricted area is not activated for its intended purposes. This was inadvertently omitted. Since this action restores airspace to public use, I find that a notice of proposed rulemaking is unnecessary, and because the action relieves a restriction on the public, publication in the **Federal Register** at least 30 days prior to effective date is not required.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) designates as controlled airspace Restricted Area R-4007B, Patuxent River, Md. This action makes provision for authorized flight operations of nonparticipating aircraft within the affected airspace when it is not being used for its designated purpose.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 71.151 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (45 FR 346) is amended, effective February 19, 1980 as follows:

In § 71.151, add "R-4007B Patuxent River, Md., until 1800 hours local time, January 1, 1982."

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C. on February 12, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-5032 filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Parts 71 and 75

[Airspace Docket No. 80-WA-1]

Fort Wingate, N. Mex.; Amendment to Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) to extend the time of designation of Restricted Area R-5114, Fort Wingate, N. Mex. Circumstances beyond the control of the using agency have caused a need to extend the time of designation until July 1, 1980.

EFFECTIVE DATE: March 20, 1980.

FOR FURTHER INFORMATION CONTACT:
George O. Hussey, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-3715.

SUPPLEMENTARY INFORMATION:

History

On January 10, 1980, the FAA proposed to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) to extend the time of designation of Restricted Area R-5114, Fort Wingate, N. Mex., located southeast of Gallup, N. Mex. (45 FR 2051). Interested persons were invited to participate in the rulemaking proceeding by submitting written comments on the proposal to the FAA. The comments received expressed no objection to the proposal. This rule is the same as the Notice of Proposed Rulemaking (NPRM) except that the amendatory language in the NPRM did not contain an amendment to Part 71 that is required for the joint use of the affected airspace. R-5114 provides airspace for launching Advanced Stategic Air Launched Missiles (ASALM). Military utilization of this airspace is approximately once a month for 15 minutes. Circumstances beyond the control of the using agency require an extension of the activity for which the area was established. R-5114 will continue to be designated as joint use so that maximum joint civil-military utilization can be realized. Parts 71 and 73 were republished in the **Federal Register** on January 2, 1980 (45 FR 346 and 711).

The Rule

These amendments to Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) extend the designated time of Restricted Area R-5114, Fort Wingate, N. Mex., to July 1, 1980. This action provides for the safe and efficient use of the navigable airspace by prohibiting unauthorized flight operations of nonparticipating aircraft within the joint use restricted airspace during the times that the area is in use by the military. The United States Air Force has stated that the requirements of the National Environmental Policy Act (NEPA) have been met.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) as republished (45 FR 346 and 711) are amended, effective 0901 GMT, March 20, 1980, as follows:

In § 71.151, under R-5114, Fort Wingate, N. Mex., "to 0001 local time April 1, 1980" is deleted and "to 0001 local time July 1, 1980" is substituted therefor.

In § 73.51, under R-5114, Fort Wingate, N. Mex., Time of designation; "through March 31, 1980" is deleted and "through June 30, 1980" is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C., on February 12, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-5035 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 10

[T.D. 80-68]

Free Withdrawal of Supplies and Equipment for Aircraft; Addition of Austria to the List of Qualified Countries

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to add Austria to the list of countries whose aircraft are exempt from the payment of Customs duties and internal-revenue taxes on supplies and equipment withdrawn from Customs or internal-revenue custody for use by the aircraft in certain circumstances. It has been determined that the Government of Austria allows substantially reciprocal privileges to United States-registered aircraft engaged in foreign trade. Based on this determination, a reciprocal exemption from duties and taxes has been granted to aircraft registered in Austria.

EFFECTIVE DATE: This exemption became effective on April 11, 1979.

FOR FURTHER INFORMATION CONTACT:
Benjamin H. Mahoney, Entry Procedures and Penalties Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5778).

SUPPLEMENTARY INFORMATION:

Background

Sections 309 and 317, Tariff Act of 1930, as amended (19 U.S.C. 1309, 1317), provide that foreign-registered aircraft engaged in foreign trade may withdraw articles of foreign or domestic origin from Customs or internal-revenue custody without the payment of Customs duties and/or internal-revenue taxes, for use as supplies (including equipment), ground equipment, maintenance, or repair of the aircraft. This privilege is granted if the Secretary of Commerce finds, and advises the Secretary of the Treasury, that the country in which the foreign aircraft is registered allows substantially reciprocal privileges to United States-registered aircraft. Section 10.59(f), Customs Regulations (19 CFR 10.59(f)), lists those countries whose aircraft have been found to be entitled to these privileges.

In accordance with 19 U.S.C. 1309(d), the Deputy Assistant Secretary of Commerce for International Economic Policy and Research, to whom the authority was delegated by the Secretary of Commerce (42 FR 44829, 43 FR 12056), has found, and by letter dated April 19, 1979, has advised the Secretary of the Treasury, that effective April 11, 1979, the Government of Austria allows privileges substantially reciprocal to those provided in 19 U.S.C. 1309 and 1317 to United States-registered aircraft engaged in foreign trade. Corresponding privileges accordingly are extended to aircraft registered in Austria and engaged in foreign trade, effective as of April 11, 1979.

Amendment to the Regulations

To reflect the granting of reciprocal privileges to aircraft of Austria, § 10.59(f), Customs Regulations (19 CFR 10.59(f)), is amended by inserting "Austria" in appropriate alphabetical order in the column headed "Country" and the number of this Treasury Decision in the opposite column headed "Treasury Decision(s)".

(Secs. 309, 317, 624, 46 Stat. 690, as amended 696, as amended, 759 (19 U.S.C. 1309, 1317, 1624))

Inapplicability of Public Notice and Delayed Effective Date Requirements

Because the subject matter of this document does not constitute a departure from established policy or procedures but merely announces the granting of an exemption for which there is a statutory basis, pursuant to 5 U.S.C. 553(b)(B)), notice and public procedure thereon are found to be unnecessary, and pursuant to 5 U.S.C. 553(d)(1), a delayed effective date is not required.

Regulations Determined To Be Nonsignificant

In a directive published in the **Federal Register** on November 8, 1978 (43 FR 52120), implementing Executive Order 12044, "Improving Government Regulations", the Treasury Department stated that it considers each regulation or amendment to an existing regulation published in the **Federal Register** and codified in the Code of Federal Regulations to be "significant". However, regulations which are nonsubstantive, essentially procedural, do not materially change existing or establish new policy, and do not impose substantial additional requirements or costs on, or substantially alter the legal rights or obligations of those affected, with Secretarial approval may be determined not to be significant. Accordingly, it has been determined that this document does not meet the Treasury Department criteria in the directive for "significant" regulations.

Drafting Information

The principal author of this document was Shannon McCarthy, Regulations and Research Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices of the Customs Service and the Department of Commerce participated in its development.

Dated: January 31, 1980.

Richard J. Davis,

Assistant Secretary of the Treasury.

[FR Doc. 80-5020 Filed 2-15-80; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

21 CFR Part 103

[Docket No. 76N-0236]

Bottled Water; Quality Standard; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The agency is confirming the effective date of July 1, 1979 for revisions to the quality standard for bottled water (21 CFR Part 103). The final rule for the revisions was published in the **Federal Register** of March 6, 1979 (44 FR 12169).

DATE: Effective date confirmed as July 1, 1979.

FOR FURTHER INFORMATION CONTACT: Howard N. Pippin, Bureau of Foods (HFF-312), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, 202-245-3092.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of June 21, 1976 (41 FR 24896) and January 4, 1977 (42 FR 806), the Food and Drug Administration proposed revisions to the quality standard for bottled water (21 CFR 103.35). The revisions dealt with maximum chemical contamination levels and radioactivity and were proposed in response to the National Interim Primary Drinking Water Regulations published by the EPA in the **Federal Register** of December 24, 1975 (40 FR 59566) and July 9, 1976 (41 FR 28402). After receiving and analyzing comments on the proposed revisions, the agency issued in the **Federal Register** of March 6, 1979 (44 FR 12169) a final rule for the quality standard. The effective date indicated for the final rule was July 1, 1979, unless objections were filed under section 701(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(e)) by April 5, 1979. No objections or requests for hearings relating to the final rule were filed with the agency. This notice confirms July 1, 1979 as the effective date of the final rule for the quality standard for bottled water.

Dated: February 12, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-5144 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Mebendazole With Trichlorfon

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Pitman-Moore, Inc., providing for safe and effective use of mebendazole with trichlorfon as an anthelmintic for horses.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV-114), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3420.

SUPPLEMENTARY INFORMATION: Pitman-Moore, Inc., Washington Crossing, NJ 08560, filed an NADA (100-402) providing for safe and effective use of mebendazole with trichlorfon in horses for the treatment of bot, large roundworm, large strongyle, small strongyle, and pinworm infections.

In accordance with the provisions of Part 20 (21 CFR Part 20) promulgated under the Freedom of Information Act (5 U.S.C. 552) and the freedom of information regulations in § 514.11(e)(2)(ii) of the animal drug regulations (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application is available for public examination at the office of the Hearing Clerk (HFA-305), Rm. 4-65, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), under authority delgated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.83), Part 520 is amended by adding new § 520.1326 to read as follows:

§ 520.1326 Mebendazole-trichlorfon oral.

(a) *Specifications.* Each gram of powder contains 83.3 milligrams of mebendazole and 375.0 milligrams of trichlorfon.

(b) *Sponsor.* See No. 011716 in § 510.600(c) of this chapter.

(c) *Conditions of use—Horses*—(1) *Amount.* 8.8 milligrams of mebendazole and 40 milligrams of trichlorfon per kilogram of body weight.

(2) *Indications for use.* It is used in horses for the treatment of infections of bots (*Gastrophilus intestinalis* and *G. nasalis*), large roundworms (*Parascaris equorum*), large strongyles (*Strongylus edentatus, S. equinus, S. vulgaris*), small strongyles, and pinworms (*Oxyuris equi*).

(3) *Limitations.* Administer orally as an individual dose by stomach tube or thoroughly mixed in the ground grain portion of the ration to be consumed in one feeding. Discard treated feed not consumed. Do not administer more than once every 30 days. Do not treat sick or debilitated animals, foals under 4 months of age, or animals used for breeding purposes. Trichlorfon is a cholinesterase inhibitor. Do not administer simultaneously or within a few days before or after treatment with, or exposure to, cholinesterase-inhibiting drugs, pesticides or chemicals. Do not administer intravenous anesthetics, especially muscle relaxants, concurrently. Not for horses intended for food use. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. February 19, 1980.

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

Dated: February 12, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-5145 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Pyrantel Pamoate Suspension

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the animal drug regulations providing for use of pyrantel pamoate suspension as a canine anthelmintic by deleting that portion of the regulation basing dosage on a teaspoonful.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Robert S. Brigham, Bureau of Veterinary Medicine (HFV-238), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6243.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of July 22, 1979 (44 FR 36380), § 520.2043 *Pyrantel pamoate suspension* (21 CFR 520.2043) was amended in paragraph (b)(1) *Specifications* by adding a product containing 2X the level of the drug approved at that time. The dosage, stated as "Equivalent of 2.27 milligrams pyrantel base per pound of body weight or 1 full teaspoonful (5 milliliters) for each 5 pounds of body weight" was not changed. However, 1 teaspoonful of the more recently approved higher concentration (4.54 milligrams of pyrantel base per milliliter) of the drug would provide twice the recommended dosage. The approved labeling for the 2X product correctly states the dosage as 1 teaspoonful for each 10 pounds of body weight. The inconsistency is corrected by deleting dosage based on a teaspoonful from the regulation.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.83), Part 520 is amended in § 520.2043 by revising paragraph (b)(3)(i) to read as follows:

§ 520.2043 Pyrantel pamoate suspension.

* * * * *

(b) * * *

(3) * * *

(i) *Amount.* Equivalent of 2.27 milligrams of pyrantel base per pound of body weight.

* * * * *

Effective date. This amendment is effective February 19, 1980.

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

Dated: February 8, 1980.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 80-5210 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD 78-126]

Special Anchorage Area, San Francisco Bay, Calif.; Editorial Amendment

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a footnote, referencing a local ordinance, to regulations describing a special anchorage area in Richardson Bay, California. An ordinance of the City of Sausalito, California requires the City's written permission before any vessel may anchor or moor in that portion of the special anchorage area known as the waters of Dunphy Park. Referencing the ordinance in the regulation will notify mariners utilizing the area of this requirement.

EFFECTIVE DATE: This amendment is effective on March 1, 1980.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. GIACOMA, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second St., SW., Washington, D.C. 20593, (202) 426-1927.

SUPPLEMENTARY INFORMATION: Since this amendment is purely editorial, notice and public procedure are unnecessary under 5 U.S.C. 553, and the amendment may be made effective in less than 30 days after publication in the **Federal Register.**

DRAFTING INFORMATION: The principal persons involved in drafting this final rule are Ensign Rhae A. GIACOMA, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. SALTER, Project Attorney, Office of the Chief Counsel.

EVALUATION: The Coast Guard has determined, in accordance with the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034), that this amendment is not significant. Additionally, since this amendment merely references an existing local ordinance, no economic impact is contemplated and therefore no draft evaluation has been prepared.

Accordingly, Part 110 of Title 33 of the Code of Federal Regulations is amended by adding a note in § 110.126a to read as follows:

§ 110.126a San Franciso Bay, Calif.

* * * * *

Note.—An ordinance of the City of Sausalito requires the City's written consent before any vessel is moored or anchored in the portion of this special anchorage area known as the waters of Dunphy Park.

(Sec. 1. 30 Stat. 98, as amended, (33 U.S.C. 180); sec. 6(g)(1)(B), 80 Stat. 937; (49 U.S.C. 1655(g)(1)(B)); 49 CFR 1.46(c)(2))

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5169 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 110

[CGD 78-004]

Anchorage Grounds, Portland Harbor, Maine; Correction of Bearing

AGENCY: Coast Guard.

ACTION: Final rule.

SUMMARY: This amendment effects an editorial change to correct a typographical error found in the description of Anchorage B located in Portland Harbor, Maine. In the present description of this anchorage, if the bearing of 143° is plotted from the pier at the southern end of Little Diamond Island for 1,200 yards and thence 270° the boundary will not reach House Island Light. But by changing the 143° bearing to 133° the boundary of the anchorage area can be plotted to reach House Island Light and enclose the anchorage as intended.

EFFECTIVE DATE: This amendment is effective on March 1, 1980.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. GIACOMA, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second St. S.W., Washington, D.C. 20593 (202) 426-1927.

SUPPLEMENTARY INFORMATION: Since this amendment is purely editorial, notice and public procedure are unnecessary under 5 U.S.C. 553, and the amendment may be made effective in less than 30 days after publication in the Federal Register.

DRAFTING INFORMATION: The principal persons involved in drafting this final rule are Ensign Rhae A. GIACOMA, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. SALTER, Project Attorney, Office of the Chief Counsel.

EVALUATION: The Coast Guard has determined, in accordance with the Department of Transportation's "Regulatory Policies and Procedures" (44 FR 11034), that this amendment is not significant. Additionally, since this amendment merely corrects a typographical error no economic impact is contemplated and therefore no evaluation has been prepared.

Accordingly, Part 110 of Title 33 of the Code of Federal Regulations is amended by revising paragraph (a)(2) of § 110.132 to read as follows:

§ 110.132 Portland Harbor, Maine.

(a) * * *

(2) *Anchorage B (general and quarantine).* Beginning at Brooklyn Ledge Buoy 16; thence 58° to Little Diamond Island; thence along the southwestern shore to the pier on the southern end of Little Diamond Island; thence 133°, 1200 yards; thence 270° to House Island Light; thence along the western shore of House Island to Fort Scammel Point Light; and thence 329°, 1,620 yards, to the point of beginning.

* * * * *

(Sec. 7, 30 Stat. 1053, as amended (33 U.S.C. 471); 6(g)(1)(A), 80 Stat. 937; (49 U.S.C. 1655(g)(1)(A); 49 CFR 1.46(c)(1)).

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5170 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1415-8]

Approval and Promulgation of State Implementation Plans; Nonattainment Area Plan for Utah

AGENCY: Environmental Protection Agency.

ACTION: Final rulemaking.

SUMMARY: The purpose of this notice is to disapprove, with certain exceptions, the State Implementation Plan (SIP) revision for Utah which was received by EPA on January 3, 1979. This plan revision was prepared by the State to meet the requirements of Part D (Plan requirements for nonattainment areas) and various sections of the Clean Air Act, as amended in 1977. On May 16, 1979 (44 FR 28688), EPA published a notice of proposed rulemaking which described the nature of the SIP revision, discussed certain provisions which, in EPA's judgment, did not comply with the requirements of the Act, and requested public comment. Two public comments were received. This notice approves the SIP revision with respect to several requirements of the Clean Air Act, including the sulfur dioxide control strategy for Cedar City and the carbon monoxide control strategy for Bountiful, and disapproves the control strategy and regulations for total suspended particulates and sulfur dioxide. On November 5, 1979, the Governor submitted an amended SIP for carbon monoxide and ozone. Therefore, EPA is not taking final action on these plans in this notice but is publishing its proposed action elsewhere in this Federal Register.

EFFECTIVE DATE: Effective February 19, 1980.

ADDRESSES: Copies of the SIP revision, EPA's evaluation report, the public comments received, and EPA's detailed response to the comments are available at the following addresses for inspection:

Environmental Protection Agency, Region VIII Library, 1860 Lincoln Street, Denver, Colorado 80295.

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Mr. Robert DeSpain, Chief, Air Programs Branch, Region VIII, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295, (303) 837-3471.

SUPPLEMENTARY INFORMATION: On March 3, 1978 (43 FR 8962), and September 11, 1978 (43 FR 40412), pursuant to the requirements of Section 107 of the Clean Air Act, as amended in 1977, EPA designated portions of Utah as nonattainment areas for total suspended particulates (TSP), sulfur dioxide (SO_2), carbon monoxide (CO), and photochemical oxidants (ozone). A summary of these designations is presented in Table 1. As a result, pursuant to Part D of the Clean Air Act, the State of Utah was requested to revise its SIP by January 1, 1979, to meet specific requirements for the nonattainment areas. In response to these requirements, the Governor of Utah submitted a revised SIP which was received by EPA on January 3, 1979.

Table 1—*Utah Non-Attainment Areas*

TSP	SO_2	CO	Ozone
Davis County	Salt Lake County.	Salt Lake City	Salt Lake County.
Salt Lake County.	Tooele County.	Bountiful	Davis County
Utah County	Cedar City	Ogden	Utah County.
Weber County		Provo	Weber County.

The State's submittal consisted of the basic elements contained in the previous SIP and the Air Conservation Regulations enacted by the Utah Air Conservation Committee. Portions of the plan were prepared by associations of local elected officials. The complete local plans were submitted as appendices to the SIP. The Mountainland Association of Governments prepared the transportation measures element of the SIP for Utah County and Provo City. Similarly, the Wasatch Front Regional Council prepared the transportation measures element for the Wasatch Front (all or parts of Weber, Davis and Salt Lake Counties). The local elements were prepared and submitted to the State in accordance with agreements between the Air Conservation Committee and local agencies. These agreements, developed pursuant to Section 174 of the Clean Air Act, were also included in the SIP. Finally, the State submitted a detailed Technical Support Document which included diffusion modeling estimates and considerable background information related to the control strategies in the SIP.

On January 25, 1979 (44 FR 5159), EPA published an advance notice of availability of the Utah SIP revision and invited the public to comment on its approvability. On May 16, 1979 (44 FR 28688), EPA published a notice of proposed rulemaking, which described the SIP and the results of EPA's review with respect to the requirements for an approvable SIP described in a **Federal Register** notice published on April 4, 1979 (44 FR 20372), and requested public comment.

In brief, EPA proposed to approve the SIP with the following exceptions:

1. The TSP control strategy and regulations for all nonattainment areas;
2. The SO_2 control strategy and regulations for Salt Lake and Tooele Counties;
3. The CO control strategy for Ogden, Provo and Salt Lake City;
4. The ozone control strategy for Davis and Salt Lake Counties;
5. The 18-month extension request to submit a TSP plan for attainment of the secondary NAAQS; and
6. Part D requirements including demonstration of reasonable further progress, submittal of an adequate emission inventory, commitments from local governments to carry out appropriate elements of the plan, and establishment of an inspection/maintenance program in Davis and Salt Lake County.

Comments on EPA's Utah Proposal

Comments were received from two organizations. Colorado Environmental Legal Services stated that EPA should propose regulations to correct deficiencies indentified in the Utah SIP and included specific recommendations for control of iron and steel plants. However, except for the SO_2 control strategy which EPA will be revising, the State has acknowledged the major deficiencies in the SIP and is currently working to develop a revised SIP which meets the Part D requirements. The State has indicated to EPA that it will develop regulations which require at least reasonably available control technology for all major particulate sources in the nonattainment areas, including the iron and steel plant in Utah County. Therefore, EPA intends to allow the State the opportunity to adopt and submit its revised SIP for TSP. If the State fails to do so by the schedule which appears later in this notice, EPA fully intends to develop and propose substitute regulations.

Kennecott Copper Corporation raised several arguments against EPA's proposed actions on the SIP, especially the proposed disapproval of the TSP control strategy and regulations. However, as indicated above, the State has acknowledged that its control strategy and regulations need to be revised and is currently developing such revision. Kennecott also objected to the proposed disapproval of the sulfur dioxide control strategy, citing the State's request to reclassify the Salt Lake-Tooele County area from nonattainment to unclassified. The State is being informed of the requirements for a reclassification request specified in Section 107 of the Clean Air Act. Until a redesignation request has been approved, however, the nonattainment requirements remain in effect and the SO_2 provisions in the SIP must be disapproved. Other Kennecott comments regarding provisions for new source review, source surveillance, and malfunctions indicate either a misunderstanding of EPA's proposal or differing interpretations of the Clean Air Act. As indicated above, a detailed discussion of all comments is available from EPA's Public Information Reference Unit.

National Comments

Comment and Response: One commenter submitted extensive comments which it requested to be considered as part of the record for each state plan. Each of the points raised by the commenter and EPA's response follow. Although some of the issues raised are not relevant to provision in Utah's submission, EPA is notifying the public of its response to these comments at this time.

1. The commenter asked that comments it had previously submitted on the Emission Offset Interpretative Ruling as revised on January 16, 1979 (44 FR 3274), be incorporated by reference as part of their comments on each state plan. EPA will respond to these comments in its response to comments on the Offset Ruling.

2. The commenter objected to general policy guidance issued by EPA, on grounds that EPA's guidance was more stringent than required by the Act. This comment is too general to respond to with specificity. However, EPA believes that its guidance conforms to the statutory requirements.

3. The commenter noted that the recent court decision on EPA's regulations for prevention of significant deterioration (PSD) of air quality affects EPA's new source review (NSR) requirements for Part D plans as well. (The decision is *Alabama Power Co.* v. *Costle*, 13 ERC 1255 (D.C. Circ., June 18, 1979)). In the commenter's view, the court's ruling on the definition of "source," "modification" and "potential to emit" should apply to Part D as well as PSD programs, and the court decision precludes EPA from requiring Part D review of sources located in designated clean areas. The preamble to the Emission Offset Interpretative Ruling, as revised January 16, 1979, explains that the interpretations in the Ruling of terms "source," "major modification," and "potential to emit," and the areas in which NSR applies, govern State plans under Part D (44 FR 3275 col. 3 through 3276 col. 1, January 16, 1979). In proposed rules published in the **Federal Register** on September 5, 1979 (44 FR 51924), EPA explained its views on how the *Alabama Power* decision affects NSR requirements for State Part D plans. EPA will respond to this comment in its response to comments on the September 5, 1979, proposal and/or its response to comments on the Offset Ruling.

As part of the proposed rules, EPA proposed regulations for Part D plans, to be set forth in a new section 40 CFR 51.18(j). EPA also proposed, for now, to approve a SIP revision if it satisfies either existing EPA requirements, or the proposed regulations. EPA also proposed that prior to promulgation of the regulations, it would approve state-submitted relaxations of previously submitted SIPs so long as the revised SIP meets all proposed EPA requirements. To the extent EPA's final regulations are more stringent than the existing or proposed requirements, States will have nine months, as provided in Section 406(d) of the Act, to submit revisions after EPA promulgates the final regulations.

In some instances, EPA's approval of a State's NSR provisions, as revised to be consistent with EPA's proposed or final regulations, may create the need for the State to revise its growth projections and provide for additional emission reductions. Additional time for this would be provided after the revised new source provisions are approved by EPA. Since the Utah NSR program satisifies existing requirements for Part D, it is now being approved.

4. The commenter questions EPA's alternative emission reduction options policy (the "bubble" policy). As the commentor noted, EPA has set forth its proposed bubble policy in a separate **Federal Register** publication 44 FR 3720 (January 18, 1979). EPA will respond to the comments on the "bubble" approach in the final "bubble" policy statement.

5. The commenter questioned EPA's justification for requiring a demonstration that application of all reasonably available control measures (RACM) would not result in attainment any faster than application of less than all RACM. In EPA's view, the statutory

deadline is that date by which attainment can be achieved as expeditiously as practicable. If application of all RACM results in attainment more expeditiously than application of less than RACM, the statutory deadline is the earlier date. While there is no requirement to apply more RACM than is necessary for attainment, there is a requirement to apply controls which will ensure attainment as soon as possible. Consequently, the State must select the mix of control measures that will achieve the standards most expeditiously, as well as assure reasonable further progress.

The commenter also suggested that all RACM may not be "practicable." By definition, RACM are only those measures which are reasonable. If a measure is impracticable, it would not constitute a reasonably available control measure.

6. The commenter found the discussion in the General Preamble of reasonably available control technology (RACT) for VOC sources covered by Control Technique Guidelines (CTGs) to be confusing in that it appeared to equate RACT with the guidance in the CTGs. EPA did not intend to equate RACT with the CTGs. The CTGs provide recommendations to the state for determining RACT, and serve as a "presumptive norm" for RACT, but are not intended to define RACT. Although EPA believes the General Preamble was clear on this point, the Agency has issued a supplement to the General Preamble clarifying the role of the CTGs in plan development. See **Federal Register** (September 17, 1979).

7. The commenter suggested that the revision of the ozone standard justified an extension of the schedule for submission of Part D plans. This comment has been addressed in the General Preamble, 44 FR 20377 (April 4, 1979).

8. The commenter questioned EPA's authority when determining LAER to require states to consider transfers of technology from one source type to another as part of LAER determinations. EPA's response to this comment will be included in its response to comments on the revised Emission Offset Interpretative Ruling.

9. The commenter suggested that if a State fails to submit a Part D plan, or the submitted plan is disapproved, EPA must promulgate a plan under Section 110(c) which may include restrictions on growth as provided in Section 110(a)(2)(I). In the commenter's view the Section 110(a)(2)(I) restrictions cannot be imposed without a federal promulgation. EPA has promulgated regulations which impose restrictions on growth which apply to any nonattainment area for which a State fails to submit an approvable Part D plan. See 44 FR 38583 (July 2, 1979). Section 110(a)(2)(I) does not require a federally-promulgated SIP before the restrictions on construction may go into effect.

Another commentor, a national environmental group, stated that the requirements for an adequate permit fee system (Section 110(a)(2)(K) of the Act), and proper composition of State boards (Sections 110(a)(2)(F)(vi) and 128 of the Act) must be satisfied to assure that permit programs for nonattainment areas are implemented successfully. Therefore, while expressing support for the concept of conditional approval, the commentors argued that EPA must secure a State commitment to satisfy the permit fee and State board requirements before conditionally approving a plan under Part D. In those States that fail to correct the omission within the required time, the commentors urged that restrictions on construction under Section 110(a)(2)(I) of the Act must apply.

To be fully approved under Section 110(a)(2) of the Act, a State plan must satisfy the requirements for State boards and permit fees for all areas, including nonattainment areas. Several States have adopted provisions satisfying these requirements, and EPA is working with other States to assist them to develop the required programs. However, EPA does not believe these programs are needed to satisfy the requirements of Part D. Congress placed neither the permit fee nor the State board provision in Part D. While legislative history states that these provisions should apply in nonattainment areas, there is no legislative history indicating that they should be treated as Part D requirements. Therefore, EPA does not believe that failure to satisfy these requirements is grounds for conditional approval under Part D, or for application of the construction restriction under Section 110(a)(2)(I) of the Act.

EPA Action on the Utah SIP

On the basis of its detailed review, the May 16, 1979, proposal, and the November 5, 1979, submittal by the Govenor, EPA is taking the following actions on the Utah SIP:

A. Approved Portions—Part D

1. Section 172(b)(1)—SIP adoption after reasonable notice and public hearing.

2. Section 172(b)(5)—Identification and quantification of pollutant emissions from construction and operation of major new or modified stationary sources.

3. Section 172(b)(6)—Requiring permits for construction and operation of new or modified major stationary sources in accordance with Section 173.

4. Section 172(b)(7)—Identification and commitment of financial and manpower resources necessary to carry out SIP provisions.

5. Section 172(b)(9)—Evidence of public, local government, and State legislative involvement and consultation in accordance with Section 174.

6. Section 173—Permit program requirements as they apply to designated nonattainment areas. Attainment areas will be covered by PSD permit procedures.

7. Section 174—Planning procedures

8. SO_2 Control Strategy for Cedar City

9. CO Control Strategy for Bountiful

B. Approved Portions—Non-Part D

1. Malfunction Provisions—Utah Air Conservation Regulation 4.7 (although exemptions granted under this regulation may not be approved by EPA).

2. Section 128—Composition of State Boards.

3. Section 110(a)(2)(K)—Permit Fees.

4. Section 110(a)(6)—Maintenance of Pay Provisions.

C. Disapproved Portions

1. *Control Strategy—Total Suspended Particulates (TSP).* The State's attainment demonstration for the national TSP standards is inadequate and the control strategy and regulations are disapproved for the following reasons:

a. The emission reductions estimated by 1982 for many sources and used in the attainment demonstration are not supported by enforceable regulations.

b. The attainment demonstration for short-term (24 hours) TSP standards applied Larsen's Transformation to the predicted annual TSP concentrations for 1982. However, the short-term emission limitations in the SIP generally allow an increase in emissions from the 1977 levels. Although the State has indicated that best available control technology (BACT) would be requried for sources in nonattainment areas, the applicable New Source Performance Standards and available stack test data were, in most cases, increased by 50% in establishing the short-term emission limitations. Consequently, there could actually be a deterioration of air quality from 1977 design values. As a minimum, the Clean Air Act requires that reasonably available control technology (RACT) be applied to all existing stationary sources. Consequently, in addition to

correcting the deficiences describe above, the State must adopt enforceable regulations to control fugitive emissions from process sources.

c. The diffusion model calibration procedures and the determination of background TSP concentrations were not clearly described. In addition, the lack of correlation between measured and predicted concentrations of TSP was not adequately explained.

d. The State has requested an 18-month extension to submit a plan for attainment of the secondary standards for TSP. As specified in 40 CFR 51.31(c), this request cannot be approved unless the State has demonstrated that control measures in addition to RACT are needed to attain the secondary standard.

e. The particulate emissions limitations (Section 3.2.1) are not approved for the following reasons:

1. The regulations establish average allowable emissions over the testing cycle, rather than maximum allowable emissions. The language needs to be changed to indicate that the established emission limitation is a maximum never to be exceeded.

2. The stack testing requirement allows deviations from EPA Method 5 without concurrences from EPA. In addition, specific test methods need to be developed for determing particulate emissions for sources such as the Kennecott smelter and open hearth furnaces at U.S. Steel.

3. Some of the specific emission limitations are not enforceable since they establish a single emission rate for multiple emission points. Either specific stack limitations or a grain loading requirement which applies to each stack must be adopted for all sources with more than one stack.

4. Many of the emission limitations allow short-term emissions greater than the 1977 levels and could result in a deterioration of existing air quality. RACT must be required for all existing stationary sources.

2. *Control Strategy—Sulfur Dioxide (SO_2).* The State's SO_2 control strategy for Salt Lake and Tooele Counties consisted of a regulation which had been previously disapproved by EPA on April 27, 1977 (42 FR 21471). This regulation does not establish an ultimate emission rate as required by the Clean Air Act Amendments of 1977. Therefore, EPA will proceed with promulgation of a revised SO_2 regulation for Utah.

D. Portions for Which No Action Is Being Taken

1. Control Strategy—Carbon Monoxide (CO)

2. Control Strategy—Ozone (O_3)

E. Revisions to 40 CFR Part 52

1. Section 52.2320 (Identification of Plan) is revised to include the Utah SIP submittal.

2. Section 52.2322 (Extensions) is revised to disapprove the 18-month extension request for submitting a plan for attainment of the secondary NAAQS for TSP.

3. Section 52.2323 (Approval Status) is revised to include references to the Clean Air Act as amended in 1977.

4. Section 52.2324 (Control Strategy: Particulate Matter) is added to indicate Part D deficiencies.

5. Section 52.2325 (Control Strategy: Sulfur Oxides) is revised to indicate a new designation for the sulfur oxides portion of the Utah Air Conservation Regulations.

6. Section 52.2326 (Control Strategy: Nitrogen Dioxide) is revoked because Utah does not have any nonattainment areas for nitrogen dioxide.

7. Section 52.2331 (Attainment dates for national standards) is revised to reflect the attainment dates required by the Clean Air Act, as amended in 1977.

Since the State plan does not satisfy the requirements of Part D and the statutory date for satisfying those requirements has passed, Section 110(a)(2)(I) of the Act prohibits construction of certain major sources of air pollution in nonattainment areas. This restriction applies to permit applications filed after June 30, 1979.

With the exception of the SO_2 control strategy and regulations (for Salt Lake and Tooele Counties), EPA considers the State to be making reasonable efforts toward submitting an approvable implementation plan. Following this rulemaking, EPA will promulgate revised SO_2 regulations for the Kennecott smelter. The Utah Air Conservation Committee has developed revised point source regulations to address the identified major deficiencies in the TSP plan and conducted public hearings on the revised plan on December 6–7, 1979. In addition, the Governor submitted a new SIP revision pertaining to the ozone and carbon monoxide control strategies on November 5, 1979. EPA's notice of proposed rulemaking on this revision appears elsewhere in today's **Federal Register.**

Because of the importance of the preparation of the revisions not yet completed, EPA's finding that reasonable efforts are being made will remain in force if the revised TSP plan is submitted to EPA by March 3, 1980.

Should the State fail to meet the deadline specified above, EPA may make a finding that reasonable efforts are not being made and may proceed to impose economic sanctions on the affected geographic areas. These sanctions are authorized by Sections 176 and 316 of the Act. Proposed procedures for application of sanctions are contained in EPA's June 11, 1979, and July 2, 1979, **Federal Register** (44 FR 33473 and 44 FR 38471, respectively) notices.

The 1978 edition of 40 CFR Part 52 lists in the subpart for each state the applicable deadlines for attaining ambient standards (attainment dates) required by Section 110(a)(2)(A) of the Act. For each nonattainment area where a revised plan provides for attainment by the deadlines required by Section 172(a) of the Act, the new deadlines will be substituted on the attainment date chart. The earlier attainment dates under Section 110(a)(2)(A) will be referenced in a footnote to the chart. Sources subject to plan requirements and deadlines established under Section 110(a)(2)(A) prior to the 1977 Amendments remain obligated to comply with those requirements as well as with the new Section 172 plan requirements.

Congress established new deadlines under Section 172(a) to provide additional time for previously regulated sources to comply with new, more stringent requirements and to permit previously uncontrolled sources to comply with newly applicable emission limitations. If these new deadlines were permitted to supersede the deadlines established prior to the 1977 Amendments, sources that failed to comply with pre-1977 plan requirements by the earlier deadlines would improperly receive more time to comply with those requirements. Congress, however, intended that the new deadlines apply only to new, additional control requirements and not to earlier requirements. As stated by Congressman Paul Rogers in discussing the 1977 Amendments:

> Section 110(a)(2) of the Act made clear that each source had to meet its emission limits "as expeditiously as practicable" but not later than three years after the approval of a plan. This provision was not changed by the 1977 Amendments. It would be a perversion of clear Congressional intent to construe Part D to authorize relaxation or delay of emission limits for particular sources. The added time for attainment of the national ambient air quality standards was provided, if necessary, because of the need to tighten emission limits or bring previously uncontrolled sources under control. Delays or relaxation of emission limits were not generally authorized or intended under Part D. (123 Cong. Rec. H 11958, daily ed. November 1, 1977).

To implement fully Congress' intention that sources remain subject to

pre-existing plan requirements, sources cannot be granted variances extending compliance dates beyond attainment dates established prior to the 1977 Amendments. Such variances would impermissibly relax existing requirements beyond the applicable Section 110(a)(2)(A) attainment date under the plan. Therefore, for requirements adopted before the 1977 Amendments, EPA cannot approve a compliance date extension beyond pre-existing 110(a)(2)(A) attainment dates, even though a Section 172 plan revision with a later attainment date has been approved. However, a compliance date extension beyond the pre-existing attainment date may be granted if it will not contribute to a violation of any ambient standard or a PSD increment.*

Sources subject to pre-existing requirements may be relieved of complying with such requirements if a Section 172 plan imposes new, more stringent control requirements that are incompatible with controls required to meet the pre-existing regulations. Decisions on incompatibility will be made on a case-by-case basis.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This rulemaking action is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: February 12, 1980.

Barbara Blum,

Acting Administrator.

Title 40, Part 52 of the Code of Federal Regulation is amended as follows:

Subpart TT—Utah

1. In § 52.2320, paragraph (c)(6) is added as follows:

§ 52.2320 Identification of plan.

* * * * *

(c) * * *

(6) Provisions to meet the requirements of Part D and other Sections of the Clean Air Act, as amended in 1977, were submitted on December 28, 1978, by the Governor.

2. In § 52.2322, paragraph (g) is added as follows:

§ 52.2322 Extensions.

* * * * *

(g) Utah's request for an 18-month extension to submit a plan for attainment of the secondary national standard for particulate matter in all nonattainment areas (Davis, Salt Lake, Utah and Weber Counties) cannot be granted because the State has not demonstrated that control measures in addition to reasonably available control technology are needed to attain the secondary standards.

3. Section 52.2323 is revised to read as follows:

§ 52.2323 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Utah's plan as meeting the requirements of Section 110 of the Clean Air Act as amended in 1977. Furthermore, the Administrator finds that the plan satisfies all requirements of Part D, Title 1, of the Clean Air Act as amended in 1977, except as noted below:

4. Section 52.2324 is added as follows:

§ 52.2324 Control strategy: Particulate matter.

(a) *Part D Disapproval.* The requirements of Sections 172(b)(2), 172(b)(3), 172(b)(4), and 172(b)(8) are not met since the plan does not provide for implementation of all reasonably available control measures, necessary to attain national standards in Davis, Salt Lake, Utah and Weber Counties, does not contain a comprehensive, accurate and current inventory of actual emissions from all particulate sources, and does not contain necessary emission limitations and compliance schedules.

5. In § 52.2325, paragraph (a) is revised to read as follows:

§ 52.2325 Control strategy: Sulfur oxides.

(a) *Part D Disapproval.* The requirements of Sections 172(b)(2), 172(b)(3) and 172(b)(8) are not met since the plan does not provide adequate regulations and compliance schedules to assure the attainment and maintenance of the national standards for sulfur oxides in Salt Lake and Tooele Counties. Furthermore, section 4.3 of the Utah Air Conservations Regulations is disapproved because it does not provide for attainment of the NAAQS for SO_2, is unenforceable, and allows the utilization of a supplementary control system without requiring the application of reasonably available control technology.

* * * * *

6. Section 52.2326 is revoked:

§ 52.2326 Control strategy: Nitrogen dioxide. [Revoked]

7. Section 52.2331 is revised to read as follows:

§ 52.2331 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. These dates reflect the information presented in Utah's plan, except where noted.

Air quality control region	Pollutant						
	Particulate matter		Sulfur oxides		Nitrogen dioxide	Carbon monoxide	Ozone
	Primary	Secondary	Primary	Secondary			
Wasatch Front:							
a. Nonattainment Portions	*b*	*b*	*b*	*b*	a	*b*	c
b. Remainder of AQCR	a	a	a	a	a	a	a
Four Corners Interstate	a	a	a	a	a	a	a
Utah Intrastate	a	a	a	a	a	a	a

a. Air quality levels presently below secondary standards.
b. December 31, 1982.
c. December 31, 1987.

NOTE.—Footnotes which are italic are prescribed by the Administrator because the plans do not provide a specific date, or the date provided is not acceptable.

NOTE.—Sources subject to plan requirements and attainment dates established under Section 110(a)(2)(A) of the Act prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.325.

[FR Doc. 80-5147 Filed 2-15-80; 8:45 am]

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*See General Preamble for Proposed Rulemaking 44 FR 20373-74 (April 4, 1979).

40 CFR Parts 52 and 81

[FRL 1414-6]

Air Quality Implementation Plans; Maine Revisions

AGENCY: Environmental Protection Agency. (EPA).

ACTION: Final rulemaking.

SUMMARY: The purpose of this Notice is to approve, in part, the State Implementation Plan (SIP) revisions for Maine which were received by the Environmental Protection Agency (EPA) on May 1, 1979, October 26, 1979 and December 20, 1979. In addition, EPA is taking final action to approve with stated conditions, certain elements of the Maine SIP revisions. These plan revisions were prepared by the state to meet the requirements of Part D (Plan Requirements for Non-Attainment Areas) and certain other sections of the Clean Air Act (the Act), as amended in 1977. On August 1, 1979 (44 FR 45210), EPA published a Notice of Proposed Rulemaking (NPR) which described the revisions, discussed certain provisions which in EPA's judgment did not comply with the requirements of the Act, and requested public comment. Several comments have been received and are discussed later in this Notice as they pertain to each pollutant. Responses to general comments on the NPR are contained in a separate section at the end of the preamble. A Notice of Final Action on the portions of the revisions which concern Part C of the Act, Prevention of Significant Deterioration of Air Quality, has been published previously.

EFFECTIVE DATE: February 12, 1980.

FOR FURTHER INFORMATION CONTACT: Frank J. Ciavattieri, Chief, Air Branch, Environmental Protection Agency, Region I, JFK Federal Building, Room 1903, Boston, Massachusetts 02203, (617) 223–6883.

SUPPLEMENTARY INFORMATION: EPA's August 1, 1979 NPR (44 FR 45210) outlined the requirements of the Act that Maine had addressed in its submittal. The NPR raised several issues which in EPA's judgment required changes either in the SIP narrative or in the regulations. In response to the NPR, on October 26, 1979, the state of Maine submitted narrative and regulatory changes to its May 1, 1979 submittal following public hearings on August 21–24 and 27, 1979. In addition, on December 20, 1979, certain other provisions were submitted to EPA.

The Maine SIP revisions were developed in response to the requirements of Part D of the Act. In general, the SIP is required to provide for attainment and maintenance of the national ambient air quality standards (NAAQS) for all areas which have been designated non-attainment pursuant to Section 107 of the Act. Specific requirements are discussed in detail in a General Preamble in the **Federal Registers** of April 4, 1979 (44 FR 20372); July 2 (44 FR 38583); August 28 (44 FR 50371); September 17 (44 FR 53761) and November 23, 1979 (44 FR 67182). Pursuant to these requirements, additional SIP revisions addressing stationary sources of volatile organic compounds (VOCs) are required by July 1, 1980 and January 1, 1981.

On March 3, 1978 (43 FR 8962), pursuant to Section 107 of the Act, EPA designated certain areas as non-attainment based on existing violations of the NAAQS. The table below reflects non-attainment areas, as of March 3, 1978.

Area	CO	O_3	TSP primary	TSP secondary	SO_2
AQCR 107 (Central Maine)		X			
Augusta				X	
Rockland				X	
Thomaston				X	
Lewiston	X			X	
Auburn				X	
AQCR 109 (Downeast)		X			
Bangor	X		X		
Brewer			X		
Baileyville				X	
Millinocket					X
AQCR 110 (Metropolitan Portland)		X			

Today's final rulemaking action approves non-attainment designations as follows:

Area	CO	O_3	TSP primary	TSP secondary	SO_2
AQCR 107 (Central Maine)		X			
Augusta				X	
Thomaston				X	
Lewiston	X				
Auburn					
AQCR 109 (Downeast					
Bangor	X			X	
Brewer				X	
Baileyville				X	
Millinocket					X
AQCR 110 (Metropolitan Portland)		X			

EPA has received seven letters of comment: One each from two federal agencies (see discussion in Section I.A.1. of this Notice); two letters from a northeast state (see I.B.2.a); one from an environmental group (see I.B.1.; I.B.2. a; I.D.1 and 2; I.E: and II.D); and one letter each from the same environmental group and a law firm which are nationally applicable (see Section III).

EPA has reviewed public comments received on the August 1, 1979 NPR and is taking the following actions:

Approving: 1. The carbon monoxide attainment plans for Lewiston and Bangor.

2. The redesignation of the Downeast Air Quality Control Region (AQCR) (109) fron non-attainment for ozone to unclassified, under 40 CFR Part 81.

3. The ozone attainment plans for the Metropolitan Portland AQCR (110) and the Central Maine AQCR (107).

4. The redesignation of Bangor/Brewer from non-attainment for the primary total suspended particulate (TSP) standard to attainment, under 40 CFR Part 81.

5. The secondary TSP standard attainment plans for Bangor/Brewer, Thomaston and Baileyville.

6. The redesignation of Rockland and Lewiston/Auburn from non-attainment for the secondary TSP standard to unclassified, under 40 CFR Part 81.

7. The program to review the construction and operation of new and modified major stationary sources in non-attainment areas.

8. Resource commitments for implementing the various control strategies.

9. The analysis and public comment on the health, welfare, economic, social and energy effects of the SIP revisions.

10. Stack height requirements.

Approving Conditionally: 1. The sulfur dioxide attainment plan for Millinocket.

2. The Augusta secondary TSP standard attainment plan.

3. The long-term public participation plan.

Taking No Action on: 1. Intergovernmental consultation.

2. Interstate pollution notification requirements.

3. Public notification requirements.

4. Conflict of interest requirements.

5. Permit fees.

I. Part D Non-Attainment Control Strategies

A. *Carbon Monoxide (CO)*—1. *Lewiston.* The Department of Environmental Protection (DEP), in cooperation with the Policy Committee of the Lewiston/Auburn Comprehensive Transportation Study (LACTS), proposed vehicular control measures such as traffic light synchronization changes and other traffic flow improvements, to achieve a 46% reduction in CO emissions by the end of 1982. It is further expected that the Federal Motor Vehicle Emission Control Program (FMVECP) will assure maintenance of the standard and

provide a margin for growth. In the NPR, EPA proposed approval of this portion of the revisions.

One letter of comment EPA received on this portion of the NPR expressed support for the CO control strategies for Lewiston and stated that it was anticipated that monies would be available from the Urban Mass Transportation Administration (UMTA) to fund the UMTA projects identified in the Maine revisions.

Another commenter expressed concern about the commitments to fund the CO control strategies for Lewiston and Bangor. EPA accepts the commitments for the funding of these projects as contained in the narrative sections of the SIP revisions. These commitments are further addressed with respect to Lewiston in a letter from DEP, dated November 27, 1979, which states that "Funding is provided through the existing FHWA [Federal Highway Administration]-Maine Department of Transportation and Lewiston-Auburn Comprehensive Transportation administrative channels." The state's commitment to implement the projects is demonstrated by the inclusion of the identified projects in the Transportation Improvement Program (TIP). This letter also addresses a question raised by the same commenter concerning the relation of the TIP, included in Appendix T, to the SIP. DEP states that the TIP is included for information purposes only and is not to be considered a part of the SIP. EPA considerd the description of the projects included in the narrative sections of the SIP revisions as adequate. The same commenter also questioned the provisions for progress reporting during the implementation period of these control strategies. The DEP states in the November 27, 1979 letter that progress will be reported through a semi-annual report to EPA on project status and quarterly reports on monitored air quality data. EPA feels that these commitments are adequate with respect to transportation strategies for these non-urbanized areas.

Action: EPA is approving the Lewiston CO attainment plan.

2. *Bangor.* The DEP proposed to implement traffic light signalization improvements which would result in a 40% reduction of carbon monoxide emissions, a decrease sufficient to attain the CO standard prior to 1982. The FMVECP will provide maintenance of the standard and a margin for growth. In the NPR, EPA proposed approval of this portion of the revisions. (See comment discussion and response above.)

Action: EPA is approving the Bangor CO attainment plan.

B. *Ozone (O_3)*—1. *Attainment Status Designation for the Downeast AQCR.* In the May submittal, the DEP requested that EPA approve a redesignation of the Downeast AQCR from non-attainment to unclassified for ozone. This request was based on EPA's revision of both the national standard and the methodology for calculating violations of the standard in the February 8, 1979 **Federal Register** (43 FR 8202). According to the new methodology, the Downeast AQCR is no longer considered to be violating the standard. Further, the DEP has committed to monitor AQCR for two ozone seasons to determine a status of either attainment or non-attainment according to EPA's new methodology. In the NPR, EPA proposed to approve this portion of the revisions.

One letter of comment expressed concern about EPA's proposed redesignation of the Downeast AQCR to unclassified, based on data collected for the Pittston Company's permit application in 1976. The commenter contended that since the data collected in 1976 shows exceedances of the 0.12 parts per million (ppm) standard that approval should not be allowed, that the AQCR should remain non-attainment and that the state should submit a revision for that Region before further growth is permitted in the area. In response, EPA would point out that although there are seven hourly values which exceed the .12 ppm value, these elevated values occurred between 7:00 pm and 1:00 am which EPA interprets to indicate that transport must have been largely responsible for the higher values. Since these values happened to have occurred before and just after midnight, a strict application of the EPA methodology would indicate two days of elevated readings, which constitutes a violation. However, meteorologically the data should be interpreted as showing one air mass which lingered past the midnight interval and therefore, as one exceedance, would not constitute a violation. More importantly, in the 60 days of data collected there were no other days on which similarly high values were recorded.

Action: In light of these technical considerations and the commitment of the DEP to monitor the area during the next ozone season, EPA believes that the data is not sufficient to warrant a non-attainment designation or an attainment designation, and is therefore approving the redesignation of the Downeast AQCR from non-attainment to unclassified, under 40 CFR Part 81.

2. *Ozone Control Strategy.* a. The DEP adopted two regulations to control petroleum storage facilities: Regulations 111, Petroleum Liquid Storage Vapor Control, and 112, Petroleum Liquids Transfer Vapor Recovery. These regulations control emissions from gasoline storage terminals of 20,000 gallons throughput per day or greater by requiring controls on fixed roof storage tanks and the installation of vapor control systems, respectively. In the NPR, EPA proposed to approve this portion of the revisions.

A letter of comment on the NPR indicated that this portion of the revisions should be approved conditioned upon a commitment by the state to review its emissions inventory for volatile organic compounds and update it within the year. The DEP has agreed to review its inventory and to submit it in National Emissions Data System format, as stated in a letter dated April 3, 1979 from Mr. David Tudor, DEP, to Mr. Donald White, EPA. In addition, EPA and the DEP have agreed in the Section 105 air program grant to fund the upgrading and submittal to EPA of the VOC source inventory. Finally, the DEP has developed a Reasonable Further Progress (RFP) demonstration which must be annually updated to reflect emission changes as they actually occur.

Another letter of comment was received on the adequacy of the ozone control strategies Maine had proposed, but this comment was withdrawn in a second letter.

Action: In light of these commitments EPA has decided that a conditional approval is unnecessary and is approving these two regulations as part of the ozone attainment plan.

b. The DEP issued Air Emission Licenses to the S.D. Warren Company in Westbrook and Eastern Fine Paper, Inc. in Brewer. These sources are required to control VOC emissions from their paper coaters by application of best practical treatment but no less than 90% reduction in emissions. This degree of control is consistent with EPA guidance. In the NPR, EPA proposed to approve this portion of the revisions. No letters of comment were received on this portion of the NPR.

As noted in the General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas, 44 FR 20376 (April 4, 1979), the minimum acceptable level of statonary source control for ozone SIPs, such as Maine's, includes reasonably available control technology (RACT) requirements for VOC sources covered by control technology guidance (CTGs) the EPA issued by January, 1978 and schedules to adopt and submit by each future January additional RACT requirements for sources covered by CTGs issued by the

previous January. The submittal date for the first set of additional RACT regulations was revised from January 1, 1980 to July 1, 1980 by **Federal Register** notice of August 28, 1979 (44 FR 50371). Today's approval of the ozone portion of Maine's plan is contingent on the submittal of the additional RACT regulations which are due July 1, 1980 (for CTGs published between January, 1978 and January, 1979). In addition, by each subsequent January beginning January 1, 1981, RACT requirements for sources covered by CTGs published by the preceding January must be adopted and submitted to EPA. The above requirements are set forth in the "Approval Status" section of the final rule. If RACT requirements are not adopted and submitted to EPA according to the time frame set forth in the rule EPA will promptly take appropriate remedial action.

Action: EPA is approving these licenses as part of the ozone attainment plan.

C. *Sulfur Dioxide (SO_2)*—Primary and secondary sulfur dioxide standard violations recorded at two sites in Millinocket in 1977 and 1978 provided a basis for the non-attainment status designation which appeared in the March 3, 1978 **Federal Register**. The principal source of sulfur dioxide emissions in the area is a pulp mill operated by the Great Northern Paper Company. Emissions at the plant result from fuel burning, a magnesium oxide recovery plant, and the sulfite process. Violations in the area have been related to the release and aerodynamic downwash of sulfur dioxide from these three processes.

The DEP issued permit conditions which require Great Northern Paper to control sulfur dioxide emissions from a standby acid plant by 90%, to control digester relief gas sulfur dioxide emissions by 90%, and to construct two new stacks, one for the magnesium oxide recovery plant and one to replace the four stacks now serving the pulp mill's power boilers. All of these conditions must be met no later than September, 1, 1980. Great Northern Paper Company has used a sequential dispersion model and five years of meteorological data to show that under maximum normal operating conditions the plant will not violate NAAQS with modified stack heights and operating requirements.

However, every two or three weeks the magnesium oxide recovery plant routinely experiences periods of high emissions (upset conditions) lasting for from four to six hours. While sulfur dioxide emissions increase by a factor of six under upset conditions, the modeling submitted to EPA for the plant did not assess their ambient air quality impacts.

In the NPR, EPA proposed approval of this control strategy conditioned upon receipt by December 31, 1979 of an evaluation, using EPA modeling methods, of the impact of the magnesium oxide recovery stack upset conditions showing that NAAQS will not be violated. No comments were received on this portion of the NPR.

On January 11, 1980, the DEP submitted a letter requesting additional time, specifically until April 30, 1980, to complete and submit the required upset modeling. As justification for its failure to meet the December 31, 1979 proposed condition, the DEP cited resource constraints on its staff. Furthermore, DEP stated that, due to its resource limitations, the required modeling was to be performed by Great Northern's consultant and arrangements would have to be complete prior to accomplishing this task. The DEP also referenced modeling work which had been previously completed in an effort to satisfy the proposed condition. EPA had reviewed the previous modeling work. Although EPA disagreed with the input parameters to the model and therefore found the results unacceptable, EPA nevertheless has determined that the DEP is acting in good faith to complete the required modeling demonstration, and believes the request for additional time is justified. For these reasons, EPA finds that good cause exists for allowing the DEP an additional four months to submit the modeling demonstration and that it is unnecessary to provide for additonal public comment on this matter.

Action: EPA is approving the Millinocket SO_2 attainment plan conditioned upon submittal by April 30, 1980, of an evaluation, using EPA modeling methods, of the impact of the magnesium oxide recovery boiler stack emissions, showing compliance with the NAAQS during upset conditions.

D. *Total Suspended Particulates (TSP)*—1. *Bangor/Brewer.* Bangor and Brewer were designated non-attainment for the primary TSP standared in the March 3, 1978 **Federal Register**. Particulate emissions from traditional sources include fuel burning solid waste disposal, and industrial processes in the two communities and totalled 320 TPY (tons per year) in 1977. Within a one mile radius of a violating monitor site, however, 1978 non-traditional particulate emissions (primarily dust from paved roads) totalled 340 TPY. Intensive special TSP sampling, aerometric data analyses, and EPA-approved dispersion modeling formed the basis of the plan's control strategy. Dispersion modeling revealed that traditional particulate emissions did not significantly contribute to standards violation in Bangor/Brewer. Thus, regulations imposing RACT on these traditional sources would not expedite attainment of NAAQS and, therefore, are not required. Further, an analysis of air quality and siting data indicated that Bangor's primary TSP standard violations resulted from the undue and localized influence of reentrained road dust on properly sited monitors. Properly sited monitors, however, showed violations of the secondary standard. Consequently, the DEP requested a redesignation from non-attainment for primary to non-attainment for the secondary TSP NAAQS. DEP's attainment plan for Bangor/Brewer, therefore, considered secondary TSP standards attainment at properly sited monitors only. The plan provided for attainment of secondary standards by December, 1980, through a schedule which will evaluate the effectiveness of, adopt, and implement a program of vacuum street sweeping throughout the nonattainment area. Current assessments of the effectiveness of such a program indicate that the plan will attain secondary TSP standards. Furthermore, though not required, the plan also commits the DEP to evaluate RACT, as determined by the EPA study, for traditional sources in Bangor/Brewer, and to adopt RACT regulations if it can be shown to expedite attainment of ambient standards.

In the NPR, EPA proposed approval of this portion of the SIP. EPA also proposed to approve the redesignation of Bangor/Brewer from primary non-attainment to secondary standards non-attainment, under 40 CFR Part 81.

EPA received one letter from an environmental group containing several comments on different portions of the Maine SIP revisions and the NPR. The commenter stated that there are a number of errors in the design values chosen for the total suspended particulate control strategies. For Bangor, the commenter stated that a design value of 63 $\mu g/m^3$ (micrograms per cubic meter) was chosen even though the 1977 annual geometric means for the Webber Oil Company station showed a concentration of 68 $\mu g/m^3$ and the observed winter average for this site is 81 $\mu g/m^3$. EPA believes that the design value of 63 $\mu g/m^3$ is acceptable. This value is the annual geometric mean for the Bangor Daily News site for 1977. This site recorded the most 24-hour standard violations of all properly sited monitors in 1977 and recorded both the

highest and highest second high 24-hour values. The Bangor Daily News site collected a total of 92 samples in 1977. The Webber Oil Company site collected only ten samples in 1977 which does not provide an appropriate data base to calculate an annual geometric mean or to establish a valid design value to be used as a basis for projecting the amout of emission reduction needed to achieve the NAAQS.

The commenter also questioned whether the plan would show attainment throughout the area. On December 27, 1977, the Webber Oil Company station reported a maximum 24-hour value of 259 $\mu g/m^3$, with a second highest value of 162 $\mu g/m^3$ occurring on December 21, 1977. The RAM model calculated the maximum 24-hour contribution from winter time traditional source emissions to be 55 $\mu g/m^3$ at the Webber Oil Company site. Using the second highest 24-hour value of 162 $\mu g/m^3$, a value of 55 $\mu g/m^3$ for the contribution from traditional source emissions and background of 65 $\mu g/m^3$ from the December 29, 1977 Bangor International Airport site, the resulting value, after taking into account a 61% emissions reduction for road dust emissions, is 136 $\mu g/m^3$, which is still under the 24-hour standard. Consequently, the plan should adequately achieve standards in the vicinity of the Webber Oil Company station and at all points in the area.

Action: EPA is approving the redesignation of Bangor/Brewer from primary TSP non-attainment to secondary standards non-attainment, under 40 CFR Part 81. EPA is also approving the Bangor/Brewer secondary TSP attainment plan.

2. *Augusta.* In the March 3, 1978 **Federal Register** the City of Augusta was designated non-attainment for the secondary total suspended particulate standard. In 1977 traditional particulate sources in Augusta emitted roughly 220 tons of particulates, while non-traditional sources (mostly dust reentrained from paved roads) emitted 700 tons of particulates.

The secondary TSP standard attainment plan included an evaluation of the source categories contributing to standards violations in Augusta. Optical microscopy anlyses of samples collected in Augusta suggested that non-traditional sources were the most important contributors to TSP levels when secondary standard violations were recorded. The DEP also applied an empirical technique to Augusta's emission inventory and found, again, that paved road emissions were the single major cause of standard violations. The DEP made a commitment to adopt and implement a program of vacuum street sweeping in Augusta, contingent on the successful demonstration of this measure's control effectiveness in Bangor/Brewer. Standards would be attained by December, 1980. Thus, although the DEP demonstrated attainment of standards through the proposal for vacuum sweeping, no adequately detailed schedule for implementing this measure was submitted. Furthermore, particulate filter analyses indicated that fuel burning was the second most important component on TSP samples. The DEP, therefore, committed to evaluate the need for additional control of particulates emitted from fuel burning, and if it were found that regulations equivalent to RACT are not now in place and additional controls would expedite attainment of NAAQS, to adopt such requirements for fuel burning sources at that time.

In the NPR, EPA proposed approval of the Augusta plan conditioned upon receipt of the following information by December 31, 1979:

(1) A more detailed schedule for evaluating, adopting, and implementing a vacuum street sweeping program throughout Augusta.

(2) Definition of RACT for sources in Augusta, an assessment of the impact of sources which do not meet it, and adoption of RACT when and if it will expedite attainment of secondary standards.

The date for completion of the tasks necessary to satisfy the second proposed condition was predicated on the assumption that EPA would have RACT guidance documents for six major source categories available to the state in sufficient time for the state to review its regulations in light of the guidance and to amend them as necessary. EPA had expected to publish final guidance for all six categories by October of 1979. To date, contract delays have prevented EPA from providing any guidance to the state; however, publication of final guidance is expected in February, 1980. In its letter of January 11, 1980, the DEP requested an extension of time, specifically until August 1, 1980, to assess, define, and adopt RACT as necessary. Because the state has acted in good faith, because the delays in the RACT guidance were not the fault of the state, and because EPA feels such guidance is essential for a technically sound RACT definition, EPA believes the DEP request is justified.

In its January 11 letter, the DEP also requested an extension of the time, specifically until April 30, 1980, for further evaluation, adoption and implementation of a definitive street cleaning schedule for Augusta. The DEP cited resource constraints as the reason for its extension request. Again, EPA believes the DEP request is reasonable. With respect to both extensions of time, the state will be submitting the regulations and schedule as fast as can be reasonably expected under the circumstances. EPA, therefore, finds that additional public comment would serve no purpose and that good cause exists for approving the dates without further opportuity for such comment.

For Augusta, the environmental group commented that a design value of 63 $\mu g/m^3$ was selected even though the Vickery Hill Building station recorded 71 $\mu g/m^3$ in 1976 and 95 $\mu g/m^3$ in 1977 and suggested that EPA condition approval of the plan on a demonstration that standards be attained in the vicinity of the Vickery Hill Building station.

EPA believes the design value of 63 $\mu g/m^3$ is acceptable for Augusta. The 63 $\mu g/m^3$ annual geometric mean was recorded at the Coney High School site in 1975 and is the highest average recorded at any site in Augusta for the years 1976 and 1977, and as such provides a firm basis for control strategy design. The 71 $\mu g/m^3$ annual geometric mean for the Vickery Hill station in 1976 as reported in the revisions is in error; the correct value is 45 $\mu g/m^3$. There were no 24-hour standard violations were collected at the Vickery Hill station. Consequently, the data base is insufficient to establish an annual geometric mean to be used as a design value. Because most of these data were collected in the winter months when particulate levels are highest, the average reported in the state's submittal is biased on the high side, is therefore not representative of levels in the Augusta non-attainment area, and therefore should not be used in control strategy design. The plan should adequately achieve standards throughout Augusta based on the design value of 63 $\mu g/m^3$.

Action: EPA is approving the Augusta secondary TSP standard attainment plan conditioned upon submittal to EPA:

By August 1, 1980 of:

1. The analysis of RACT for sources in Augusta.

2. An assessment of the impact of sources which do not meet RACT.

3. Evidence of the adoption of RACT where and if it will expedite attainment of secondary standards, and

By April 30, 1980 of:

4. A more detailed schedule for evaluating, adopting and implementing a vacuum street sweeping program throughout Augusta.

3. *Rockland/Thomaston.* Rockland and Thomaston were designated in the

March 3, 1979 **Federal Register** as non-attainment for the secondary total suspended particulate standard. In the non-attainment area, particulate emissions result from fuel burning, industrial processes, solid waste disposal, and non-traditional particulate emissions in Rockland. The major source of particulate matter in the non-attainment area is a Portland cement plant which emits approximately 110 TPY from the cement kiln and clinker cooler emission points. In addition, this plant releases roughly 2300 TPY of particulates as fugitive process and fugitive dust emissisons.

The DEP prepared and submitted a plan for Thomaston which would attain secondary NAAQS for TSP no later than November, 1981. No plan was submitted for Rockland because, after a review of air quality and monitor siting data for Rockland, the DEP concluded that available data were inadequate to determine Rockland's attainment status. In an intensive sampling program only one TSP concentration over the secondary standard had been recorded in Rockland in the last two years. Since this single exceedance was related by optical microscopy to a nearby sand blasting operation and did not itself represent a standards violation, the DEP requested a redesignation of Rockland from secondary non-attainment to unclassified.

In the NPR, EPA proposed approval of the Thomaston secondary TSP attainment plan and the redesignation of Rockland to unclassified. No public comment was received on this portion of the NPR.

Action: EPA is approving the Thomaston secondary TSP attainment plan. EPA is also redesignating Rockland from secondary standards non-attainment to unclassified, under 40 CFR Part 81.

4. *Baileyville.* Baileyville was designated non-attainment for the secondary total suspended particulate standard in the March 3, 1978 **Federal Register.** The principal source of particulates in Baileyville is a kraft pulp mill operated by Georgia-Pacific Corporation. This facility emits 1600 TPY of particulates from fuel burning, 710 TPY from kraft recovery boilers and 260 TPY from smelt tanks and lime kilns.

Included in the plan were the results of optical microscopy on violating monitor filters and dispersion modeling for Georgia-Pacific's kraft pulp mill. Filter analyses revealed the presence of significant amounts of materials from the pulp making process. Further, two of the four boilers at the mill (including the largest) were out of compliance with Maine's present fuel burning particulate emission limitations and were operating under a Delayed Compliance Order. Emissions from both boiler stacks are subject to downwash. The attainment plan for Baileyville used dispersion modeling, which included adjustments for downwash, to demonstrate that excess particulate emissions from the two boilers caused the observed secondary standard violations. The attainment date in the plan is June 30, 1979. Thus, when sufficient monitoring data is available, achievement of the secondary TSP NAAQS is expected to be shown.

In the NPR, EPA proposed approval of this portion of the revisions. No comments were received during the public comment period.

Action: EPA is approving the Baileyville secondary TSP standard attainment plan.

5. *Lewiston/Auburn.* Lewiston and Auburn were designated non-attainment for the secondary TSP standard in the March 3, 1978 **Federal Register.** In the May 1, 1979 submittal, Maine requested that Lewiston/Auburn be redesignated from secondary TSP standards non-attainment to unclassified. Supporting material accompanying the request related measured secondary TSP standards violations to two temporary construction projects and an unpaved parking lot (soon to be paved) which were in the immediate vicinity of the monitor when violations were observed. The DEP made a reasonable showing that violations recorded in Lewiston/Auburn in 1977 were not indicative of that area's TSP attainment status.

In the NPR, EPA proposed approval of the redesignation of Lewiston/Auburn from non-attainment for the secondary TSP standard to unclassified. No comments were received on this portion of the NPR.

Action: EPA is approving the redesignation of Lewiston/Auburn from non-attainment for the secondary TSP standard to unclassified, under 40 CFR Part 81.

E. *New Source Permit Program*—To satisfy the requirements of Part D, the SIP must include a preconstruction review program which assures that permits for proposed major sources and major modifications may be issued only if the folowing requirements of Section 173 of the Act are satisfied:

Section 173(1): The proposed major source or major modification is accommodated by one or both of the following approaches:

(A) There are sufficient case-by-case offsetting emission reductions (offsets) and other emission reductions required under the SIP, so that allowable emissions from all sources when the proposed major source or major modification is to commence operation represent reasonable further progress (RFP); or

(B) Emissions resulting from the proposed major source or major modification are accommodated by the emissions growth allowance for major new sources.

Section 173(2): The proposed major source or major modification must comply with the lowest achievable emission rate (LAER) as defined in Section 171(3) of the Act.

Section 173(3): All major sources in the state owned or operated by the owner or operator of the proposed major source or major modification (or by any entity controlling, controlled by, or under common control with such person) must be in compliance (or on a schedule for compliance) with emission limitations and standards required by the Act.

Section 173(4): The SIP is being carried out in the non-attainment area where the proposed source is to locate.

In addition, any emission reductions required under Section 173(1)(A) must be legally binding and enforceable before the permit may be issued.

Maine's New Source Review (NSR) regulations for new sources locating in non-attainment areas are found in the regulatory section of the plan submitted on May 1, 1979 in regulations 108, "Emissions License Regulation", and 113, "Growth Offset Regulations". Maine required new and modified sources to obtain an air emissions license which is equivalent to a permit and which must be renewed every two years.

The Act permits the state the option of offsetting new emissions on a case-by-case basis at the time of permit approval for each major source. Maine chose to pursue this option. However, prior to publication of the NPR, regulation 113 defined all required offsets in terms of air quality impact reductions rather than emission reductions.

In the NPR, EPA indicated that Maine's air quality offset strategy would satisfy section 173(1) of the Act if the air quality offsets could be directly related to emission offsets and RFP without the use of dispersion techniques, and provided RPF was defined in a manner consistent with the Act. Also the NPR indicated that Maine must agree to further document it's administration of the air quality offset program.

Consequently, on September 26 and December 12, 1979 the Maine Board of Environmental Protection amended the offset portions of regulations 108 and 113 and adopted revisions to the narrative portion of the SIP to further

explain the administration of the offset program.

Section 173(1)—Regulation 108.5 applies to new or modified major emitting sources locating in or significantly affecting non-attainment areas, and specifies that no license may be issued unless, among other requirements, the source has obtained offsets consistent with the growth offset provisions of regulation 113. Regulation 113, as amended, requires new major emitting sources and major modifications to obtain emission offsets from existing sources whose emissions of the same pollutant affect the same area as the proposed source. Furthermore, the required offset shall provide that by the time the proposed source is to commence operation, total allowable emissions from the proposed source, from existing sources, and from new or modified sources which are not major sources will be sufficiently less than existing allowable emissions so as to represent RFP. The regulation defines RFP in terms of annual emission reductions sufficient to provide for attainment as expeditiously as practicable but not later than the attainment date required by the Act.

Amended regulation 113.2(B)(1) provides that sources which demonstrate by on site monitoring that they will be located in a clean portion of a designated non-attainment area (an area where standards are not actually being violated) but which will not significantly impact a dirty portion of the non-attainment area (an area where standards are actually being violated) are not required to obtain offsets. Amended regulation 113.2(B)(2) provides that sources in clean portions of non-attainment areas which cause a new violation need only obtain offsets sufficient to prevent the violation. Amended regulation 113.2(B)(3) provides that sources in clean portions of non-attainment areas which significantly contribute to an existing air quality violation need only offsets necessary to insure RFP. Amended regulation 113.2(B)(4) states that a source located in a clean portion of a non-attainment area which causes a new violation in an area for which there is no approved non-attainment plan must obtain offsets sufficient to prevent the violation. The amended SIP narrative (Chapter 6) explains that only dispersion techniques consistent with good engineering practice (GEP) or which otherwise do not conflict with the requirements of the Act will be allowed for the purpose of determining air quality offset credit. These provisions are equivalent to exemptions provided under EPA's Emission Offset Interpretative Ruling (EOIR) (44 FR 3284). The General Preamble (44 FR 20379) states that EPA interprets the Act to allow exemptions like those in the EOIR.

EPA has determined that the amendments to regulations 108 and 113, as well as the changes in Chapter 6 of the SIP narrative, satisfy the proposed conditions in the NPR.

Section 173(2)—Regulation 108.6(C) which pertains to air pollution control requirements and which applies to new or modified major emitting sources locating in, or whose emissions may reasonably be expected to affect non-attainment areas requires application of lowest achieveable emission rate which is defined as in the Act.

Section 173(3)—Regulation 108.5(a)(2) is equivalent to this requirement since all major emitting sources owned by operated by such person or by any entity controlling, controlled by or under common control with such person in the state must either be in compliance or on a schedule for compliance with all applicable emission limitations and standards.

Section 173(4)—Maine has no provision requiring that the plan be carried out in the non-attainment area in which the proposed sources would be constructed or modified. EPA's rule on new source restrictions (44 FR 38471, July 2, 1979) explains how EPA would carry out this portion of the Act.

Enforceability—Regulations 108.5 and 113.2 require that all emission reductions of offsets must be legally enforceable prior to obtaining an air emission license and that they be in effect by start-up and throughout operation of the proposed source.

In the NPR, EPA proposed approval conditioned upon correction of several minor regulatory deficiencies by December 31, 1979. In response, on September 26, 1979, the Board of Environmental Protection adopted the following amendments:

1. Definition Regulation 100, Sections 20 and 21, was amended by replacing the term "air pollutant" with "air contaminant". Regulation 100.1 defines the term "air contaminant". The term "air pollutant" had not been defined.

2. The first line of the last paragraph of regulation 100.20 has been changed (the phase "the location of modification of" was deleted.)

3. Regulation 113.2 has been amended to define RFP consistent with the Act and requires air quality impact reductions to be consistent with RFP.

On December 12, 1979, the regulatory portion of the revisions was further amended as follows:

4. Regulations 113.1 (C.) and (E.). The threshold for carbon monoxide has been changed from 1,000 tons per year to 100 tons per year.

5. Regulation 113.1(f). The word "compound" was replaced with the term "volatile organic compound".

In addition, regulation 108.5 has been amended to require offsets consistent with regulation 113. Also, Maine eliminated from regulation 100.20 an exemption from the definition of major emitting source for nonprofit health and educational institutions. Such exemptions are allowed under EPA's prevention of significant deterioration requirements, but are not provided for under section 173 of the Act.

EPA has determined that the above regulatory amendments satisfy the proposed condition in the NPR.

EPA received a letter of public comment on the new source review portion of the revisions. The commenter suggested that the plan should expressly prohibit sources from using dispersion techniques to attain standards, and that offsets should be measured in terms of actual emission reductions to achieve RFP rather than on air quality offsets. Amended regulation 108.6(D), pertaining to new sources in non-attainment areas, states that the degree of emission limitation required shall not be affected in any manner by so much of the stack height as exceeds GEP or any other dispersion technique. This satisfies the commenter's first concern. The commenter's second concern has been satisfied by amended regulations 108 and 113, discussed above, which now require emission offsets rather than air quality offsets for sources located in or whose emissions may significantly impact on nonattainment areas.

The commenter also indicated that Maine regulation 108(5)(A)(1) did not require growth of non-major sources to be included in the offset and RFP demonstration. Thus, it violates Section 173(1) of the Act.

Amended regulation 108, submitted on December 20, 1979, requires offsets consistent with regulation 113. Amended regulation 113.2, as submitted on December 20, 1979, requires emissions from new or modified sources which are not major sources to be considered in the offset and RFP demonstration.

The commenter stated that the exemptions provided for in regulation 113.3 are not permitted under section 173 of the Act. Exemptions like those in regulation 113 are contained in EPA's EOIR (44 FR 3284) if certain provisions are complied with. EPA's General Preamble (44 FR 20379) allows the State to exempt similar sources under the same conditions. In the NPR, EPA

indicated it would allow the exemptions provided for in regulation 113.3 as long as the emission deficit is made up prior to the issuance of any further permits or the State submits the exemption to EPA as a SIP revision. Chapter 6.2 of the December 20 submittal states that whenever a source obtains an offset exemption permitted under regulation 113.3 the State will revise the SIP to provide additional means of achieving the RFP schedule.

The commenter indicated that the plan failed to require a demonstration of compliance to be made by sources owned or operated by any entity controlling the permit applicant or under common control with the permit applicant and that sources must be on a schedule for compliance. This has been corrected by an amendment to regulation 108.5(A)(2), which requires a demonstration of compliance by any entity controlling, controlled by or under common control with the permit applicant. Maine has amended the term "under an enforceable schedule to" to "on an enforceable schedule".

Note.—In the rulemaking at the end of this Notice, EPA is eliminating the existing Section 1026 in Part 52 which relates to indirect source reviews. These provisions are obsolete and inconsistent with Section 110(a)(5) of the Act which was added by the 1977 Amendments. The actions described below will appear as a new Section 1026.

Action: EPA is approving the program to review new or modified major stationary sources in non-attainment areas.

F. *Resource Commitments*—Maine had not included in its revisions a discussion of the man-years and other resources needed to carry out its control measures. In the NPR, EPA proposed to approve this portion of the revisions conditioned upon submittal to EPA by December 31, 1979 of Maine's resource commitments. No comments were received on this portion of the NPR. Since the NPR was published, Maine has agreed, through the Section 105 air program grant for fiscal year (FY) 1980, to allocate sufficient money and personnel to implement the control strategies discussed in the May revisions.

Action: EPA is approving this portion of the SIP revisions.

G. *Evidence of Public, Local and State Involvement*—Two areawide transportation planning organizations in conjunction with two state agencies were designated by the Governor to take the lead in resolving Maine's transportation-related pollution. A series of workshops on the revisions was held. More are planned as reasonably available control measure analyses are completed. The state also worked closely with municipal officials to institute programs for local action to attain secondary TSP standards.

In the May 1, 1979 submittal, the DEP did not include an analysis of identified health, welfare, economic, energy or social effects of the revisions or a summary of public comments on them. In the NPR, EPA proposed to approve this portion of the SIP revisions conditioned upon EPA's receipt of this analysis and public comment prior to December 31, 1979. In its October 26, 1979 submittal Maine included a comprehensive issues analysis, including public comment.

In the NPR, EPA also proposed to approve the long-term public participation plan conditioned upon compliance with grant conditions contained in Maine's Section 105 air program grant for FY 1980. EPA air grant guidance indicates that states should have submitted a comprehensive plan for public participation by January 1, 1980. That plan was to identify a skilled public participation staff person in the state air program with overall responsibility for carrying out an effective public participation program and a commitment of resources to be devoted to that effort. However, because EPA was unable to hold a training session for state personnel in public participation techniques until December and because EPA does not think the date change is significant the submittal deadline is extended to March 31, 1980.

No comments were received on this portion of the NPR.

Action: EPA is:

1. Approving the public participation efforts in SIP development to date, and the issues analysis and public comment on the effects of the SIP revisions.

2. Approving the long-term public participation plan conditioned upon its submittal to EPA by March 31, 1980.

H. *Adoption After Notice and Hearing*—Public hearings were held on the May 1, 1979 submittal on November 16, 1978, January 11, 1979, and the week of February 26, 1979, following 30 days public notice. These revisions were adopted by the state on March 28, April 11, and May 9, 1979.

Additional hearings were held on August 21–24 and August 27, 1979 (following 30 days public notice) for revisions included in the October 26 and December 20, 1979 submittals.

II. General SIP Measures—Non-Part D

A. *Stack Height.* Section 123 of the Act requires that the degree of emission limitation may not be affected by stack height in excees of good engineering practice or by any other dispersion technique. EPA proposed stack height regulations on January 12, 1979, but has not yet finalized the rulemaking. Maine's Regulation 108.6(D) is consistent with Section 123 of the Act. At some time in the future, Maine may have to amend its regulations to encompass specific provisions of EPA's final rulemaking. In the NPR, EPA proposed to approve this portion of the revisions. No public comment was received except as noted in Section I. E of this Notice.

Action: EPA is approving this portion of the SIP revisions.

EPA is taking no action on sections B through F below. These items were described in the NPR and EPA proposed to take no action on them (except permit fees, discussed in section B). No public comment was received on these issues except as noted under Section III of this Notice. In this final rulemaking, EPA is taking no action at this time.

B. *Permit Fees.* Section 110(a)(2)(K) requires each state to institute a fee system for those sources applying for a permit to cover the administrative costs of reviewing that application as well as those incurred in monitoring and enforcing the permit conditions.

Maine has had an applicable regulation, No. 130, since 1974 governing fees for air emission licenses. This submittal proposed to add this regulation to Chapter 10 of Maine's existing SIP. The fees are collected annually. In the NPR, EPA proposed to approve this section of the SIP.

One letter of comment was received. The commenter stated that the Maine revisions failed to comply with Section 110(a)(2)(K) and the Act because the state had made no attempt to document the extent to which the fees collected under regulation 130 cover the cost of the permit program and that the $500 maximum fee was insufficient. EPA acknowledges the state's lack of support information which would enable it to determine if the fee schedule is sufficient to finance the permit program and is working with the state to assist it in fulfilling the requirements for an acceptable permit fee program. However, EPA does not believe that permit fee programs are needed to satisfy the requirements of Part D. While legislative history states that these provisions should apply in non-attainment areas, there is no legislative history indicating that they should be treated as Part D requirements. Therefore, EPA does not believe that failure to satisfy these requirements is grounds for conditional approval under Part D, or for application of the construction restriction under section 110(a)(2)(I) of the Act. After a review of Maine's fee program, EPA proposed

approval of this part of the plan in the NPR. However, in response to the comments received and since EPA has not established model regulations with which to compare Maine's regulations, EPA will take no action on the permit fee section of the Maine revisions.

C. *Intergovernmental Consultation.* Section 121 requires a state to provide a satisfactory process for consultation with local governments and federal land managers in the development of the SIP.

The Lewiston-Auburn Comprehensive Transportation Study and the Portland Area Comprehensive Transportation Study were designated as lead agencies for transportation planning for their areas. The policy committee of these groups is composed of local officials. In addition, any major new source is required to file its air emission license application with the affected community prior to submission of the application to the state. The revisions would also add to Chapter 9 of Maine's existing SIP a requirement that the Department make available to Federal Land Managers all pertinent information on the SIP, pertinent laws, regulations, standards, and any major new source or control strategy.

On June 18, 1979 (44 FR 35176) EPA promulgated regulations governing intergovernmental consultation. Although Maine has met, in part, the spirit of those requirements in these revisions, the new regulation requires Maine to submit a comprehensive SIP revision to meet the provisions of Section 121. EPA and the state have agreed to combine these requirements with the plan discussed under Section I G above.

D. *Interstate Pollution.* Section 126 requires states to identify existing major sources which may significantly contribute to air pollution levels and provide written notice to nearby states. In addition, it must do the same for any proposed major new stationary sources.

The state of Maine has no comparable provision in the revisions and EPA proposed to take no action in the NPR.

E. *Public Notification.* Section 127 requires each state to effect measures for notifying the public on a regular basis of instances or areas in which any primary standard is exceeded and to enhance public awareness of measures which can prevent the standards from being exceeded.

The Maine submittal made no provision for regular notification to the public of standards violations. Regulations promulgated by EPA on May 10, 1979 (44 FR 27569) require a comprehensive SIP revision for public notification to be submitted to EPA by March 1, 1980. In the NPR, EPA proposed to take no action.

F. *Conflict of Interest.* Section 128 requires that any existing state board which is empowered to approve or enforce permits required under the Act must have as a majority members who represent the public interest. Any members with any potential conflict of interest must disclose that fact.

The Maine submission does not include such a provision for its existing Board and EPA proposed to take no action in the NPR (see reference in Section III to general comments.)

III Responses to General Comments

One commenter submitted extensive comments and requested that they be considered as part of the record for each state plan. Another commenter, a national environmental group, discussed EPA action on permit fee systems and the composition of state boards. Each of the points raised by these commenters and EPA's response have been published at 45 FR 2036, 2039 et seq.

IV EPA Final Action

EPA is taking final action to conditionally approve certain elements of the Maine revisions. A discussion of conditional approval and its practical effect appears in a supplement to the General Preamble, 44 FR 38583 (July 2, 1979). The conditional approval requires the state to submit additional materials by the deadlines specified in today's Notice. There will be no extensions of conditional approval deadlines which are being promulgated today. EPA will follow the procedures described below when determining if the state has satisfied the conditions.

1. If the state submits the required additional documentation according to schedule, EPA will publish a notice in the **Federal Register** announcing receipt of the material. The notice of receipt will also announce that the conditional approval is continued pending EPA's final action on the submission.

2. EPA will evaluate the state's submission to determine if the condition is fully met. After review is complete, a **Federal Register** notice will be published proposing or taking final action either to find the condition has been met and approve the plan, or to find the condition has not been met, withdraw the conditional approval and disapprove the plan. If the plan is disapproved the Section 110(a)(2)(I) restrictions on construction will be in effect.

3. If the state fails to timely submit the required materials needed to meet a condition, EPA will publish a **Federal Register** notice shortly after the expiration of the time limit for submission. The notice will announce that the conditional approval is withdrawn, the SIP is disapproved and Section 110(a)(2)(I) restrictions on growth are in effect.

Accordingly, the Maine State Implementation Plan Revisions submitted on May 1, October 26 and December 20, 1979 are approved as satisfying the requirements of Part D and Section 110(C)(2)(I), with the exception of the sulfur dioxide attainment plan for Millinocket, the secondary TSP attainment plan for Augusta and the plan to include the public and local and state officials in developing future SIPs, which are approved conditionally.

The measures approved or conditionally approved are in addition to, and not in lieu of, existing SIP regulations. The present emission control regulations remain applicable and enforceable to prevent a source from operating without controls or under less stringent controls, while moving toward compliance with the new regulations (or, if it chooses, challenging the new regulations). Failure of a source to meet applicable pre-existing regulations will result in appropriate enforcement action, which may include assessment of noncompliance penalties.

There are two main exceptions to this rule. First, if a pre-existing control requirement is incompatible with a new, more stringent requirement, the state may exempt sources from compliance with the pre-existing regulations during the period when compliance with the existing requirement conflicts with achieving compliance with the new requirement. Any exemption granted would be reviewed and acted on by EPA as a SIP revision. Second, an existing requirement can be relaxed or revoked if the revision will not interfere with attainment of standards.

The 1978 edition of 40 CFR Part 52 lists in the subpart for Maine the applicable deadlines for attaining ambient standards required by Section 110(a)(2)(A) of the Act. For each nonattainment area where a revised plan provides for attainment by the deadlines required by Section 172(a) of the Act, the new deadlines are substituted on Maine's attainment date chart in 40 CFR Part 52. The earlier attainment dates under Section 110(a)(2)(A) will be referenced in a footnote to the chart. Sources subject to plan requirements and deadlines established under Section 110(a)(2)(A) prior to the 1977 Amendments remain obligated to comply with those requirements, as well as with the new Section 172 plan requirements.

Congress established new attainment dates under Section 172(a) to provide additional time for previously regulated sources to comply with new, more stringent requirements and to permit previously uncontrolled sources to comply with newly applicable emission limitations. These new deadlines were not intended to give sources that failed to comply with pre-1977 plan requirements by the earlier deadlines more time to comply with those requirements. As stated by Congressman Paul Rogers in discussing the 1977 Amendments:

> Section 110(a)(2) of the Act made clear that each source had to meet its emission limits "as expeditiously as practicable" but not later than three years after the approval of a plan. This provision was not changed by the 1977 Amendments. It would be a perversion of clear congressional intent to construe part D to authorize relaxation or delay of emission limits for particular sources. The added time for attainment of the national ambient air quality standards was provided, if necessary, because of the need to tighten emission limits or bring previously uncontrolled sources under control. Delays or relaxation of emission limits were not generally authorized or intended under part D.
>
> (123 Cong. Rec. H 11958, daily ed. November 1, 1977.)

To implement Congress' intention that sources remain subject to pre-existing plan requirements, sources cannot be granted variances extending compliance dates beyond attainment dates established prior to the 1977 Amendments. EPA cannot approve such compliance date extensions even though a Section 172 plan revision with a later attainment date has been approved. However, a compliance date extension beyond a pre-existing attainment date may be granted if it will not contribute to a violation of an ambient standard or a PSD increment.[1]

In addition, sources subject to pre-existing plan requirements may be relieved of complying with such requirements if a Section 172 plan imposes new, more stringent control requirements that are incompatible with controls required to meet the pre-existing regulations. Decisions on the incompatibility of requirements will be made on a case-by-case basis.

The Agency finds that good cause exists for making this action immediately effective, for the following reasons:

1. Implementation plan revisions are already in effect under state law and EPA approval imposes no additional regulatory burden;

2. EPA has a responsibility under the Act to take final action on the portion of the SIP which addresses Part D requirements by July 1, 1979, or as soon thereafter as possible.

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This rulemaking action is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: February 12, 1980.

Barbara Blum,

Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart U—Maine

Title 40, Part 52 of the code and Federal Regulations is amended as follows:

1. In § 52.1020, paragraph (c) is amended by adding subparagraph (11) as follows:

§ 52.1020 Identification of plan.

* * * * *

(c) * * *

(11) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted on May 1, 1979, October 26, 1979 and December 20, 1979. Included are plans to attain: The secondary TSP standard for Augusta, Thomaston, Bangor and Brewer; the primary and secondary SO_2 standard for Millinocket; the carbon monoxide standard for Lewiston and Bangor and the ozone standard for AQCRS 107 and 110. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions are also included.

§ 52.1021 [Amended]

2. Section 52.1021 is amended by changing the wording "Photochemical Oxidants (hydrocarbons)" to "Ozone".

3. Section 52.1022 is revised to read as follows:

§ 52.1022 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Maine's plan, as identified in § 52.1020, for the attainment and maintenance of the national standards under Section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below.

In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

4. Section 52.1024 is revised to read as follows:

§ 52.1024 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Maine's plan.

Pollutant

Air quality control region and nonattainment area[1]	TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
AQCR 107:							
Augusta	a	f	a	b	a	a	c
Rockland	a	b	a	b	a	a	c
Thomaston	a	e	a	b	a	a	c
Lewiston	a	b	a	b	a	c	c
Auburn	a	b	a	b	a	a	c
Remainder of AQCR	a	b	a	b	a	a	c
AQCR 109:							
Bangor	a	f	a	b	a	c	a
Brewer	a	f	a	b	a	a	a
Baileyville	a	b	a	b	a	a	a
Millinocket	a	b	a	b	a	a	a
Remainder of AQCR	a	b	a	b	a	a	a
AQCR 110	a	b	a	b	a	a	c

[1] Sources subject to plan requirements and attainment dates established under Section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1024 (1978).

a. Air quality levels presently below primary standards or area is unclassifiable.
b. Air quality levels presently below secondary standards or area is unclassifiable.
c. 12/31/82.
d. 9/1/80.
e. 11/30/81.
f. 12/31/80.

[1] *See* General Preamble for Proposed Rulemaking, 44 FR 20373–74 (April 4, 1979).

5. Section 52.1025 is revised by adding paragraph (e) as follows:

§ 52.1025 Control strategy: particulate matter.

* * * * *

(e) The provision for regulation of TSP emissions in Augusta is approved as satisfying Part D requirements conditioned upon submittal by August 1, 1980 of:

(1) A definition of RACT for sources in Augusta; and

(2) An assessment of the impact of sources which do not meet their RACT definition; and

(3) Adopted RACT regulations where they will expedite attainment of secondary standards.

and by April 30, 1980 of:

(4) A more detailed schedule for evaluating, adopting and implementing a vacuum street sweeping program throughout Augusta.

6. Section 52.1026 is revised to read as follows:

§ 52.1026 Review of new sources and modifications.

The program to review operation and construction of new and modified major stationary sources in non-attainment areas is approved as meeting the requirements of Part D.

7. Section 52.1027 is hereby established as follows:

§ 52.1027 Rules and regulations.

(a) *Part D—Conditional Approval.* (1) Approval of the control strategy to attain the primary and secondary sulfur dioxide standard in Millinocket is conditioned on submittal to EPA by April 30, 1980 of a modeling analysis indicating that upset conditions at the magnesium oxide recovery stack do not violate NAAQS.

(2) Approval of the plan which evidences public, local and state involvement in SIP development is conditioned on submittal to EPA by March 31, 1980 of a comprehensive plan for public participation in compliance with Section 105 grant conditions for fiscal year 1980.

(b) *Non-Part D—No Action.* EPA is neither approving nor disapproving the following elements of the revisions identified in § 52.1020(C)(10):

(1) Intergovernmental consultation.

(2) Interstate pollution notification requirements.

(3) Public notification requirements.

(4) Conflict of Interest requirements.

(5) Permit fees.

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Part 81 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart C—Section 107-Attainment Status Designations

1. In § 81.320 the attainment status designation table for total suspended particulates is revised to read as follows:

§ 81.320 Maine.

Maine—*TSP*

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
AQCR 107 (Central Maine):				
Augusta		X		
Thomaston		X		
Lewiston/ Auburn			X	
Rockland			X	
Remainder of AQCR				X
AQCR 109 (Downeast):				
Bangor/Brewer		X		
Baileyville		X		
Remainder of AQCR				X
AQCR 108 (Aroostook)			X	
AQCR 111 (Northwest Maine)				X
AQCR 110 (Metropolitan Portland)				X

§ 81.320 [Amended]

2. In § 81.320 the attainment status designation reading for "O_x" (oxidants) is revised to read "O_3" (ozone).

§ 81.320 [Amended]

3. In § 81.320 the attainment status designation table of O_3 (ozone) is revised to read as follows:

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
AQCR 107 (Central Maine)	X	
AQCR 110 (Metropolitan Portland).	X	
AQCR 109 (Downeast)		X
AQCR 108 (Aroostook)		X
AQCR 111 (Northwest Maine)		X

[FR Doc. 80-5051 Filed 2-15-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Parts 52 and 81

[FRL 1414-5]

Air Quality Implementation Plans; Vermont Revisions

AGENCY: Environmental Protection Agency.

ACTION: Final Rulemaking.

SUMMARY: The purpose of this Notice is to approve, in part, the State Implementation Plan (SIP) revisions for Vermont which were received by the Environmental Protection Agency (EPA) on March 21, November 21, November 27, and December 19, 1979. In addition, EPA is taking final action to approve conditionally one element of the Vermont SIP revisions as well as to disapprove two items.

These plan revisions were prepared by the state to meet the requirements of Part D (Plan Requirments for Non-Attainment Areas) and certain other sections of the Clean Air Act (the Act) 42 U.S.C. 7401 et seq., as amended in 1977. On July 9, 1979 (44 FR 40078), EPA published a Notice of Proposed Rulemaking (NPR) which described the revisions, discussed certain provisions which in EPA's judgment did not comply with the requirements of the Act, and requested public comment. Several comments have been received. Responses to general comments received on the July 9, 1979 NPR are contained in a separate section at the end of the preamble. A Notice of final action on the portions of the revisions which concern Part C of the Act, Prevention of Significant Deterioration of Air Quality, has been published previously.

EFFECTIVE DATE: February 12, 1980.

FOR FURTHER INFORMATION CONTACT: Frank J. Ciavattieri, Chief, Air Branch, Environmental Protection Agency, Region I, JFK Federal Building, Room 1903, Boston, Massachusetts 02203, (617) 223-6883.

SUPPLEMENTARY INFORMATION:

I. Introduction

EPA's July 9, 1979 Notice of Proposed Rulemaking (NPR) (44 FR 40078) outlined the requirements of the Clean Air Act and reviewed the proposals Vermont has addressed in its submittal. The NPR raised several issues which in EPA's judgment required changes either in the SIP narrative or in the regulations. In response to the NPR, on November 21, November 27 and December 19, 1979, EPA received narrative and regulatory changes and clarifications to Vermont's

March 21, 1979 submittal. The public hearing for those changes occurred on September 25, 1979.

The Vermont SIP revisions were developed in response to the requirements of Part D of the Act. In general, the SIP is required to provide for attainment and maintenance of the national ambient air quality standards (NAAQS) for all areas which have been designated non-attainment pursuant to Section 107 of the Act. Specific requirements are discussed in detail in the April 4, 1979 **Federal Register** General Preamble (44 FR 20372), and supplements published on July 2 (44 FR 38583); August 28 (44 FR 50371), September 17 (44 FR 53761), and November 23, 1979 (44 FR 67182). Additional SIP revisions will be required on June 1, 1980 and January 1, 1981 to address additional stationary VOC source controls.

On March 3, 1978 (43 FR 8962), pursuant to Section 107 of the Act, EPA designated certain areas as non-attainment based on existing violations of the NAAQS. The table below reflects the non-attainment areas as of March 3, 1978:

Community	CO	O_x	TSP (secondary)
Colchester Town	×	×	×
Winooski City	×	×	×
Essex Town	×	×	×
Burlington City	×	×	×
South Burlington City	×	×	×
Williston Town	×	×	×
Shelburne Towne	×	×	×
St. George Town	×	×	×
Rutland Town		×	×
Rutland City		×	×
Proctor Town		×	×
West Rutland Town		×	×
Pittsford		×	×
Barre City		×	×
Barre Town		×	×
Remainder of the State		×	

Today's final rulemaking action approves non-attainment designations as follows:

Community	CO	O_x	TSP (secondary)
Chittenden County:			
Colchester Town	×	×[1]	
Winooski City	×	×[1]	×
Essex Town (includes Essex Junction)	×	×[1]	×
Burlington City	×	×[1]	×
South Burlington City	×	×[1]	×
Williston Town	×	×[1]	
Shelburne Town	×	×[1]	
St. George Town	×	×[1]	
Remainder of Chittenden County		×[1]	
Washington County: Barre City			×
Windsor County		×	
Addison County		×	

[1] The state of Vermont, in a letter dated December 11, 1979, has requested redesignation of Chittenden County to unclassifiable. EPA will publish a Notice proposing action on this request at a future date.

In the NPR EPA proposed conditional approval of Vermont's new source review and ozone control requirements. It was expected that the conditional approval would become final in the early fall and the conditions would have required the submission of the necessary changes prior to November 1, 1979. The conditional approval has not been finalized but Vermont has, nevertheless, submitted the necessary changes which were described in the notice of proposed rulemaking and on which public comment was invited. The adequacy of these amendments is discussed below. The conditions which EPA had intended to impose have already been fulfilled. In view of the fact that the amendments necessary were discussed in detail in the NPR and that the changes which Vermont has made were in line with those discussions, EPA has decided that further opportunity for public comment is unnecessary. The issues relating to this final rulemaking have been fully aired and the public has had ample opportunity to participate in this rulemaking proceeding and has done so. EPA's responses to the six comments received appear by pollutant in Section III or in Section IV. EPA is thus making the approval of the new source review and ozone control portion of the Vermont SIP revisions final and is not imposing conditions.

EPA has reviewed public comments received on the July 9, 1979 Notice and is taking the following actions:

Approving: 1. Control strategies for the two secondary Total Suspended Particulate (TSP) standard non-attainment areas.

2. The entire carbon monoxide control strategy.

3. The ozone control strategies for Addison, Windsor and Chittenden Counties.

4. The program to review new and modified major stationary sources in nonattainment areas, except one regulatory section.

5. The resource commitments for undertaking the various control measures.

6. The notice and hearing provisions.

7. The changes to the state's ambient air quality standards.

Approving conditionally: 1. The plan showing evidence of public, local, and state involvement in SIP development.

Approving (under 40 CFR, Part 81) the following redesignations: 1. Of Vermont's ozone non-attainment areas to unclassifiable except for Addison, Chittenden and Windsor Counties.

2. Of the Vermont Air Management Area from non-attainment for the secondary TSP standard to attainment.

3. Of the adjustments to the boundaries of the Burlington Region and the Barre Region non-attainment areas for the secondary TSP standard.

Disapproving: 1. Regulation 5–501(3)—Default Permits

Taking No Action On: 1. Comprehensive air quality monitoring network.

2. Permit fees.

3. Intergovernmental consultation.

4. Stack height requirements.

5. Interstate pollution notification requirements.

6. Conflict of interest requirements.

II Part D Nonattainment Control Strategies

A. Total Suspended Particulates (TSP)

During the course of developing these revisions the Vermont Agency of Environmental Conservation (AEC) was able to more precisely define the geographic areas violating secondary TSP standards. The AEC requested that the communities previously designated non-attainment be refined to include a smaller area. The non-attainment areas are now composed of: A subpart of the Champlain Valley Air Management Area identified as the Burlington Region and consisting of Essex Town (includes Essex Junction), Burlington City, South Burlington City, Winooski City and a subpart of the Central Vermont Air Management Area identified as the Barre Region and consisting of Barre City. The state has also requested that a third area, the Vermont Valley Air Management Area, previously designated non-attainment, be reclassified to attainment.

1. *Burlington Region.* Dispersion modeling predicted that the application of RACT would not result in a more expeditious attainment date as nontraditional sources, particularly reentrained road dust, have been identified as the major cause of violations. Reductions are needed to attain standards and the proposed revisions are directed at identifying, developing, and implementing control

measures in two phases. Attainment is projected by the end of 1987.

Phase I of Vermont's control strategy, to be completed by December 31, 1980, will consist of additional ambient air quality data collection. In mid-1980, when Phase II will commence, actual control measures such as road curbing, street sweeping, or paving of dirt parking or vehicle use areas in the urban core will be explored based on the evaluation of Phase I activities. The preferred strategies will be tested and by early 1983, full scale implementation of the selected strategies will be initiated. In view of the present uncertainty associated with non-traditional source controls, Vermont has proposed the above schedule of activities, with completion by the end of 1987, as the most expeditious approach to attain the secondary TSP standard. EPA agrees that attainment by the end of 1987 is as expeditiously as practicable.

Control strategies would have to account for gradual emission reductions beginning in 1983 and increasing to a reduction of 500 tons per year in paved road reentrainment by the end of 1987 (55% of the projected 1987 rate) to attain the standard. These estimates are based on the best information presently available, and may be refined as a result of Phase I of Vermont's activities:

In addition to the commitment described above, Vermont has indicated in the SIP narrative its intention to review whether the existing traditional point source regulations represent Reasonably Available Control Technology (RACT). EPA is presently completing the development of particulate matter RACT guidelines for six categories of sources. Vermont has committed to review EPA's guidelines and to submit regulatory changes consistent with those guidelines as necessary.

In the NPR, EPA proposed approval of this portion of the revisions. No letters of comment were received on this issue.

Action: EPA is approving the secondary TSP attainment plan and the boundary refinements for the Burlington region.

2. *Barre Region.* Because of a lack of monitored air quality and meteorological data, a statistical analysis relating concentrations from different averaging times was used. A review of the emissions from point sources (a total of 35 tons per year) suggested that traditional point sources and source categories would make an even less significant contribution in Barre than in Burlington so RACT regulations are also unnecessary now as adoption of such RACT regulations would not expedite attainment of NAAQS. Nevertheless, the state has committed, as in the Burlington plan, to review EPA's RACT guidelines and to adopt consistent regulations.

The control strategy for the Barre area is similar to that discussed for Burlington, with additional emphasis on increased air quality and meteorological data collection and modeling refinements in the early stages. The phased approach is also expected to result in complete implementation of control measures and attainment of the secondary particulate standard by the end of 1987.

It was estimated that the same control level that was required in Burlington, a 55% reduction in reentrained road dust, would be sufficient to attain the secondary particulate standard by the end of 1987. This represents a reduction of about 125 tons per year of reentrained road dust in the central Barre area. The estimates will be further validated during Phase I of the control program.

To monitor the progress of the plans for both these areas toward attainment of the standards, an emissions tracking mechanism will be employed, and emission updates will be reported annually to EPA by the end of the first quarter of each calendar year. Area and point source emission data will be updated annually. New point sources of emissions will be tracked through the new source review process which will result in inclusion in the inventory of all sources down to 5 tons per year allowable TSP emissions. The annual reports of these updates will provide a comparison of the updated emission levels with those that this plan has projected.

In the NPR, EPA proposed approval of this portion of the revisions. No letters of comment were received on this issue.

Action: EPA is approving the secondary TSP attainment plan and the boundary refinements for the Barre region.

3. *Vermont Valley Air Management Area.* The state requested redesignation to attainment based on eight quarters of violation-free monitoring data. In the NPR, EPA proposed approval of this portion of the revisions. No letters of comment were received on this issue.

Action: EPA is approving the redesignation of the Vermont Valley Air Management Area from non-attainment to attainment in 40 CFR Part 81.

B. Carbon Monoxide (CO)

The following communities in the Champlain Valley Air Management Area were designated non-attainment for the 8-hour carbon monoxide standard in the March 3, 1978 **Federal Register:** Colchester Town; Winooski City; Essex Town (includes Essex Junction); Burlington City; South Burlington City; Williston Town; Shelburne Town; and St. George Town.

Point and area source emission inventories indicate that the primary contributor to ambient CO levels in Vermont is the automobile; therefore control strategies are focused on vehicular control measures. In order to attain the CO NAAQS by December 31, 1982, the state is relying on both the Federal Motor Vehicle Emission Control Program (FMVECP), and a state program to control areas of high CO concentrations (CO hot spots). Emission reductions from the FMVECP alone are projected to assure attainment and maintenance of the standard and accommodation of growth. In addition, the Chittenden County Regional Planning Commission (CCRPC), in cooperation with the AEC, is studying CO hot spots and is developing control strategies to attain the CO standard by December 31, 1982. A schedule will be adopted by April 1, 1980 to evaluate various corrective measures and will include interim decision points to assure implementation. Each year the state will monitor this effort and report to EPA on the effectiveness of the implemented control measures.

In the NPR EPA proposed to approve the Vermont CO control plan. During the comment period, EPA received two letters discussing the CO portion of the revisions. One commenter noted that in addition to relying on the FMVECP for CO and ozone controls, the Urban Mass Transportation Administration has and will continue to fund transit activities in the Burlington area which should further decrease the city's transportation-related pollution.

Another commenter expressed concern that the state has no plan to adopt an Inspection and Maintenance (I & M) program. EPA does not require Vermont to develop and implement an I & M program because it has no urban area population in excess of 200,000 and the revisions indicate that the utilization of other control strategies will result in the attainment of the CO standard by December 31, 1982. However, EPA has encouraged and supported the efforts of Vermont to develop programs designed to minimize motor vehicle emissions such as mechanic training programs in vocational schools and an anti-tampering program.

Action: EPA is approving the CO attainment plan for the Champlain Valley Air Management Area.

C. Ozone (O_3)

The March 3, 1978 Federal Register designated the entire state as non-attainment for ozone. Vermont's March 21, 1979 SIP revisions requested that all areas of the state be redesignated to unclassifiable except for Chittenden, Addison and Windsor Counties which would maintain their original non-attainment designations. The request for redesignation was based on a lack of monitoring data in any other county and on an absence of major sources of hydrocarbons.

EPA's NPR indicated that the strategy Vermont proposed for attaining the ozone standard in Windsor and Addison Counties (the FMVECP) was sufficient. Chittenden County would in addition, however, be required to control the one major hydrocarbon category that existed in the state (Storage of Volatile Organic Compounds) for which EPA had published Control Technology Guidance (CTG). Windsor and Addison Counties have no such major sources. Although Vermont submitted a regulation to control these facilities, a regulation to control the associated loading racks was not submitted. EPA's NPR proposed conditional approval of Vermont's ozone control plan based upon the state's submittal to EPA by November 1, 1979 of an approvable loading rack control regulation.

On August 7, 1979 Vermont requested that a reevaluation be made of data upon which the March 3, 1978 ozone non-attainment designation of Chittenden County had been made and that the area be reclassified attainment. EPA agrees that a redesignation of the area to attainment appears to be justified. However, Vermont's request that it now be classified attainment cannot be approved at this time because the one ozone monitor in the County is not situated in compliance with federal siting criteria. In a letter dated December 11, 1979, Vermont requested that the County be redesignated to unclassifiable. EPA will act on this request in a separate Notice. EPA has agreed that should approval to redesignate Chittenden County to unclassifiable be approved, the VOC regulations currently required of sources in that County would not be required for the attainment plan and could be withdrawn from the federally approved SIP.

In the interim, Vermont has chosen to submit the required loading rack regulation. EPA review of that regulation indicates that it is consistent with EPA's CTG and is approvable as RACT. No comments were received on this portion of the NPR.

As noted in the General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Non-attainment Areas, 44 FR 20376 (April 4, 1979), the minimum acceptable level of stationary source control for ozone SIPs, such as Vermont's, includes RACT requirements for VOC sources covered by CTGs the EPA issued by January, 1978 and schedules to adopt and submit by each future January additional RACT requirements for sources covered by CTGs issued by the previous January. The submittal date for the first set of additional RACT regulations was revised from January 1, 1980 to July 1, 1980 by Federal Register notice of August 28, 1979 (44 FR 50371). Today's approval of the ozone portion of the Vermont plan is contingent on the submittal of the additional RACT regulations which are due July 1, 1980 (for CTGs published between January, 1978 and January, 1979). In addition, by each subsequent January beginning January 1, 1981, RACT requirements for sources covered by CTGs published by the preceding January must be adopted and submitted to EPA. The above requirements are set forth in the "Approval Status" section of the final rule. If RACT requirements are not adopted and submitted to EPA according to the time frame set forth in the rule, EPA will promptly take appropriate remedial action.

Action: 1. EPA is approving the redesignation of the entire state except Addison, Windsor and Chittenden Counties from non-attainment for ozone to unclassifiable under 40 CFR Part 81.

2. EPA is approving the ozone attainment plans for Addison, Windsor and Chittenden Counties.

D. New Source Permit Program

To satisfy the requirements of Part D, a preconstruction review program must assure that permits for proposed major sources and major modifications located in or significantly impacting non-attainment areas may be issued only if the following conditions of Section 173 of the Act are satisfied:

1. The proposed major source or major modification is accommodated by one or both of the following approaches:

(A) There are sufficient case-by-case offsetting emission reductions (offsets) and other emission reductions required under the SIP, so that allowable emissions from all sources when the proposed major source or major modification is to commence operation represent reasonable further progress; or

(B) Emissions resulting from the proposed major source or major modification are accommodated by the emissions growth allowance for major new sources.

2. Any emission reductions required under paragraph (A) must be legally binding and enforceable before the permit may be issued.

3. The proposed major source or major modification must comply with the lowest achievable emission rate (LAER) as the term is defined in Section 171(3) of the Act.

4. All major sources in the State owned or operated by the owner or operator of the proposed major source or major modification (or by any entity controlling, controlled by, or under common control with such person) must be in compliance (or on a schedule for compliance) with the Act.

After EPA's review of Vermont's March 21, 1979 submittal but prior to publication of the NPR, EPA and Vermont officials attempted to determine how best the state could meet the requirements of the Act while retaining Vermont's regulatory and operating flexibility. The regulatory and narrative items proposed for conditional approval reflect these discussions.

On November 21, November 27 and December 19, 1979 Vermont submitted changes to the March 21, 1979 SIP revisions which were to have satisfied the conditions outlined in the NPR.

1. *Vermont's Compliance with Section 173 of the Act.* a. Vermont agreed to more clearly delineate how minor point source growth is accommodated in its Reasonable Further Progress (RFP) line, and how such growth is to be quantified. Pages 6–18A, and 6–25H of the narrative changes submitted on November 21 meet this commitment. The state amended the SIP narrative to explain that the RFP line contained in the March 21 submittal included both non-significantly impacting minor and major point sources. This clarification satisfies the condition proposed in the NPR.

b. Vermont agreed to amend its NSR regulations to include a provision which would allow only emission reductions not needed for the state's attainment strategy be used for offsets. Revisions to regulations 5–502(6)(a)(i) and (6)(b)(i) submitted on November 21 have added the necessary provisions and satisfy the condition proposed in the NPR.

c. Vermont agreed to amend its NSR regulations to include a provision which would allow the Secretary of the AEC to disapprove construction of regulated sources if the emissions from such sources would interfere with RFP. As part of its November 21 changes, Vermont has submitted a legal interpretation of the new source review regulation from the state's Attorney General concluding that the Secretary

has the authority to impose an RFP requirement under the existing regulations. In light of the Attorney General's opinion no regulatory amendment is considered necessary. In addition, the state has submitted changes to the narrative portion of the SIP which state that the Secretary will require emission reductions to be consistent with RFP as specified in the SIP. This satisfies the condition proposed in the NPR.

d. Vermont agreed to certify in the narrative portion of the SIP that the state interprets most stringent emission rate (MSER) to be equivalent to LAER. The narrative was to commit to specifying the most stringent achievable state SIP emission limitation as a presumptive limit for MSER. Pages 9–4 and 9–5 of the narrative submitted on November 21, 1979 fulfill these commitments, and satisfy the condition proposed in the NPR.

e. The NPR stated that Vermont would amend its definition of MSER to exclude "environmental and energy impacts" as mitigating considerations. The state would retain "economic impact" and "other costs" as considerations, but would further explain in the narrative how such cost considerations would be applied to insure consistency with the federal definition of lowest achievable emission rate (LAER).

During the public comment period EPA received a letter from the Vermont State Energy Office. The letter cited energy shortages, and the increasing difficulty in obtaining fossil fuels in argument that Vermont's original definition of MSER be allowed to stand. Under Part D, Section 173 of the Act, an approvable SIP permit program must require a source proposing to locate in a non-attainment area to comply with LAER.

The definition of LAER in Section 171 of the Act does not allow a balancing of a variety of considerations or impacts in determining what emission rate is the lowest achievable such as would have been allowed by the original Vermont definition. In response to the comment, however, it should be noted that energy costs to the permit applicant, as distinct from general "energy impacts," could be included in a determination of whether a particular emission rate would be achievable by the source, and such energy costs could still be considered by the Vermont agency under the term "economic impact," which is retained in the state's definition.

The definition under regulation 5–502(3)(b) submitted on November 21, 1979 deletes the words "environmental and energy impacts" and satisfies the condition proposed in the NPR.

f. Vermont agreed to amend its regulations to require that offsets be legally binding and to explain in the narrative portion of the SIP that legally binding offset requirements will be implemented as permit conditions.

Changes to regulations 5–502(6)(a)(i) and 5–502(6)(b)(i) fulfill the commitment by stipulating that legally binding offsets must be secured prior to issuance of an order approving construction. Page 9–5 of the narrative explains that any emission offset must be legally binding before approval is granted. These changes, submitted on November 21, 1979, fulfill the condition proposed in the NPR.

2. *Other New Source Permit Issues*—a. *Denial of Permits.* Former regulation 5–501(6) authorized but did not require the Secretary to deny a permit to a source whose construction would result in a violation of a standard or a PSD increment. Vermont agreed to amend this regulation to make it mandatory that the Secretary deny such a permit.

As contained in the November 21, 1979 submittal, Vermont regulation 5–501(5) has been amended to read as follows: "if allowable emission increases from any source subject to this section will cause or contribute to a violation of any applicable ambient air quality standard or cause or contribute to a violation of any applicable prevention of significant deterioration increment (Table 2) or will impact on any Class I area, such source will be treated as a major stationary source for the purposes of its review under these regulations". This regulation requires new major stationary sources to comply with regulation 5–502 entitled Major Stationary Sources, which prohibits the issuance of permits if NAAQS or PSD increments would be violated [(regulation 5–502(4)]. This change satisfies the condition proposed in the NPR.

b. *Default Permit.* Regulation 5–501(3) provides for default permitting if an order is not issued approving or prohibiting construction within thirty days of receipt of a complete application. EPA proposed to disapprove the default permit provision. Vermont's November 21, 1979 submittal retains this provision but, as was discussed in the NPR, the narrative now states that any source affected (as the recipient of a "default permit") would receive written notice that construction under a "default permit" would be in violation of the federally approved SIP and that the Vermont AEC will also inform EPA upon instances of "default permits". The default permit provision will be disapproved.

c. *New Major VOC Sources in Unclassified Areas.* In a letter received by EPA on December 19, 1979 Vermont has stated that, under the authority of regulation 5–504, ambient ozone monitoring, would be required of any major VOC source locating in an unclassified area. This is consistent with the comment in the NPR which stated that such monitoring would be necessary.

Note.—*In the rulemaking at the end of this notice EPA is eliminating the existing Section 2377 in Part 52 which relates to indirect source reviews. These provisions are obsolete and inconsistent with Section 110(a)(5) of the Act which was added by the 1977 Amendments. The actions described below will appear as a new Section 2377.*

Action: EPA is approving Vermont's program to review new and modified major stationary sources in non-attainment areas with the exception of regulation 5–501(3)—Default Permits, which EPA is disapproving.

E. Resources

EPA is approving this portion of the SIP revisions as proposed in the NPR. No comments were received on this part of the SIP revisions.

F. Evidence of Public, Local and State Involvement

In accordance with Section 174 of the Act, lead responsibility for preparing a carbon monoxide control plan was delegated by the Governor to the Chittenden County Regional Planning Commission (CCRPC) for the Burlington area. Agreements were developed between the AEC and the CCRPC. The Commission will be responsible for development of solutions and strategies to correct CO hot spots. In conjunction with the AEC and local governments, the CCRPC will develop a schedule for implementing the chosen strategies.

Development of the overall revisions was accomplished through the efforts of a broad based advisory group which helped to determine some major policy decisions, several meetings with regional planning commissions, a state A–95 review and two hour-long programs on Vermont's educational television station, the first devoted to public education on the revisions and the second to the public hearing preceding formal adoption.

With the March 21, 1979 submittal Vermont included an economic analysis of the new source review program and VOC regulations but none on health, welfare, energy, and social effects or a summary of public comments on these analyses as required by Section 172(b)(9)(A) of the Act.

Although the state had documented involvement by the public and local and state officials in determining the substance of these revisions in accordance with Section 172(b)(9), the submittal did not describe a program for sustaining that participation in the development of future SIP revisions, to ensure that the requirements of Section 172(b)(9) will continue to be complied with.

EPA's NPR proposed approval of the issues analysis and public comment conditioned on its expansion and submittal to EPA by November 1, 1979. An approvable issues analysis was received on November 21, 1979. The NPR also proposed approval conditioned upon the submission by January 1, 1980 of a comprehensive plan for continuing public participation. One commenter concurred with EPA's proposed determination to approve this section conditioned on Vermont's submittal of a continuing public participation program.

Action: EPA is approving this portion of the Vermont revisions conditioned on submittal of a comprehensive plan for continuing public participation by March 31, 1980. Although the submittal date agreed to at the time of publication of the NPR was January 1, 1980, EPA and the state have agreed that the plan will be submitted by March 31, 1980, due to unavoidable delays in the state's hiring of a public participation staff person. Additionally, although EPA had intended to hold a training course for public participation staff people during the summer, it was not held until early December. Since the submittal date change is not significant and the deadline is short, EPA is not reproposing this condition before final rulemaking today.

G. Adoption After Notice and Hearing

EPA is approving this portion of the SIP revisions as proposed. No comments were received on this part of the proposed approval action and the September 25, 1979 hearing on revision changes followed required public notice provisions.

III. Non-Part D Measures

A. *Ambient Air Quality Standards.* The Vermont submission proposed to revise certain of its ambient air quality standards to the level of the federal standards. These changes pertain to the standards for primary and secondary sulfur dioxide, primary particulate matter and ozone. No comments were received on the NPR's proposed approval of this portion of the revisions.

Action: EPA is approving this portion of the SIP revisions.

EPA is taking no action on sections B through G below. These items were described in the NPR and EPA proposed to take no action on them. No public comments were received on these issues except as noted under Section IV of this Notice. In this final rulemaking EPA is taking no action at this time.

B. *Comprehensive Air Quality Monitoring Network.* Section 110(a)(2)(C) and Section 319 require a comprehensive air quality monitoring network. The Vermont proposal is currently being reviewed by EPA in light of recently promulgated regulations.

C. *Permit Fees.* Section 110(a)(2)(K) requires each state to institute a fee system for those sources applying for a permit to cover the administrative costs of reviewing that application as well as those incurred in monitoring and enforcing the permit conditions.

Because EPA has not yet promulgated regulations concerning the permit fee requirements, Vermont has not included this provision with the submittal. The state acknowledges it's obligation to submit such a provision within 9 months of publication of the final regulations. (See Section IV below for comment and response).

D. *Intergovernmental Consultation.* Section 121 requires a State to provide a satisfactory process for consultation with local governments and Federal land managers on the development of the SIP.

EPA promulgated final regulations governing consultation on June 18, 1979. Although Vermont has met, in part, the spirit of the requirements, the regulations require that the State submit a comprehensive plan for intergovernmental consultation as part of its SIP by December 18, 1979, as was indicated in the NPR. The State and EPA have agreed to include the requirements of this regulation as part of the continuing plan to include the public and local and State officials in the development of future SIP revisions. A SIP revision on this process will be submitted to EPA by March 31, 1980 (see Section II F—*Evidence of Public, Local and State Involvement* in this Notice).

E. *Stack Height requirements.* Section 123 provides that the degree of emission limitation necessary may not be affected by stack height in excess of good engineering practice or by other dispersion techniques.

EPA proposed stack height regulations on January 12, 1979, but has not yet promulgated regulations.

F. *Interstate Pollution Notification requirements.* Section 126 requires States to identify existing major sources which may significantly contribute to air pollution levels and to provide written notice to nearby States. In addition, it must do the same for any proposed major new stationary source.

On November 8, 1977 the State wrote to the New Hampshire Air Pollution Control Agency regarding the results of the point source modeling which indicated that no sources were significantly contributing to New Hampshire's pollution levels. For new sources, Vermont had not submitted this requirement as part of its original submittal and EPA proposed to take no action in the July 9, 1979 NPR. However, in the amendments to the revisions received by EPA on November 21, 1979, Vermont has rewritten the new source review narrative to indicate that neighboring States will be notified of proposed action on all new sources. EPA intends to propose approval of this section in a separate rulemaking Notice.

G. *Conflict of Interest requirements.* Section 128 requires that any existing State board which is empowered to approve or enforce permits required under the Act must have a majority of members who represent the public interest. Any members with any potential conflict of interest must disclose that fact.

The Vermont submission does not include such provision since there is no existing board. However, the State still must adopt requirements regarding conflict of interest for State personnel who make permit and enforcement determinations. (See Section IV below for comment and response).

IV. Responses to General Comments

One commenter submitted extensive comments and requested that they be considered as part of the record for each State plan. Another commenter, a national environmental group, discussed EPA action on permit fee systems and the composition of State boards. Each of the points raised by these commenters and EPA's response have been published at 45 FR 2036, 2039, et. seq.

V. EPA Final Action

EPA is taking final action to conditionally approve certain elements of the Vermont submittal. A discussion of conditional approval and its practical effect appears in a supplement to the General Preamble on July 2, 1979, 44 FR 38583, and on November 23, 1979, 44 FR 67182. A conditional approval requires the State to submit additional materials by the deadlines specified in today's Notice. There will be no extensions of conditional approval deadlines which are being promulgated today. EPA will follow the procedures described below when determining if the State has satisfied the conditions.

1. If the State submits the required additional documentation according to schedule, EPA will publish a notice in the Federal Register announcing receipt of the material. The notice of receipt will also announce that the conditional approval is continued pending EPA's final action on the submission.

2. EPA will evaluate the State's submission to determine if the condition is fully met. After review is complete, a Federal Register notice will be published proposing or taking final action either to find the condition has been met and approve the plan, or to find the condition has not been met, withdraw the conditional approval and disapprove the plan. If the plan is disapproved the Section 110(a)(2)(I) restrictions on construction will be in effect.

3. If the State fails to timely submit the required materials needed to meet a condition, EPA will publish a Federal Register notice shortly after the expiration of the time limit for submission. The notice will announce that the conditional approval is withdrawn, the SIP is disapproved and Section 110(a)(2)(I) restrictions on growth are in effect.

Accordingly, the Vermont Air Quality Implementation Plan Revisions received on March 21, November 21, November 27 and December 19, 1979 are approved as satisfying the requirements of Part D and Section 110(a)(2)(I), with the exception of a continuing plan to include the public, and local and State officials in developing future SIPs which is approved conditionally; and regulation 5-501(3), Default Permits, which is disapproved.

The measures approved or conditionally approved are in addition to, and not in lieu of, existing SIP regulations. The present emission control regulations remain applicable and enforceable to prevent a source from operating without controls or under less stringent controls, while moving toward compliance with the new regulations (or, if it chooses, challenging the new regulations). Failure of a source to meet applicable pre-existing regulations will result in appropriate enforcement action, which may include assessment of noncompliance penalties.

There are two main exceptions to this rule. First if a pre-existing control requirement is incompatible with a new, more stringent requirement, the State may exempt sources from compliance with the pre-existing regulations during the period when compliance with the existing requirement conflicts with achieving compliance with the new requirement. Any exemption granted would be reviewed and acted on by EPA as a SIP revision. Second, an existing requirement can be relaxed or revoked if the revision will not interfere with attainment of standards.

The 1978 edition of 40 CFR Part 52 lists in the subpart for Vermont the applicable deadlines for attaining ambient standards required by Section 110(a)(2)(A) of the Act. For each nonattainment area where a revised plan provides for attainment by the deadlines required by Section 172(a) of the Act, the new deadlines are substituted on Vermont's attainment date chart in 40 CFR Part 52. The earlier attainment dates under Section 110(a)(2)(A) will be referenced in a footnote to the chart. Sources subject to plan requirements and deadlines established under Section 110(a)(2)(A); prior to the 1977 Amendments remain obligated to comply with those requirements, as well as with the new Section 172 plan requirements.

Congress established new attainment dates under Section 172(a) to provide additional time for previously regulated sources to comply with new, more stringent requirements and to permit previously uncontrolled sources to comply with newly applicable emission limitations. These new deadlines were not intended to give sources that failed to comply with pre-1977 plan requirements by the earlier deadlines more time to comply with those requirements. As stated by Congressman Paul Rogers in discussing the 1977 Amendments:

> Section 110(a)(2) of the Act made clear that each source had to meet its emission limits "as expeditiously as practicable" but not later than three years after the approval of a plan. This provision was not changed by the 1977 Amendments. It would be a perversion of clear congressional intent to construe part D to authorize relaxation or delay of emission limits for particular sources. The added time for attainment of the national ambient air quality standards was provided, if necessary, because of the need to tighten emission limits or bring previously uncontrolled sources under control. Delays or relaxation of emission limits were not generally authorized or intended under part D.
>
> (123 Cong. Rec. H 11958, daily ed. November 1, 1977).

To implement Congress' intention that sources remain subject to pre-existing plan requirements, sources cannot be granted variances extending compliance dates beyond attainment dates established prior to the 1977 Amendments. EPA cannot approve such compliance date extensions even though a Section 172 plan revision with a later attainment date has been approved. However, a compliance date extension beyond a pre-existing atttainment date may be granted if it will not contribute to a violation of an ambient standard or a PSD increment.[1]

In addition, sources subject to pre-existing plan requirements may be relieved of complying with such requirements if a Section 172 plan imposes new, more stringent control requirements that are incompatible with controls required to meet the pre-existing regulations. Decisions on the incompatibility of requirements will be made on a case-by-case basis.

The Agency finds that good cause exists for making this action immediately effective for the following reasons:

1. Implementation plan revisions are already in effect under State law and EPA approval imposes no additional regulatory burden;

2. EPA has a responsibility under the Act to take final action on the portion of the SIP which addresses part D requirements by July 1, 1979, or as soon thereafter as possible.

Under Executive Order 12044 EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This rulemaking action is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: February 12, 1980.

Barbara Blum,

Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Subpart UU—Vermont

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

1. In § 52.2370, paragraph (c) is amended by adding paragraph (10) as follows:

§ 52.2370 Identification of plan.

(c) * * *

(10) Attainment plans to meet the requirements of Part D and the Clean Air Act, as amended in 1977, were submitted in March 21, November 21, November 27 and December 19, 1979. Included are plans to attain: the secondary TSP standard for Barre City and a portion of the Champlain Valley Air Management Area, the carbon

[1] *See* General Preamble for Proposed Rulemaking. 44 FR 20373-74 (April 4, 1979).

monoxide standard in the Champlain Valley Air Management Area and the ozone standard in Chittenden, Addison and Windsor Counties. A program was also submitted for the review of construction and operation of new and modified major stationary sources of pollution in non-attainment areas. Certain miscellaneous provisions were also included.

§ 52.2371 [Amended]

2. Section 52.2371 is amended by changing the heading "Photochemical Oxidants (hydrocarbons)" to "Ozone".

3. Section 52.2372 is revised to read as follows:

§ 52.2372 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Vermont's plan as identified in § 52.2370 for the attainment and maintenance of the national standards under Section 110 of the Clean Air Act. Furthermore, the Administrator finds the plans satisfy all requirements of Part D, Title I, of the Clean Air Act, as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D for the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January, 1978 and January, 1979 and adoption and submittal by each subsequent January of additional RACT requirements for sources covered by CTGs issued by the previous January.

4. Section 52.2375 is revised to read as follows:

§ 52.2375 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The dates reflect the information presented in Vermont's plan.

Air quality control region and nonattainment area [1]	Pollutant: TSP		SO_2		NO_2	CO	O_3
	Primary	Secondary	Primary	Secondary			
Champlain Valley Interstate—Chittenden County:							
Champlain Valley Air Management Area:							
Essex Town (including Essex Jct.)							
Burlington City	a	c	a	a	a	b	b
South Burlington City							
Winooski							
Remainder of Air Management Area	a	a	a	a	a	b	b
Remainder of County	a	a	a	a	a	a	b
Vermont Valley Air Management Area	a	a	a	a	a	a	a
Addison County	a	a	a	a	a	a	b
Remainder of AQCR	a	a	a	a	a	a	a
Vermont Interstate:							
Central Vermont Air Management Area:							
Barre City	a	c	a	a	a	a	a
Remainder of Air Management Area	a	a	a	a	a	a	a
Windsor County	a	a	a	a	a	a	b
Remainder of AQCR	a	a	a	a	a	a	a

[1] Sources subject to plan requirements and attainment dates established under Section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those regulations by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.2375 (1978).

a. Air quality levels presently below secondary standards or area is unclassifiable.
b. 12/31/82.
c. 12/31/87.

5. Section 52.2377 is revised to read as follows:

§ 52.2377 Review of new sources and modifications.

Regulation 5-501(3) entitled "Default Permits" is disapproved.

6. Section 52.2382 is hereby established as follows:

§ 52.2382 Rules and regulations.

(a) *Part D—Conditional Approval.* The plan to provide a mechanism for the public and local and state officials in the development of future SIP revisions is approved as satisfying Part D requirements provided that the state submit a SIP revision by March 31, 1980.

(b) *Non-Part D—No Action.* EPA is neither approving or disapproving the following elements of the revisions:

(1) Comprehensive air quality monitoring network

(2) Permit fees

(3) Intergovernmental consultation

(4) Stack height requirements

(5) Interstate pollution notification requirements

(6) Conflict of interest requirements

PART 81—DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Part 81 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart C—Attainment Status Designations

1. In § 81.346, the attainment status designation table for TSP is revised to read as follows:

§ 81.346 Vermont.

Vermont.—*TSP*

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Champlain Valley Air Management: consisting of townships and cities listed below: Essex Town (includes Essex Junction); Burlington City; South Burlington City; Winooski City		×		
Central Vermont Air Management Area: consisting of the city listed below: Barre City.		×		
Remainder of the State			×	

§ 81.346 [Amended]

2. In § 81.346 the attainment status designation table heading "O_x" is revised to read "O_3".

3. In § 81.346 the attainment status designation table for ozone is revised to read as follows:

§ 81.346 Vermont.

Vermont—*O_3*

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
AQCR 159 (Vermont Portion):		
Addison County	×	
Chittenden County	×	
Rest of AQCR		×
AQCR 221 (Vermont Portion):		
Windsor County	×	
Rest of AQCR		×

[FR Doc. 80-5064 Filed 2-15-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 86

[FRL 1416-1]

Denial of Petition for Reconsideration of the Parameter Adjustment Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Denial of Petition for Reconsideration of the Parameter Adjustment Regulations.

SUMMARY: On March 12, March 13, and April 12, 1979, General Motors Corporation, Ford Motor Company, and American Motors Corporation, respectively, petitioned for reconsideration of EPA's revisions to emissions testing procedure, commonly referred to as the "Parameter Adjustment Regulations" (44 FR 2960, January 12, 1979). These petitions requested clarification of certain parts of the new regulations as well as substantive changes to other parts. On September 14, 1979, by letter to Thomas M. Fisher, Director of Automotive Emission Control, Environmental Activities Staff, General Motors Corporation and by subsequent letters to William C. Jones, Manager, Emissions and Fuel Economy Standards, American Motors Corporation, and Herbert L. Misch, Vice President, Environmental and Safety Engineering Staff, Ford Motor Company, dated December 26, 1979, and January 11, 1980, respectively, EPA informed these manufacturers that it had reviewed the petitions and denied any petition for substantive changes. EPA will, however, shortly proceed with a rulemaking to address the manufacturers' concerns regarding EPA's time frame for making determinations regarding new parameters and to reduce the information required on the Part I application.

Another letter was sent to General Motors on January 11, 1980 to correct errors contained in the September 14, 1979 letter.

FOR FURTHER INFORMATION CONTACT: Gregory J. Dana (ANR-455), Office of Mobile Source Air Pollution Control, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

The text of the letters follows.

Dated: February 11, 1980.

David G. Hawkins,

Assistant Administrator for Air, Noise, and Radiation.

U.S. Environmental Protection Agency,
Washington, D.C., September 14, 1979.

Mr. Thomas M. Fisher,
Director, Automotive Emission Control, Environmental Activities Staff,
General Motors Corporation,
General Motors Technical Center,
Warren, Michigan 48090.

Dear Mr. Fisher: I have reviewed General Motors Corporation's petition for reconsideration of EPA's revisions to the emission testing procedures, commonly referred to as the "Parameter Adjustment Regulations" (44 FR 2960, January 12, 1979). General Motors Corporation ("GM") petitioned for substantive changes in the regulations which would accomplish the following:

(1) Limit the scope to only the idle air/fuel mixture adjustment;

(2) Limit the coverage of the regulations to light-duty vehicles, excluding light-duty trucks;

(3) Withdraw consideration of any adjustment of choke vacuum break at this time;

(4) Harmonize the regulations with high altitude performance adjustment guidelines;

(5) Specify that the same settings will be used in Selective Enforcement Audit tests as are used in certification tests; and

(6) Withdraw references in the preamble to recalls GM considers unlawful.

In addition to your request for these substantive changes, you expressed concern regarding the scope of the regulations as they affect the information that manufacturers must submit. Ford Motor Company and American Motors Corporation expressed similar concerns. I have concluded that clarification of the regulations in this regard is in order. Therefore, EPA will shortly proceed with a rulemaking which would revise the regulations to address this area of concern.

With regard to the remaining changes sought by GM, I have concluded that further revisions would not be appropriate at this time. I am, therefore, denying GM's petition with respect to those requested changes.

1. *Scope of the Regulations and Workload.* General Motors does not dispute the Agency's authority to regulate the adjustment of engine parameters for emission testing, but questions the general scope of the regulations as promulgated. GM maintains that, with the exception of idle air/fuel mixture, the Agency has failed to establish the need for such regulations.

Those parameters which the Agency expressly included within the scope of the regulations—idle air/fuel mixture, idle speed, choke valve action, and initial spark timing—were found, after careful scrutiny, to be "maladjusted on in-use vehicles with significant frequency and with concomitant increases in emissions * * *" (44 FR 2966).

The preamble to the regulations detailed the reasons why the regulations provide general authority to control additional, as yet unspecified parameters, if the Agency finds in the future that a given parameter is being maladjusted in use and such maladjustment causes a significant increase in emissions (44 FR 2962 et seq.). Limiting the scope of the regulations would have seriously hampered EPA's ability to deal with future maladjustment problems in a timely fashion. Moreover, the regulations in their final form contain notable changes from the proposal which were made in response to industry concerns and which ensure that manufacturers have adequate opportunity to challenge any additional designations by the Agency of covered parameters and to ensure that manufacturers have sufficient lead time to comply.

In response to the concern expressed by GM as well as other manufacturers that the Parameter Adjustment Regulations may generate unnecessary paperwork, the Agency intends to proceed with a rulemaking which would revise 40 CFR 86.081-21(b)(1)(ii)(1) to read as follows:

A list of those parameters which are physically capable of being adjusted (including those adjustable parameters for which access is difficult) *and which are present on any device, system, or assembly described in the application,* and which may affect emissions.

The new language, underscored above, would make it clear that EPA has not added reporting requirements for parameters on design elements not now deemed sufficiently emissions-related to be listed in the application. This change should greatly reduce the potential reporting burden while preserving the purpose of the regulatory provision.

GM noted the potential for an increase in emissions testing in addition to reporting workload. While it is no doubt true that these regulations may result in more emissions testing, GM itself recognizes that any increase in testing is a function of the manufacturer's choice whether to develop non-adjustable parameters. Should a manufacturer experience some unforeseen difficulty, the Agency will, as always, take whatever measures are feasible to avoid delays of the start of production.

2. *Light-Duty Trucks.* Although General Motors did not comment on the possibility of excluding light-duty trucks ("LDT's") in its comments on the proposed regulations, it now questions the applicability of the Parameter Adjustment Regulations to this class of vehicles. GM maintains that the inclusion of LDT's based on data from light-duty vehicles ("LDV's") violates the intent of *International Harvester Co.* v. *Ruckelshaus,* 478 F.2d 615 (D.C. Cir. 1973). GM's reliance on *International Harvester* is misplaced. In that decision, the Court held only that the emissions standards prescribed by Section 202(b) of the Clean Air Act did not apply to LDT's, and that the standards for that class of vehicles could only be issued under the authority of Section 202(a). The Court did not hold that use of data from one class of vehicles was improper in making decisions concerning testing requirements for another class of vehicles where such data are technically relevant.

In the course of the rulemaking the Agency determined that LDV's and LDT's share a number of common characteristics that affect the likelihood of maladjustment. For example, vehicles in both of these classes contain the same basic engine components (and are often even produced on the same production line) and consequently contain the same adjustable parameters. Further, LDV's and LDT's are generally owned and operated under similar conditions and for similar purposes, suggesting that the opportunities

and motivations for maladjustment would be similar. The technical and usage pattern similarities between these two classes of vehicles were also discussed in some detail in the preamble to the final rule by which EPA set the current emission standards for light-duty trucks and in the supporting documents contained in the record of that proceeding. See 41 FR 56316, December 28, 1976.

The fact that LDT's represent an increasing portion of the motor vehicle population, and are becoming an ever more significant source of air pollution, underscores the appropriateness of including this class of vehicle within the scope of these regulations. Moreover, GM has failed to make a showing that the need for, and technological feasibility of, these regulations are different for LDT's than for LDV's, or that the Agency's findings in this regard were incorrect.

3. *Choke Vacuum Break.* General Motors contends that there are no data to support the need for controlling the choke vacuum break parameter and that EPA has failed to establish the feasibility of developing a non-adjustable choke vacuum break for use in 1981 model year LDV's and LDT's.

Data supporting the need for control of choke vacuum break adjustments can be found in the EPA Restorative Maintenance Study which has been placed in the public docket. In addition, the vacuum break maladjustments observed in the Restorative Maintenance Study sample were included in the choke maladjustment rate cited in EPA's "Summary and Analysis of Comments." A number of the vehicles in the sample had both vacuum break and spring-tension maladjustments. The system EPA used for reporting the data collected in this study had not anticipated simultaneous occurrences of vacuum break and spring-tension maladjustments. Thus, multiple maladjustments were treated as one maladjustment and the number of vacuum break maladjustments was understated. Nevertheless, that vacuum break adjustments are a problem in use is demonstrated both by this study and by more recent data which show that a significant number of cars in use have choke vacuum break maladjustments. [See Appendix L in Volume 2 of EPA's report, "A Study of Emissions from Passenger Cars in Six Cities" (EPA–460/3–78–011–B).] Moreover, the very act of limiting the adjustment of the spring tension would be expected to increase the incidence of vacuum break maladjustments since a cold starting problem can be addressed to some degree with either adjustment and such problems would be the principal motivations for such maladjustments.

With respect to the production of non-bendable substitutes for the bendable linkage used by GM to adjust choke vacuum break, GM claims that fixed-length substitutes would have to be inventoried in hundreds of fixed lengths to provide for adjustment during production and that this would not be feasible. (The Parameter Adjustment Regulations do not address final adjustments in the production process, only adjustments in use.) It also claims that the EPA-suggested substitute (threaded or two- or three-piece links which could be crimped or glued after adjustment as part of the assembly process) is impracticable. Since GM has not provided the results of its investigations into substitutes for bendable members, and those designs tried and found wanting, it is difficult for us to properly assess the seriousness of GM's problem. It should be noted that, except for GM and American Motors Corporation, no other manufacturer has indicated it will not be able to comply with this portion of the regulations by the 1981 model year. At least one major manufacturer has developed a non-bendable component similar to the design suggested by the Agency.

4. *Altitude Adjustments.* GM expresses concern that the Parameter Adjustment Regulations may conflict with Advisory Circular No. 80, "Altitude Performance Adjustments for Vehicles in Use." GM further expresses concern that these regulations may in the future conflict with the high altitude emissions regulations now planned for the 1982 and 1983 model years, and with the Altitude Adjustment Regulations mandated by Section 215 of the Clean Air Act, as amended. Neither of the latter two regulations has yet been proposed.

The Parameter Adjustment Regulations do not conflict with Advisory Circular No. 80, nor will they conflict with any high altitude regulations the Agency may promulgate. The preamble to the Parameter Adjustment Regulations contains an extensive discussion of their impact on emission performance at high altitude (44 FR 2968–2969). To summarize that discussion, manufacturers will not need to provide in-use adjustments of engine parameters for operation at high altitude for vehicles designed and produced for high altitude. Nor is in-use adjustment at issue when a vehicle's design automatically compensates for altitude. (Most of the systems that GM will use in 1981 and thereafter will compensate for altitude.) Beginning in 1982, EPA expects regulations to be in effect setting high altitude standards that will result in light-duty trucks and light-duty vehicles either being designed and built especially for high altitude use, or being built to automatically compensate. By 1984, the amended Clean Air Act requires all cars to compensate for altitude. Thus, the cases in which there is even potential for conflict are somewhat limited.

Nevertheless, there is still a need to provide for the availability of adjustments on some vehicles otherwise included under the Parameter Adjustment Regulations, e.g., those vehicles without automatic altitude compensation which should be modified or adjusted for low altitude operation if originally built and sold for high altitude, and vice versa. Whether these conflicts will materialize is a function of the final rules under Section 215 of the Act, and these final rules may have to make allowances with regard to parameter adjustment. However, such potential conflicts will be discussed in detail and resolved in the context of the forthcoming rulemaking.

It should also be noted that if there should ever be a conflict between this regulation and Advisory Circular No. 80, the regulation will of course control since any circular is subordinate to a duly promulgated regulation.

The Agency does not intend the Parameter Adjustment Regulations to preclude high altitude performance adjustments, nor does it contemplate making such adjustments during certification testing without a corresponding determination that they are likely to be made at low altitude.

5. *Selective Enforcement Audit.* As acknowledged by GM in its petition, the final regulations were modified to ensure objectivity. These modifications significantly reduced the Agency's latitude to set parameter adjustments during a Selective Enforcement Audit ("SEA") test. Under the final regulations, exact settings used during SEA testing may be different from those used in certification, but the manufacturer will know in advance which are the potential test settings. GM's suggestion that the settings in SEA testing be identical to those used in certfication testing would prevent the SEA process from performing its intended role. During certification testing, a setting may be made anywhere within the range of adjustment available as a function of the vehicle's design, and the vehicle is expected to comply with the emission standards at any setting within that range. It would make no sense for EPA to remove this test condition for production line testing but to impose it on the manufacturer during certification testing. Requiring the same settings in both SEA and certification would in effect do this since it is possible that the range of adjustment on a production car might differ from the range available on a certification prototype (due to the stack-up of production tolerances) and that settings would be available on the production cars that were not available on the prototype. The critical point is that cars are required to meet the standards when set anywhere within the range of adjustment (subject to the limits set out in the regulations) not just in certification, but in production and in use as well.

Thus, under 40 CFR 86.608(b)(2), 1981 SEA testing may be conducted at the manufacturer's recommended settings or at such other settings as may be designated by EPA within the physically available range of adjustment, subject to the conditions set forth in that paragraph. This does not change the obligation of the manufacturer under § 86.608(b)(1) to forbear from making changes to production vehicles prior to SEA testing without prior EPA direction. Paragraph (b)(1) is intended to assure that vehicles subjected to SEA testing do not have emissions lower than typical vehicles *in production.* Paragraph (b)(2) is intened to assure that the vehicles are capable of meeting standards as they might be adjusted *in use.* For parameters rendered unadjustable by the manufacturer, there would be no adjustment either by the manufacturer or by EPA's direction.

6. *Recall Provision.* The statement contained in the preamble to which GM objects is consistent with this Agency's view of the manufacturer's recall liability under Section 207(c) of the Act. The statement merely puts the manufacturers on notice that the Parameter Adjustment Regulations in no way alter that liability.

In any event, as the language challenged by GM is contained in the preamble and not the regulations themselves, this is not grounds for instituting a reconsideration proceeding under Section 307(b) of the Clean Air Act, as

amended. Although informal objections to Agency policy may, of course, be raised at any time, the proper forum for challenging an Agency interpretation of the Act's recall provisions is in a recall proceeding.

Conclusion

EPA will shortly begin a rulemaking which would amend the regulations to address the manufacturers' concerns regarding the information that must be submitted to the Agency. With regard to the remainder of the GM petition, most of the comments simply restate objections expressed by GM prior to promulgation of the final rules. GM has presented no new data or arguments that persuade me that a reproposal that would necessarily delay implementation of this important regulation for one or more model years is necessary or appropriate. Therefore, based on the information submitted to date, I am denying GM's petition.

Sincerely,

Douglas M. Costle,
Administrator, Environmental Protection Agency.

U.S. Environmental Protection Agency,
Washington, D.C., December 26, 1979.

Mr. William C. Jones,
Manager Emissions and Fuel Economy Standards,
American Motors Corporation,
14250 Plymouth Road,
Detroit, Michigan 48232.

Dear Mr. Jones: I have reviewed American Motors Corporation's petition dated April 12, 1979, for reconsideration of EPA's revisions to the emission testing procedure, commonly referred to as the Parameter Adjustment Regulations (44 FR 2960, January 12, 1979). In its petition, American Motors Corporation (AMC) addresses five areas of concern:

(1) The relationship between parameter adjustment regulations and the new certification procedures; (2) the relationship between parameter adjustment regulations and high-altitude regulations; (3) changes to the regulations which were not apparent in the NPRM; (4) the coverage of light-duty trucks (LDTs); and (5) leadtime, cost and fuel economy effects.

In response to your concerns as well as the concerns of other maufacturers, regarding lead-time problems and administrative costs, EPA will shortly proceed with rulemaking which would revise the regulations. With regard to the remaining changes sought by AMC, I have concluded that further revisions would not be appropriate.

1. *Parameter Adjustment Regulations and New Certification Requirements.* AMC expressed concern regarding the relationship between the parameter adjustment regulations and the new certification procedures. It suggested that parameter adjustment information may not be available much in advance of the submission of the Part I application and that this could result in production delays and costly modifications should EPA decide that the manufacturer's designs are inadequate.

The regulations have been designed so that the manufacturer may ensure that it will have adequate lead time for new parameters. The regulations permit the manufacturer to submit information on new parameters as early as it deems appropriate. It is difficult to conceive of situations in which a manufacturer would make production commitments without knowing until late in the process what the design will be. Therefore, manufacturers who wish to submit information early should be able to ensure themselves adequate lead time. EPA currently makes every effort to accommodate manufacturers in situations involving an especially important test vehicle, a "hot" running change request or a quick turn-around request (in some cases one day) for the issuance of a certificate of conformity. Manufacturers can expect the same timely efforts with regard to making decisions which pertain to parameter adjustments decisions. However, in an effort to further accommodate your concerns and those of other manufacturers, EPA will shortly proceed with a rulemaking which would revise CFR § 86.081–22(f) which will require the Administrator to respond within a specific time frame to any manufacturer's request for a determination of accessibility and adjustability of specific parameters when the necessary information is submitted in advance of the full preliminary application for certification.

The nature of the appeal and hearing process governing disputes over certification determinations does not lend itself easily to the establishment of deadlines for decision. Consequently, the appeal procedures for all certification disputes (49 CFR 86.028–6) has never imposed a time frame for reaching a decision. It should be noted that this appeal process has functioned efficiently throughout the many years the certification program has been in existence and there is no reason to believe that it would not prove adequate with regard to the parameter adjustment requirements.

2. *High Altitude Regulations.* AMC also voiced concern about the relationship between the parameter adjustment regulations and both the high-altitude performance adjustment regulations mandated by Section 215 and the high-altitude standards for 1981–1983 model year LDVs. Neither of these regulations has as yet been proposed.

The preamble to the Parameter Adjustment Regulations contains an extensive discussion of their impact on emission performance at high altitude (44 FR 2968–2969). To summarize that discussion, manufacturers will not need to provide in-use adjustments of engine parameters for operation at high altitude for vehicles designed and produced for high altitude. Nor is in-use adjustment at issue when a vehicle's design automatically compensates for altitude. Beginning in 1982, EPA expects regulations to be in effect setting high altitude standards that will require light-duty trucks and light-duty vehicles to either comply with the standards or be capable of being modified to do so. By 1984, the amended Clean Air Act requires all cars to compensate for altitude. Thus, the cases in which there is even potential for conflict are somewhat limited.

Nevertheless, there is still a need to provide for the availability of adjustments on some vehicles otherwise included under the Parameter Adjustment Regulations, e.g., those vehicles without automatic altitude compensation which should be modified or adjusted for low altitude operation if originally built and sold for high altitude, and vice versa. Whether these conflicts will materialize is a function of the final rules under Section 215 of the Act, and these final rules may have to make allowances with regard to parameter adjustment. However, such potential conflicts will be discussed in detail and resolved in the context of the forthcoming rulemaking.

The Agency does not intend the Parameter Adjustment Regulations to preclude high altitude performance adjustments, nor does it contemplate making such adjustments during certification testing without a corresponding determination that they are likely to be made at low altitude.

3. *Changes from NPRM.* AMC cites two changes from the NPRM— the inclusion of production tolerance as a part of the certification adjustment range and the requirement that vehicles exhibit safe driveability at some setting within the adjustable range.

As originally proposed the regulations permitted EPA to adjust parameters prior to testing assembly-line vehicles as part of the Selective Enforcement Audit (SEA) Program as well as to review the physically adjustable ranges and the selection of the test settings before each audit. This would have permitted EPA not only to account for production tolerances but also to reevaluate the adequacies of the stops employed. The regulations as finally promulgated have greatly restricted EPA's ability to select test settings during a SEA test, but have continued to address the problem of a manufacturer's production tolerances.

EPA has always been concerned about production tolerances on emission-related parameters and has, in the past, required the use of parameter settings which reflected production tolerances. This rulemaking simply formalizes that option to avoid the situation in which parameters are set properly and sealed on certification vehicles but, because of wide production tolerances, are improperly set and then sealed on all or some of the production vehicles.

Regarding safe vehicle driveability, EPA has always been concerned about safe emission control hardware. The first motor vehicle emission regulations stated, in part "any system or device shall not in its operation or function or malfunction, result in any unsafe condition endangering the motor vehicle or its occupants. . . ." (31 FR 5170–5178, March 30, 1966).

Section 202(a)(4) of the Act, as amended in 1977 makes explicit that safe vehicle operation is a prerequisite to certification. The language questioned by AMC was added to make the regulations consistent with the requirements of the Act. Since we expect that the manufacturers will produce safe vehicles, EPA does not intend, at this time, to test for safe vehicle driveability.

AMC also indicated that it did not anticipate the inclusion of the choke linkage mechanism in 1981 and that it may experience difficulty obtaining the necessary components.

As originally proposed the regulations would have gone into effect with the 1980

model year. We are unaware of anything in the record that suggests the Agency intended to implement the requirements beginning with the 1982 model year. Except for AMC and GM, no manufacturer has indicated that is is not prepared to control choke linkage mechanisms for 1981. Therefore, we remain convinced that compliance is technologically feasible.

4. *Light-Duty Trucks.* AMC has questioned the application of the parameter adjustment regulations to light-duty trucks. In the course of the rulemaking the Agency determined that LDVs and LDTs share a number of common characteristics that affect the likelihood of maladjustment. For example, both classes of these vehicles contain the same basic engine components (many are produced on the same production line) and consequently, contain the same adjustable parameters. Also LDVs and LDTs are owned and operated for similar purposes, suggesting that the motivation for maladjustment would be similar.

Since LDTs represent an increasing portion of the motor vehicle population, and will become a more significant source of air pollution in the future, the appropriateness of including this class of vehicles is underscored.

5. *Leadtime, Cost and Fuel Economy.* AMC restates a number of concerns relating to leadtime, cost and fuel economy that were expressed during the comment period. These points were carefully evaluated in the rulemaking and were discussed in the preamble (lead-time 44 FR 2963, costs—44 FR 2969 and fuel economy—44 FR 2969). In response to concerns expressed by the automobile manufacturers that the information required by the regulations to be included in the application for certification was too extensive, EPA intends to proceed with a rulemaking which would revise 40 CFR 86.081–21(b)(1)(ii)(A)(1) to read as follows:

A list of those parameters which are physically capable of being adjusted (including those adjustable parameters for which access is difficult) *and which are present on any device, system, or assembly described in the application,* and which may affect emissions.

The new language, underscored above, would make it clear that EPA has not added reporting requirements for parameters on design elements not now deemed sufficiently emissions-related to be listed in the application. This change should greatly reduce the potential reporting burden while preserving the purpose of the regulatory provision.

With regard to AMC's remaining points, it has failed to present any new information to warrant a reproposal.

Conclusion

EPA will shortly be proceeding with a rulemaking which will revise the Parameter Adjustment Regulations to address the manufacturers' concerns regarding EPA's time frame for making determinations regarding new parameters and to reduce the information required on the Part I application. With regard to the remaining portions of AMC's petition I am denying the request for the reasons stated above.

Sincerely yours,

Douglas M. Costle,

Administrator, Environmental Protection Agency.

U. S. Environmental Protection Agency,
Washington, D.C., January 11, 1980.

Mr. Herbert L. Misch,
Vice President, Environmental and Safety Engineering Staff,
Ford Motor Company,
The American Road,
Dearborn, Michigan 48121.

Dear Mr. Misch: I have reviewed Ford Motor Company's petition dated March 13, 1979, for reconsideration of EPA's revisions to the emission testing procedure, commonly referred to as the Parameter Adjustment Regulations (44 FR 2960, January 12, 1979.) In response to your petition, as well as similar requests from other manufacturers, the Agency will shortly proceed with a rulemaking which would revise the regulations.

One of the concerns expressed by Ford deals with the parameter adjustment information which is to be included in the application for certification. Ford believes that the instructions for information to be included are too broad to be practical and allow EPA to exercise more than necessary discretion when requesting parameter adjustment information. Ford suggests that, rather than ask for information on parameters that "may affect emissions," EPA restrict the requirement to information on parameters "which are present on any device, system or assembly described in the preliminary application."

Since it is unlikely that any important emission-related parameter will occur on devices not listed in the application for certification, we believe that Ford's suggested wording combined with the current wording will provide proper limits while allowing EPA to obtain the needed information. We intend, in the near future, to proceed with a rulemaking which would revise § 86.081–21(b)(1)(ii)(A)(1) of the regulations to read as follows:

A list of those parameters which are physically capable of being adjusted (including those adjustable parameters for which access is difficult) *and which are present on any device, system, or assembly described in the application,* and which may affect emissions.

However, in an effort to further accommodate the manufacturers' production planning schedule, EPA will shortly propose an amendment to 40 CFR 86.081–22(f) which will require the Administrator to respond within a specific time frame to any manufacturer's request for a determination of accessibility and adjustability of specific parameters when the necessary information is submitted in advance of the full preliminary application for certification.

We appreciate the constructive suggestions that you have made to improve our parameter adjustment regulations.

Sincerely yours,

Douglas M. Costle,

Administrator, Environmental Protection Agency.

United States Environmental Protection Agency,
Washington, D.C., January 11, 1980.

Mr. Thomas M. Fisher,
Director, Automotive Emission Control, Environmental Activities,
General Motors Corporation,
General Motors Technical Center,
Warren, Michigan 48090.

Dear Mr. Fisher: This is to correct a statement of the Agency's intent regarding emission-control adjustments at high-altitude which was contained in Mr. Costle's letter of September 14, 1979. This letter was in response to your petition for reconsideration of the "Parameter Adjustment Regulations."

Section four (Altitude Adjustments) of the letter stated:

Beginning in 1982, EPA expects regulations to be in effect setting high altitude standards that will result in light-duty trucks and light-duty vehicles either being designed and built especially for high altitude use, or being built to automatically compensate.

This misstates the Agency's intent on the matter of altitude adjustments. A correct statement of EPA's intent would read as follows:

Beginning in 1982, EPA expects regulations to be in effect setting high altitude standards that will require light-duty trucks and light-duty vehicles to either comply with the standards or to be capable of being modified to do so.

There was also an incorrect *Federal Register* citation on page 2 of the letter. The reference to 40 CFR § 86.081–21(b)(1)(ii)(l) should have read 40 CFR 86.081–21(b)(1)(ii)(A)(1).

I apologize for any conclusion or misunderstanding this may have caused.

Sincerely yours,

Michael P. Walsh,

Deputy Assistant Administrator for Mobile Source Air Pollution Control.

[FR Doc. 80–5149 Filed 2–15–80; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 1–15

[FPR Amendment 203]

Contract Cost Principles and Procedures; Compensation for Personal Services

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: The Federal Procurement Regulations are amended to revise the contract cost principles on compensation for personal services. The

bases for the changes are the treatment of the subject in the Defense Acquisition Regulation and provisions of the Cost Accounting Standards. The intended effect is to provide executive agencies with uniform policies and procedures applicable to the costs of compensation for personal services.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Philip G. Read, Director, Federal Procurement Regulations Directorate, Office of Acquisition Policy (703–557–8947).

SUPPLEMENTARY INFORMATION: Among the more significant changes introduced in this amendment are the following:

(1) Overseas differential is specifically included as an allowable cost, and rules are provided for consideration of additional income taxes resulting from foreign assignment.

(2) Early retirement plans are added to the types of plans included in the definition of deferred compensation. Treatment as supplemental pension plans is required.

(3) Cost Accounting Standards 412 (Composition and Measurement of Pension Costs), 413 (Adjustment and Allocation of Pension Cost), and 415 (Accounting for the Cost of Deferred Compensation) are incorporated into the cost principle.

(4) Separate coverage on the cost of compensated personal absence is provided for contracts subject to CAS 408 (Accounting for the Cost of Compensated Personal Absence) and contracts not subject to CAS 408.

(5) Coverage is added dealing with backpay resulting from violations of Federal labor laws. Generally, backpay resulting from underpaid work is allowable, and all other backpay is unallowable.

FPR Temporary Regulation 43 (42 FR 64438, December 13, 1977), is canceled and deleted from the appendix at the end of 41 CFR Chapter 1.

Section 1–15.205–6 is amended by revising paragraphs (a)(1) and (5), (d), (f), and (g) and adding paragraph (k) to read as follows:

§ 1–15.205–6 Compensation for personal services.

(a) *General.*

(1) Compensation for personal services includes all remuneration paid currently or accrued, in whatever form and whether paid immediately or deferred, for services rendered by employees to the contractor during the period of contract performance (except as otherwise provided in paragraph (f) of this § 1–15.205–6). It includes, but is not limited to, salaries, wages, directors' and executive committee members' fees, bonuses (including stock bonuses), incentive awards, employee stock options, employee insurance, fringe benefits, contributions to pension, annuity, and management employee incentive compensation plans, allowances for off-site pay, incentive pay, location allowances, hardship pay, and cost of living differential. When personal services are performed in a foreign country, compensation may also include an overseas differential, which may properly consider all expenses associated with foreign employment such as housing; cost of living adjustments; transportation; bonuses; and additional Federal, State, local, or foreign income taxes resulting from foreign assignment and other related expenses. Although the aforementioned additional taxes may be considered in establishing an overseas differential, any increased compensation calculated directly on the basis of an employee's specific increase in income taxes is unallowable. Except as otherwise specifically provided in this § 1–15.205–6, compensation costs are allowable to the extent that the total compensation of individual employees is reasonable for the services rendered and they are not in excess of those costs which are deductible under the Internal Revenue Code and regulations thereunder. Differential allowances for additional Federal, State, or local income taxes resulting from domestic assignments are unallowable.

* * * * *

(5) In addition to the general rquirements set forth in paragraphs (a)(1) through (4) of this § 1–15.205–6, certain forms of compensation are subject to further requirements as specified in paragraphs (b) through (k) of this § 1–15.205–6.

* * * * *

(d) *Bonuses and incentive compensation paid in stock.* Costs of bonuses and incentive compensation paid in the stock of the contractor or of an affiliate are allowable to the extent set forth in paragraph (c) of this section (including the incorporation of the principles in paragraph (f) of this section for deferred bonuses and incentive compensation), subject to the following additional requirements:

(1) Valuation placed on the stock transferred shall be fair market value at the time of transfer, determined upon the most objective basis available; and

(2) Accruals for the cost of stock prior to the issuance of the stock to the employees shall be subject to adjustment according to the possibilities that the employees will not receive the stock and their interest in the accruals will be forfeited.

* * * * *

(f) *Deferred compensation.*

(1) As used herein, deferred compensation includes all remuneration, in whatever form, for which the employee is not paid until after the lapse of a stated period of years or the occurrence of other events as provided in the plans, except that it does not include normal end of accounting period accruals. It includes (i) contributions to pension (including early retirement), annuity, stock bonus, and profit sharing plans; (ii) contributions to disability, withdrawal, insurance, survivorship, and similar benefit plans; and (iii) other deferred compensation, whether paid in cash or in stock.

(2) Deferred compensation is allowable only to the extent that:

(i) It is reasonable in amount when considered together with all other compensation paid to the employee; and

(ii) It is paid under an agreement entered into in good faith between the contractor and employees before the services are rendered, or under a plan established and consistently applied thereafter by the contractor.

(3) Pension plans and other types of deferred compensation not covered by Cost Accounting Standard (CAS) 415 (Accounting for the Cost of Deferred Compensation) are allowable to the extent that they comply with paragraph (f)(2) of this § 1–15.205–6 and:

(i) They are deductible for the same fiscal year for Federal income tax purposes under section 404 (excluding subsection (a)(5)) of the Internal Revenue Code of 1954, as amended, and the regulations of the Internal Revenue Service, provided that:

(A) Normal costs of pension plans incurred subsequent to the effective date of this paragraph, not funded in the year incurred, and pension costs or adjustments of previous years (past service) allocable to the current accounting period but not funded in that period shall not be allowable in subsequent years (except that a payment made to a fund by the time set for filing of the Federal income tax return for any taxable year shall be considered to have been made during that taxable year). However, any portion of pension cost computed for a cost accounting period that is deferred pursuant to a waiver granted under the provisions of the Employee Retirement Income Security Act of 1974 (ERISA) as set forth in CAS 412.50(c)(3) will be allowable in the future accounting period(s) in which the funding takes place. The allowability of these deferred

contributions will be limited to the amounts that would have been allowed had the funding been made in the year the costs were incurred;

(B) Under contracts not subject to Cost Accounting Standards, abnormal forfeitures due to significant reduction in the Contractor's level of employment that are foreseeable and which can be currently evaluated with reasonable accuracy by actuarial or other sound computation shall be reflected by an adjustment of costs otherwise allowable. When abnormal forfeitures were not taken into account previously, appropriate credit shall be given to the Government in accordance with § 1–15.201–5;

(C) Any amount paid or funded and deductible in any year under section 404 (excluding section 404(a)(5)) of the Internal Revenue Code of 1954, as amended, prior to the time it becomes allowable under this paragraph 1–15.205–6(f)(3)(i) shall be applied to future years, in order of time, as if actually paid and deductible in these years;

(D) Increased normal and past service costs, caused by a delay in funding the actuarial liability beyond 30 days after each quarter of the year to which the costs are assignable are unallowable. If a composite rate is used to allocate pension liability between the segments of a company and if, because of differences in the timing of the funding by segments, an inequity exists, allowable normal cost and past service costs will be limited to that particular segment's calculation of pension costs as provided in CAS 413.50(c)(5). Determination of unallowable costs shall be made in accordance with the actuarial method used in calculating the normal and past service costs;

(E) The allowability of the cost of indemnification of the Pension Benefit Guaranty Corporation (PBGC), under section 4062 or 4064 of the Employee Retirement Income Security Act of 1974 (ERISA), because of the termination of an employee deferred compensation plan will be considered on a case-by-case basis; provided that if insurance was required by the PBGC under section 4023 of ERISA, it was obtained by the contractor and the indemnification payment is not recoverable thereunder. Consideration under the foregoing circumstances will be primarily for the purpose of appraising the extent to which the indemnification payment is allocable to Government work; and if a beneficial or other equitable relationship exists, the Government will participate, provisions of §§ 1–15.205–16(a)(3) and 1–15.205–16(b) notwithstanding, in the indemnification payment to the extent of its fair share; or

(ii) They are deductible in the same fiscal year for Federal income tax purposes under section 404(a)(5) of the Internal Revenue Code of 1954, as amended, and the regulations of the Internal Revenue Service, except that the costs of unfunded pension and retirement benefits paid directly to, or on behalf of, former employees shall be allowable only to the extent the contractor demonstrates that the costs, together with any pension and retirement costs allowed under paragraph (f)(3)(i) of this § 1–15.205–6 do not exceed the amount that would be allowable under paragraph (f)(3)(i) of this § 1–15.205–6 if the contractor were providing for equivalent benefits on an actuarial basis in the current period. Amounts paid to employees under pay-as-you-go plans as an inducement for early retirement should be treated as supplemental pension plans under this provision. To be allowable, these costs must be incurred under a well defined plan which the contractor consistently follows thereafter. The scale of payments to the retired employees should be reasonable, the costs should be computed in accordance with this provision, and the costs should be allocated according to the contractor's system of accounting for pension costs; and

(iii) They comply with the provisions of CAS 412 (Composition and Measurement of Pension Costs) and CAS 413 (Adjustment and Allocation of Pension Cost), which are incorporated herein in their entirety; and when any of the contractor's contracts are subject to Cost Accounting Standards, these provisions will apply commencing with the contractor's fiscal year as prescribed by the terms of § 412.80 of CAS 412 and § 413.80 of CAS 413. The amount of deferred compensation costs which may be allowed shall not, however, exceed the amount determined under the provisions of the standards, subject to the cost limitations and exclusions set forth in paragraphs (f)(3)(i) and (ii) of this § 1–15.205–6.

(4) Deferred compensation covered by CAS 415 is not subject to the limitations of the Internal Revenue Code and regulations thereunder, but is allowable to the extent that it complies with paragraph (f)(2) of this § 1–15.205–6 and:

(i) It complies with the provisions of CAS 415 (Accounting for the Cost of Deferred Compensation), which are incorporated herein in their entirety; and when any of the contractor's contracts are subject to Cost Accounting Standards Board standards, these provisions will be applicable commencing with the contractor's fiscal year as prescribed by the terms of § 415.80 of CAS 415. The amount of deferred compensation cost which may be allowed shall not, however, exceed the amount determined under the provisions of CAS 415, except that the cost of options to employees to purchase stock of the contractor or of an affiliate is unallowable; and

(ii) Deferred compensation payments to employees under awards made prior to the effective date of CAS 415 are allowable to the extent they would have been allowable under the provisions of this § 1–15.205–6 effective prior to the date of this revision.

(g) *Fringe benefits.* Fringe benefits are allowances and services provided by the contractor to its employees as compensation in addition to regular wages and salaries. The cost of fringe benefits, including, but not limited to, the cost of vacations, sick leave, holidays, military leave, employee insurance, and supplemental unemployment benefit plans is allowable if reasonable and consistent with the following:

(1) On contracts subject to full CAS coverage, the costs of compensated personal absence must be measured and allocated in accordance with CAS 408 (Accounting for the Cost of Compensated Personal Absence). For all fringe benefits not addressed by the provisions of CAS 408, the criteria in (2), below, apply.

(2) On contracts not subject to full CAS coverage, the cost of all fringe benefits are allowable to the extent that they are required by law, employer-employee agreement, or an established policy of the contractor.

* * * * *

(k) *Backpay resulting from violations of Federal labor laws.* Backpay may result from a negotiated settlement, order, or court decree which resolves a violation of Federal labor laws. Such backpay falls into two categories: One requiring the contractor to pay employees additional compensation for work performed for which they were underpaid, and the other resulting from other violations such as when the employee was improperly discharged, discriminated against, or other circumstances for which the backpay was not additional compensation for work performed. Backpay resulting from underpaid work is compensation for the work performed and is allowable. All other backpay is unallowable.

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

Dated: February 6, 1980.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 80-5037 Filed 2-15-80; 8:45 am]

BILLING CODE 6820-61-M

41 CFR Parts 1-1, 1-2, 1-3, 1-4, 1-7, and 1-16

[FPR Amdt. 204]

Disputes Clause and Related Procedures for Use in Government Contracts

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: The Federal Procurement Regulations are amended to provide a new Disputes clause and related procedures for use in Government contracts. The Administrator, Office of Federal Procurement Policy (OFPP), implemented the Contract Disputes Act of 1978 (Pub. L. 95-563, November 1, 1978) on February 26 and June 14, 1979, by publishing notices in the **Federal Register** (44 FR 12519, March 7, 1979, and 44 FR 34227, June 14, 1979, respectively). The notices set forth a new Disputes clause and related procedures. This amendment incorporates the clause and procedures into the Federal Procurement Regulations as requested by OFPP. The intended effect is to implement the Contract Disputes Act of 1978.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Philip G. Read, Director, Federal Procurement Regulations, Office of Acquisition Policy (703-557-8947).

SUPPLEMENTARY INFORMATION: The Act is not deemed to affect the resolution of bid protests and mistakes in bid disclosed before award. Accordingly the FPR provisions related to these matters have not been changed. The applicability of the Disputes clause to contracts awarded before and after the effective date of the Act is indicated in § 1-1.318-8.

AGENCY COMMENTS: Comments were not solicited because the text of the substantive portion of the amendment is essentially the same as material promulgated by OFPP or presently in the FPR. However, if agencies or others wish to forward their views, they would be welcomed.

PART 1-1—GENERAL

The table of contents for Part 1-1 is amended to revise the following entries:

Sec.
1-1.318 Disputes.
1-1.318-1 General.
1-1.318-2 Applicability of Act and exceptions.
1-1.318-3 Contractor certification for claims over $50,000.
1-1.318-4 Contracting officer's decision.
1-1.318-5 Government claims against the contractor.
1-1.318-6 Payment of interest on contractors' claims.
1-1.318-7 Contract clause.
1-1.318-8 Applicability of clause.
1-1.322 [Reserved]
1-1.328 Fraudulent claims.

Subpart 1-1.3—General Policies

1. Section 1-1.318 is revised as follows:

§ 1-1.318 Disputes.

§ 1-1.318-1 General.

The Contract Disputes Act of 1978 (Pub. L. 95-563; November 1, 1979, 41 U.S.C. 601-613) provides a statutory basis for the resolution of disputes under Government contracts. It is the Government's policy, consistent with that Act, to try to resolve all disputes by mutual agreement at the contracting officer's level without litigation. In appropriate circumstances, before issuance of a contracting officer's decision, informal discussions between the parties, conducted to the extent feasible by individuals who have not participated substantially in the matter in dispute, could aid in the resolution of differences by mutual agreement and should be considered. The contracting officer is authorized (within any specific limitations in his or her warrant) to settle all disputes relating to a contract containing the Disputes clause prescribed by § 1-1.318-7.

§ 1-1.318-2 Applicability of act and exceptions.

(a) *Applicability.* (1) Unless otherwise specifically provided herein, the Contract Disputes Act of 1978 applies to any express or implied contract entered into by an executive agency for the procurement of:

(i) Property, other than real property in being,

(ii) Services, or

(iii) Construction, alteration, repair, or maintenance of real property.

(2) The contracts to which the Act applies include the contracts of:

(i) The nonappropriated fund activities described in 28 U.S.C. 1346 and 1491.

(ii) The Tennessee Valley Authority which contain a disputes clause requiring that a contract dispute be resolved through an agency administrative process (see exception in § 1-1.318-2(b)).

(3) The Act also applies to certain kinds of relief, such as alleged legal entitlement to revision or reformation for mutual mistake, which formerly were (i) available within an agency only under Pub. L. 85-804 (50 U.S.C. 1431-1435) and (ii) not within the contracting officer's authority. Contracting officers should obtain legal advice regarding their authority to settle or decide these claims.

(4) Maritime contracts are subject to the Act to the extent provided in 41 U.S.C. 603.

(b) *Exceptions.* The Act does not apply to:

(1) Contracts with a foreign government or an agency thereof, or with an international organization or a subsidiary body thereof, if the head of the agency determines that application of the Contract Disputes Act of 1978 to the contract would not be in the public interest;

(2) Any claim or dispute for penalties or forfeitures prescribed by statute or regulation which another Federal agency is specifically authorized to administer, settle, or determine;

(3) Any claim involving fraud;

(4) Requests for relief under Pub. L. 85-804 because they are not considered claims under the Act (see § 1-1.318-2(a)); or

(5) Contracts of the Tennessee Valley Authority for the sale of fertilizer or electric power or related to the conduct or operation of the electric power system.

§ 1-1.318-3 Contractor certification for claims over $50,000.

Any contractor claim over $50,000 (either initially or as amended) must be certified under paragraph (c) of the Disputes clause before settlement or decision on the claim (see § 1-7.102-12).

§ 1-1.318-4 Contracting officer's decision.

(a) When a claim cannot be satisfied or settled by agreement and a decision on the claim is necessary, the contracting officer shall:

(1) Review the facts pertinent to the claim,

(2) Secure assistance from legal and other advisors, and

(3) Coordinate with the contract administration office or contracting office, when appropriate.

(b) The contracting officer shall furnish a copy of the decision to the contractor by certified mail—return receipt requested or any other method that provides evidence of receipt. The decision shall include:

(1) A paragraph substantially as follows:

This is the final decision of the contracting officer. This decision may be appealed to (insert the address of the cognizant Board of Contract Appeals). If you decide to make such an appeal, you must mail or otherwise furnish written notice thereof to the Board of Contract Appeals within 90 days from the date you receive this decision. A copy thereof shall be furnished to the contracting officer from whose decision the appeal is taken. The notice shall indicate that an appeal is intended, should reference this decision, and identify the contract number. Instead of appealing to the Board of Contract Appeals, you may bring an action directly to the U.S. Court of Claims within 12 months of the date you receive this decision

(2) A description of the claim or dispute;

(3) A reference to pertinent contract provisions;

(4) A statement of the factual areas of agreement or disagreement;

(5) A statement of the contracting officer's decision, with supporting rationale;

(6) A notification that the small claims procedure of the cognizant Board of Contract Appeals is applicable at the sole election of the contractor in the event the amount in dispute as a result of the final decision is $10,000 or less; and

(7) A notification that the accelerated procedure of the cognizant Board of Contract Appeals is applicable at the sole election of the contractor in the event the amount in dispute as a result of the final decision is $50,000 or less.

(c) The contracting officer shall issue the decision within the following time limitations:

(1) For submitted claims not exceeding $50,000, within 60 days after the Contracting Officer receives a written request for a decision.

(2) For submitted certified claims exceeding $50,000, within 60 days after the Contracting Officer receives a certified claim. However, if a decision is not to be issued within 60 days, the contracting officer shall notify the contractor, within the 60 days, of the time within which the contracting officer will make the decision. The decision of the contracting officer on submitted claims shall be issued within a reasonable time. The reasonableness of this time period will depend on the size and complexity of the claim and the adequacy of the contractor's supporting data and any other relevant factors.

(d)(1) Within 30 days of receipt of an appeal, or notice that an appeal has been filed, the contracting officer shall assemble and transmit to the cognizant Board (through the agency's General Counsel) an appeal file consisting of all documents pertinent to the appeal, including:

(i) The decision from which the appeal is taken;

(ii) The contract, including specifications and pertinent amendments, plans, and drawings;

(iii) All correspondence between the parties relevant to the appeal, including the letter or letters of claim in response to which the decision was issued;

(iv) Transcripts of any testimony taken during the course of proceedings, and affidavits or statements of any witnesses on the matter in dispute made prior to the filing of the notice of appeal with the Board; and

(v) Any additional information considered relevant to the appeal.

(2) Documents in the appeal file may be originals or legible facsimiles or authenticated copies, and shall be arranged in chronological order where practicable, numbered sequentially, tabbed, and indexed to identify the contents of the file.

(3) Within the same 30 days as specified for furnishing the appeal file to the cognizant Board, the contracting officer shall also furnish a copy of the appeal file to the appellant. However, the contracting officer may substitute a list of specific contractual documents in place of the documents themselves as required in (d)(1)(ii).

(4) Upon request by either party, the Board may waive the requirement to furnish to the other party copies of bulky, lengthy, or out-of-size documents in the appeal file when inclusion would be burdensome. At the time a party files with the Board a document as to which such a waiver has been granted, he or she shall notify the other party that the document or a copy is available for inspection at its own offices or at the offices of the Board.

(e) The amount determined payable under the decision, less any portion already paid, normally should be paid without awaiting contractor action concerning appeal. The payment shall be without prejudice to the rights of either party.

§ 1-1.318-5 Government claims against the contractor.

All claims asserted by the Government against a contractor relating to a contract that cannot be settled by agreement shall be the subject of a decision by the contracting officer and shall be processed in accordance with § 1-1.318-4.

§ 1-1.318-6 Payment of interest on contractors, claims.

The Government shall pay interest on contractors' claims as prescribed in paragraph (d) of the Disputes clause (see § 1-7.102-12).

§ 1-1.318-7 Contract clause.

The contracting officer shall insert the Disputes clause set forth in § 1-7.102-12 in all contracts to which the Contract Disputes Act of 1978 applies (see § 1-1.318-2).

§ 1-1.318-8 Applicability of clause.

(a) With respect to contracts awarded before the effective date of the Act (March 1, 1979), the contractor may elect to proceed under the Disputes clause included in the contract or the clause in § 1-7.102-12, if—

(1) The claim was initiated before the effective date of the Act and the contracting officer has not rendered a final decision, or

(2) The claim was initiated on or after the effective date of the Act.

(b) With respect to processing claims asserted after the effective date of the Act, the clause set forth in § 1-7.102-12 applies. The clause was prescribed by the Office of Federal Procurement Policy on February 26, 1979 (44 FR 12519, March 7, 1979).

2. Section 1-1.322 is deleted and reserved as follows:

§1-1.322 [Reserved]

3. Section 1-1.328 is added as follows:

§ 1-1.328 Fraudulent claims.

(a) Section 5 of the Contract Disputes Act of 1978 (41 U.S.C. 604) provides that if a contractor is unable to support any part of its claim under the contract and such inability is attributable to misrepresentation of fact or fraud on the part of the contractor, it shall be liable to the Government for:

(1) An amount equal to the unsupported part of the claim, and

(2) Costs to the Government attributable to reviewing that part of the claim.

(b) "Misrepresentation of fact" is defined by the Contract Disputes Act of 1978 as a false statement of substantive fact, or any conduct which leads to a belief of a substantive fact material to proper understanding of the matter in hand made with intent to deceive or mislead.

(c) All instances of suspected fraudulent claims shall be reported to the Attorney General.

PART 1-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 1-2.4—Opening of Bids and Award of Contract

Section 1-2.406-4 is revised as follows:

§ 1-2.406-4 Disclosure of mistakes after award.

(a) When a mistake in a contractor's bid is not discovered until after the award, the mistake may be corrected by contract amendment or supplemental agreement if correcting the mistake would make the contract more favorable to the Government without changing the essential requirements of the contract.

(b) In addition to the cases contemplated in paragraph (a) of this § 1-2.406-4, contracting officers are authorized, under the circumstances set forth in paragraph (c) of this § 1-2.406-4 and in accordance with agency procedures, to make certain determinations in connection with mistakes in bids alleged or disclosed after award. A determination may be made (1) to rescind a contract or (2) to reform a contract,

(i) By deleting the item or items involved in the mistake or

(ii) By increasing the price if the contract price, as corrected, does not exceed that of the next lowest acceptable bid under the original invitation for bids.

(c) Determinations under paragraph (b) of this § 1-2.406-4 may be made only on the basis of clear and convincing evidence that a mistake in bid was made, and either that the mistake was mutual or that the unilateral mistake made by the contractor was so apparent as to have charged the contracting officer with notice of the probability of the mistake. If the evidence does not warrant a determination under paragraph (b)(1) or (b)(2) of this section, a determination may be made that no change shall be made in the contract as awarded.

(d) Each proposed determination shall be coordinated with the agency's Office of General Counsel in accordance with agency procedures.

(e) Mistakes disclosed after award shall be processed as follows:

(1) Whenever a mistake in bid is alleged or disclosed after award, the contracting officer shall advise the contractor to support the alleged error by written statements and by all pertinent evidence, such as the contractor's file copy of the bid, the original worksheets and other data used in preparing the bid, subcontractors' and suppliers' quotations (if any), published price lists, and any other evidence which will serve to establish the mistake, the manner in which it occurred, and the bid actually intended.

(2) Where the contractor furnishes evidence in support of an alleged mistake, the case file shall contain the following data:

(i) All evidence furnished by the contractor.

(ii) A copy of the contract, including a copy of the bid and any specifications or drawings relevant to the alleged mistake, and any change orders or supplemental agreements thereto.

(iii) An abstract or record of the bids received.

(iv) A written statement by the contracting officer setting forth—

(A) Specific information as to how and when the mistake was alleged or disclosed;

(B) A summary of the evidence submitted by the contractor;

(C) The contracting officer's opinion whether a bona fide mistake was made in the bid and whether he or she was, or should have been, on constructive notice of the mistake before the award, together with the reasons or data upon which his or her opinion is based;

(D) In the event only one bid was received, a quotation of a recent contract price for the supplies or services involved or, in the absence of a recent comparable contract, the contracting officer's estimate of a fair price for the supplies or services, and the basis for the estimate;

(E) Any additional evidence considered pertinent, including copies of all relevant correspondence between the contracting officer and the contractor concerning the alleged mistake;

(F) The course of action with respect to the alleged mistake that the contracting officer considers proper on the basis of the evidence, and, if other than a change in contract price is recommended, the manner by which the item will otherwise be procured; and

(G) The status of performance and payments under the contract, including contemplated performance and payments.

(f) Any contractor wishing to dispute a contracting officer's determination regarding a mistake-in-bid may do so pursuant to the Disputes clause in the solicitation (see § 1-1.318).

(g) Each agency shall maintain records of all determinations made in accordance with this § 1-2.406-4, the facts involved, and the action taken in each case. A copy of the determination shall be attached to each copy of any contract rescission or reformation resulting therefrom.

PART 1-3—PROCUREMENT BY NEGOTIATION

Subpart 1-3.6—Small Purchases

Section 1-3.605-2 is amended to revise paragraph (b)(1) as follows:

§ 1-3.605-2 Standard Forms 147 and 148, Order for Supplies or Services.

(b) *Terms and conditions.* (1) Terms and conditions generally suitable for most small purchases are printed on the reverse of Standard Form 147. Pending the publication of a new edition of the form, the Disputes clause in § 1-7.102-12 shall be substituted for the Disputes clause in Article 4.

* * * * *

PART 1-4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart 1-4.4—Public Utilities

Section 1-4.410-5 is amended to revise paragraph (a)(9) and to delete the text of and reserve paragraph (a)(12) as follows:

§ 1-4.410-5 Uniform clauses for utility service contracts.

* * * * *

(a) * * *

(9) Disputes. Insert the clause in § 1-7.102-12 as required by § 1-1.318.

* * * * *

(12) [Reserved]

* * * * *

PART 1-7—CONTRACT CLAUSES

The table of contents for Part 1-7 is amended to revise the following entries.

Sec.	
1-7.102-22	[Reserved]
1-7.202-34	[Reserved]
1-7.302-32	[Reserved]
1-7.402-35	[Reserved]
1-7.602-35	[Reserved]

Subpart 1-7.1—Fixed-Price Supply Contracts

1. Section 1-7.102-12 is revised as follows:

§ 1-7.102-12 Disputes.

Insert the following clause as prescribed by § 1-1.318-7:

Disputes

(a) This contract is subject to the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.). If a dispute arises relating to the contract, the contractor may submit a claim to the Contracting Officer who shall issue a written decision on the dispute in the manner specified in FPR 1-1.318.

(b) "Claim" means:

(1) A written request submitted to the Contracting Officer;

(2) For payment of money, adjustment of contract terms, or other relief;

(3) Which is in dispute or remains unresolved after a reasonable time for its review and disposition by the Government; and

(4) For which a Contracting Officer's decision is demanded.

(c) In the case of disputed requests or amendments to such requests for payment exceeding $50,000, or with any amendment causing the total request in dispute to exceed $50,000, the Contractor shall certify, at the time of submission as a claim, as follows:

I certify that the claim is made in good faith, that the supporting data are accurate and complete to the best of my knowledge and belief; and that the amount requested accurately reflects the contract adjustment for which the contractor believes the Government is liable.

(Contractor's Name) _____

(Title) _____

(d) The Government shall pay the contractor interest:

(1) On the amount found due on claims submitted under this clause;

(2) At the rates fixed by the Secretary of the Treasury, under the Renegotiation Act, Pub. L. 92–41;

(3) From the date the Contracting Officer receives the claim, until the Government makes payment.

(e) The decision of the Contracting Officer shall be final and conclusive and not subject to review by any forum, tribunal, or Government agency unless an appeal or action is timely commenced within the times specified by the Contract Disputes Act of 1978.

(f) The Contractor shall proceed diligently with performance of this contract, pending final resolution of any request for relief, claim, appeal or action related to the contract, and comply with any decision of the Contracting Officer.

2. Section 1–7.102–22 is deleted and reserved as follows:

§ 1–7.102–22 [Reserved]

3. Section 1–7.202–34 is deleted and reserved as follows:

§ 1–7.202–34 [Reserved]

4. Section 1–7.302–32 is deleted and reserved as follows:

§ 1–7.302–32 [Reserved]

5. Section 1–7.402–35 is deleted and reserved as follows:

§ 1–7.402–35 [Reserved]

6. Section 1–7.602–6 is revised as follows:

§ 1–7.602–6 Disputes.

Insert the clause set forth in § 1–7.102–12 as required by § 1–1.318–8.

7. Section 1–7.602–35 is deleted and reserved as follows:

§ 1–7.602–35 [Reserved]

PART 1–16—PROCUREMENT FORMS

Subpart 1–16.1—Forms for Advertised Supply Contracts

1. Section 1–16.101 is amended to revise paragraph (c) as follows:

§ 1–16.101 Contract forms.

* * * * *

(c) General Provisions (Supply Contract) (Standard Form 32, April 1975 edition). Pending the publication of a new edition of the form, the Convict Labor clause prescribed by § 1–12.204 shall be substituted for the Convict Labor clause in Article 15; the Utilization of Labor Surplus Area Concerns clause prescribed in § 1–1.805–3 shall be substituted for the similarly titled clause in Article 22; and the Disabled Veterans and Veterans of the Vietnam Era clause prescribed by FPR Temporary Regulation 39, the Employment of the Handicapped clause prescribed by FPR Temporary Regulation 38, and the Clean Air and Water clause set forth in § 1–1.2302–2 shall be added as additional articles of the General Provisions. Also, the Disputes clause prescribed by § 1–1.318–7 as set forth in § 1–7.102–12 shall be substituted for the Disputes clause in Article 12 and the Payment of Interest on Contractor's Claims in Article 25 shall be deleted.

* * * * *

2. Section 1–16.401 is amended to revise paragraphs (a) and (h) as follows:

§ 1–16.401 Forms prescribed.

* * * * *

(a) Invitation, Bid and Award (Construction, Alteration, and Repair) (Standard Form 19, July 1973 edition).

* * * * *

(1) * * *

(2) *Back of form.* The Examination of Records by Comptroller General clause, the Utilization of Small Business Concerns clause, the Utilization of Minority Business Enterprises clause, and the Payment of Interest on Contractors' Claims clause are deleted in their entirety; the Convict Labor clause prescribed by § 1–12.204 shall be substituted for the Convict Labor clause in Article 10; the Disabled Veterans and Veterans of the Vietnam Era clause prescribed by FPR Temporary Regulation 39 and the Employment of the Handicapped clause prescribed by FPR Temporary Regulation 38, shall be added as additional articles of the General Provisions; the Disputes clause prescribed by § 1–1.318–7 as set forth in § 1–7.102–12 shall be substituted for the Disputes clause in Article 3; and the following clause shall be substituted for the Payments to Contractor clause in Article 6:

6. *Payments to Contractor.* (a) Progress payments equal to the value of the work performed shall be made monthly or at more frequent intervals as determined by the Contracting Officer on estimates approved by him or her. Upon payment therefor, title to the property shall vest in the Government, but this provision shall not be construed as relieving the Contractor from the sole responsibility for all material and work upon which payments have been made. The Contractor will notify the government when all work is complete. Final payment will be made after final acceptance.

* * * * *

(h) General Provisions (Construction Contract) (Standard Form 23–A, April 1975 edition). Pending the publication of a new edition of the form, the Payments to Contractor clause prescribed by § 1–7.602–7 shall be substituted for the Payments to Contractor clause in Article 7; the Convict Labor clause prescribed by § 1–12.204 shall be substituted for the Convict Labor clause in Article 28; the Disabled Veterans and Veterans of the Vietnam Era clause prescribed by FPR Temporary Regulation 39, the Employment of the handicapped clause prescribed by FPR Temporary Regulation 38, and the Clean Air and Water clause set forth in § 1–1.2302–2 shall be added as additional articles of the General Provisions; the Disputes clause prescribed by § 1–1.318–7 as set forth in § 1–7.102–12 shall be substituted for the Disputes clause in Article 6; and the Payment of Interest on Contractors' Claims clause in Article 19 is deleted in its entirety.

3. Section 1–16.404 is amended to delete the text of and reserve paragraph (d) as follows:

§ 1–16.404 Terms, conditions, and provisions.

* * * * *

(d) [Reserved].

* * * * *

4. Section 1–16.701 is amended to revise paragraph (b) as follows:

§ 1–16.701 Forms prescribed.

* * * * *

(b) *General Provisions (Architect-Engineer Contract) (Standard Form 253, April 1975 edition).* Pending the publication of a new edition of the form, the Payment of Interest on Architect-Engineer's Claims clause (Article 15) is deleted; the Disputes clause prescribed by § 1–1.318–7 as set forth in § 1–7.102–12 shall be substituted for the Disputes clause in Article 5; and the Disabled Veterans and Veterans of the Vietnam Era clause prescribed by FPR Temporary Regulation 39, the Employment of the Handicapped clause prescribed by FPR Temporary Regulation 38, and the Clean Air and Water clause set forth in § 1–1.2302–2 shall be added as additional articles of the General Provisions.

* * * * *

5. Section 1–16.703 is amended to delete the text of and reserve paragraph (c) as follows:

§ 1-16.703 Terms, conditions, and provisions.

* * * * *

(c) [Reserved].

* * * * *

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

Dated: February 5, 1980.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 80-5077 Filed 2-15-80; 8:45 am]

BILLING CODE 6820-61-M

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41 CFR Part 101-47

[FPMR Amdt. H-119]

Utilization and Disposal of Real Property; Report of Surplus Real Property Disposals and Inventory

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: This regulation deletes the requirement that Federal real property holding agencies designated as disposal agencies (under § 101-47. 302 of this subchapter) submit reports to GSA on real property disposals and inventories. The change will result in reducing the affected holding agencies' time and expense in processing surplus real property disposals.

EFFECTIVE DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: James H. Pitts, Office of Real Property, General Services Administration, Washington, DC 20405 (202-566-0003).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals, and, therefore, is not significant for the purposes of Executive Order 12044.

1. The table of contents for Part 101-47 is amended by deleting two entries as follows:

Sec.
101-47.301-5 [Deleted]
101-47.4903 [Deleted]

Subpart 101-47.3—Surplus Real Property Disposal

2. Section 101-47.301-5 is deleted as follows:

§ 101-47.301-5 [Deleted]

Subpart 101-47.49—Illustrations

3. Section 101-47.4903 is deleted as follows:

§ 101-47.4903 [Deleted]

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

Dated: February 6, 1980.

R. G. Freeman III,

Administrator of General Services.

[FR Doc. 80-5078 Filed 2-15-80; 8:45 am]

BILLING CODE 6820-96-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, Health Care Financing Administration, Office of Human Development Service, Office of Child Support Enforcement

45 CFR Part 95

Automatic Data Processing Equipment and Services; Conditions for Federal Financial Participation

AGENCY: Social Security Administration, Health Care Financing Administration, Office of Human Development Services, and Office of Child Support Enforcement, HEW.

ACTION: Final rule (with subsequent comment period).

SUMMARY: These regulations change the HEW requirements for Federal funding of State and local government's acquisitions of automatic data processing (ADP) equipment and services. The regulations are applicable to HEW programs authorized under Social Security Act titles I, IV, X, XIV, XVI (AABD), XIX, and XX.

The change raises the HEW prior approval threshold for most State and local government ADP acquisitions. The purpose of the changes is to:

Allow States to implement small systems or systems changes more quickly, while still keeping HEW informed of the States systems capabilities; and

Reduce paperwork requirements.

EFFECTIVE DATE: February 19, 1980. However, we are interested in public comments, and will consider comments received within 60 days of publication. If we receive substantive comments, HEW will reissue the regulations at a later date.

ADDRESSES: Send written comments to: Robert F. Sermier, Acting Deputy Assistant Secretary for Management Analysis and Systems, Hubert H. Humphrey Building, Room 514E, 200 Independence Ave., SW., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT: Joseph Strnad (202) 245-7488.

SUPPLEMENTARY INFORMATION: HEW published final regulations "Automatic Data Processing Equipment and Services—Conditions for Federal Financial Participation", Subpart F of 45 CFR Part 95 in the **Federal Register**, page 44851, on September 29, 1978. The regulations required that State and local governments obtain prior written approval by the Department for the acquisition of ADP equipment or ADP services when the acquisition cost exceeds $25,000.

In analyzing State requests received between December 1977 and February 1979, HEW found that 39 percent of the requests were for less than $100,000 and 61 percent were for more. In addition, the requests over $100,000 represent 99 percent of the dollars required for proposed system acquisitions. Accordingly, HEW is making two changes to 45 CFR 95.600.

1. We are changing the present prior approval threshold of $25,000 in § 95.611(a) to provide that a State shall obtain prior written approval from the Department when it plans to acquire ADP equipment or services that it anticipates will have total acquisition costs of $100,000 or more in Federal and State funds over a twelve-month period, or $200,000 or more in Federal or State funds for the total acquisition, unless the acquisition is noncompetitive from a commercial source.

2. We are adding a § 95.612 that requires States to submit a brief prior notice of acquisition for ADP equipment and services that cost $25,000 to $100,000 over a twelve-month period.

In addition to these changes, we are making several minor amendments.

1. In § 95.605 "Definitions", we:

Added a definition for "Acquisition" to clarify that it covers commercial and State resources,

Amended the definition for "Approving component" to eliminate reference to the $25,000 in Federal and State funds, and

Amended the definition for "Service agreement" to delete the nondiscrimination clause, because HEW does not have a statutory basis for the requirement in a service agreement. Paragraph (g) is renumbered Paragraph (f).

2. We corrected in § 95.613 the spelling of "agencies."

3. We changed § 95.615 to eliminate reference to "Subpart D" because HEW is going to move the access to records requirements to a different Subpart in 45 CFR Part 74.

4. We modified § 95.617(b) to limit the Department's rights to use software for Federal Government purposes.

5. We corrected in § 95.613 the expression "in the ADP" to read "in the advance planning document."

6. We added a § 95.633 that covers the HEW nondiscrimination requirements that State agencies must comply with

when acquiring ADP equipment and services.

We are waiving the notice of proposed rulemaking and a delayed effective date as unnecessary and contrary to the public interest. These amendments reduce burdens on State and local agencies, while still ensuring proper Federal oversight. The proposed regulation, with the changes discussed above, is hereby adopted.

The Department has determined that this document does not require preparation of a Regulatory Analysis under Executive Order 12044.

(Catalog of Federal Domestic Assistance Program Nos. 13.679, Child Support Enforcement Program; 13.707, Child Welfare Services; 13.714, Medical Assistance Program; 13.724, Public Assistance State and Local Training; 13.748, Work Incentive Program-Child Care-Employment Related Supportive Services; 13.754, Public Assistance-Social Services; 13.761, Public Assistance-Maintenance Assistance (State Aid); 13.771 Social Services for Low Income and Public Assistance.)

Dated: September 22, 1979.

Leonard D. Schaeffer,

Administrator, Health Care Financing Administration.

Arabella Martinez,

Assistant Secretary for Human Development Services.

Stanford G. Ross,

Commissioner, Social Security.

Stanford G. Ross,

Director, Office of Child Support Enforcement.

Approved: February 12, 1980.

Patricia Roberts Harris,

Secretary.

Part 95 of Title 45 of the Code of Federal Regulations is amended to read as follows:

1. The table of contents is amended by adding §§ 95.612 and 95.633 as follows:

Specific Conditions for FFP

* * * * *

95.612 Prior notice conditions.

* * * * *

95.633 Nondiscrimination requirements.

§ 95.605 [Amended]

2. Section 95.605 is amended by adding a definition of "Acquisition" as follows:

"Acquisition" means acquiring ADP equipment or services from commercial sources or from State or local government resources.

3. Section 95.605 is amended by revising the definition for "Approving component" to delete the words "that exceed $25,000 in Federal and State funds".

4. Section 95.605 is amended by revising the definition for "Service agreement" to eliminate Paragraph (f) and change Paragraph (g) to (f).

5. The first sentence in § 95.611(a) is amended as follows:

(a) *General-Acquisition requirement.* A State shall obtain prior written approval from the Department when it plans to acquire ADP equipment or services that it anticipates will have total acquisition costs of $100,000 or more in Federal and State funds over a twelve-month period, or $200,000 or more in Federal or State funds for the total acquisition. A State shall also obtain prior written approval from the Department when it plans to acquire noncompetitively from a commercial source ADP equipment or services that cost more than $25,000 in Federal and State funds. * * *

* * * * *

6. A new § 95.612 is added as follows:

§ 95.612 Prior notice conditions.

(a) *General—$25,000 to $100,000 acquisition requirements.* A State shall notify the Department (ASMB) when it plans to acquire ADP equipment or services that will cost $25,000 to $100,000 over a twelve-month period in Federal and State funds. The State shall send the prior notice of acquisition to the Department 60 days before the planned acquisition.

(b) *Specific prior notice contents.* The prior notice of acquisition is signed by the appropriate State official and explains:

(1) The need the acquisition is intended to satisfy;

(2) The nature and scope of the acquisition;

(3) Alternatives to the acquisition;

(4) If acquired from commercial sources, assurance that the State or local government will competitively acquire the ADP equipment or service;

(5) Total cost of the acquisition;

(6) The Social Security Act titles the State intends to charge for the acquisition and the estimated amount or percentages the State plans to charge to each title; and

(7) Any additional information the Department requires.

§ 95.613 [Amended]

7. Section 95.613 is amended by replacing "gencies" with "agencies".

§ 95.615 [Amended]

8. Section 95.615 is amended by eliminating the reference to "Subpart D".

9. Section 95.617(b) is amended as follows:

§ 95.617 Software and ownership rights.

* * * * *

(b) *Exemption.* The Department reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use and to authorize others to use for Federal Government purposes, such software, modifications, and documentation.

* * * * *

§ 95.619 [Amended]

10. Section 95.619 is amended by replacing "in the ADP" with "in the advance planning document".

11. A new § 95.633 is added as follows:

§ 95.633 Nondiscrimination requirements.

State agencies that acquire ADP equipment and services are subject to the nondiscrimination requirements in Parts 80, 84, and 90.

[FR Doc. 80-5178 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-12-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1061

Summer Youth Recreation Program; Funding and Application Process

AGENCY: Community Services Administration.

ACTION: Final rule.

SUMMARY: The Community Services Administration is filing an amendment to the final rule on the Summer Youth Recreation Program (SYRP) published in the **Federal Register**, May 29, 1979, Vol. 44 No. 144. The amendment notifies eligible applicants that the variation of the A-95 Clearinghouse process which was granted in fiscal year 1979 is no longer in effect; that the $6,000.00 target minimum funding for eligible grantees has been eliminated and that CSA is using an allocation element for this program to reflect the total number of poor people in a grantees' target area relative to the total number of poor in the United States. In addition, it informs eligible applicants of application submission requirements. These amendments do not substantially change the final rule and therefore CSA does not consider this a significant rule.

EFFECTIVE DATE: March 20, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Walter C. Thaxton, Community Services Administration, 1200 19th Street NW., Washington, D.C. 20506, Telephone (202) 254-5276.

SUPPLEMENTARY INFORMATION: In 1979 in order to assure that fiscal year 1979 funds appropriated under Section (a)(6) of the Economic Opportunity Act of

1964, as amended, were distributed to eligible applicants in sufficient time to be used for their intended purposes, the Office of Management and Budget granted CSA a variation in the A–95 Clearinghouse process. This variation in the A–95 Clearinghouse process is no longer necessary. Grantees therefore are to use the existing required A–95 Clearinghouse process found in 45 CFR 1067.10.

The $6,000.00 target minimum funding for eligible grantees has been eliminated due to a significant reduction in the total appropriations for this program.

(602 78 Stat. 530; (42 U.S.C. 2942))

Graciela (Grace) Olivarez,

Director.

45 CFR Part 1061 Subpart 1061.20—Summer Youth Recreation Program is amended as follows:

1. Section 1061.20–6 is amended by deleting the section in its entirety and substituting the following language.

§ 1061.20–6 Funding.

(a) *Allocation of Funds.* The allocation formula for each eligible applicant shall be based upon section 225(b) of the Act. Each eligible applicant shall be allocated funds based upon the number of poor residing in that applicant's jurisdiction relative to the total number of poor residing in the United States. No eligible applicant is automatically entitled to receive its allotment. The allotments for applicants are target allotments to which they are entitled if applications of sufficient quality are submitted to justify funding. Target planning figures will be provided each Community Action Agency by the appropriate CSA Regional Office based upon the relative number of poor residing within that CAA's target area. CAAs will make applications for funding in the amount of that target planning figure in accordance with the application procedures established herein. Where funds permit, CSA Regional Directors shall have discretionary authority to provide funds to serve the recreational needs of economically disadvantaged children in areas not covered by a CAA where there is a clearly demonstrated need for such services and a viable delivery system exists through which to provide the services. Additional factors which will be taken into consideration in making funding decisions will be applicants ability to operate a high quality program based upon past overall grantee performance; evidence in the grant application of mobilization of non-CSA resources; coordination with other appropriate state and local organizations; and, the number of poor children proposed to be served.

(b) *Non-Federal Share; Waiver of.* Non-Federal share required by section 225(c) is waived for all programs funded under section 222(a)(6), Summer Youth Recreation Programs. Due to the depressed economic circumstances existing for State and local governments which has impacted particularly on local educational institutions, the most logical source for non-Federal share for this program, the Director has waived the requirement for this year. However, where possible, grantees are encouraged to seek non-Federal share and mobilize local resources. The waiver is automatic and does not require a request for waiver.

2. Section 1061.20–7 is amended by deleting the section in its entirety and substituting the following language:

§ 1061.20–7 Application process.

(a) *Forms/Documentation Required.* The basic forms to be used in applying for a Summer Youth Recreation Program are as follows: (1) CSA Form 301, Applicant Certification (new grantees only); (2) CAP Form 25, Program Account Budget; (3) CAP Form 25a, Program Account Budget Support Sheet; (4) CSA Form 419, Summary of Work Programs and Budget; (5) SF 424, Federal Assistance (Sections I and II completed).

(i) When Delegating Programs: (A) CAP Form 11, Assurance of Compliance with Civil Rights Act; (B) CAP Form 85, Administering Agency Funding Estimate; (C) CAP Form 87, Delegate Agency Basic Information; (D) OEO Form 280, Agreement for Delegation of Activities.

These forms will be made available to grantees by the appropriate CSA Regional Office.

(ii) All eligible applicants should submit the original and two (2) copies of all required forms and documents to the appropriate CSA Regional Director.

(b) *Deadline for Submission of Applications.* Summer Youth Recreation Program grant applications shall be submitted to CSA Regional Offices no later than 60 days following publication in the **Federal Register.**

(c) *Clearinghouse Notification and Review.* All eligible applicants are required to comply with the Project Notification and Review System procedures as outlined in 45 CFR 1067.10 (CSA Instruction 6710–3a). Applicants should submit their notifications of intent (NOIs) to the appropriate clearinghouses immediately following the publication of this **Federal Register.** Where requested by the Clearinghouses, applicants must submit their application to the Clearinghouses for review. Comments made by the Clearinghouses should accompany the application submitted to CSA together with evidence of consideration of those comments. Applicants may expedite the final release process by obtaining the appropriate Clearinghouse and Governor's approval in advance or in less time than required.

(d) *Delegation of Authority.* Regional Directors are hereby delegated the authority to sign Summer Youth Recreation Program grants.

(e) *Monitoring and Evaluation.* The CSA Regional Offices will be responsible for monitoring and evaluation of the Summer Youth Recreation Program. In addition, CSA Headquarters may undertake on-site evaluations of selected projects.

[FR Doc. 80–5070 Filed 2–15–80; 8:45 am]

BILLING CODE 6315–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 57

[CGD 80–004]

Welding and Brazing

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This document correctly designates two figures which now appear as one in § 57.06–4, relating to production testing specimen requirements.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT:

Commander John C. Maxham, Office of Merchant Marine Safety (G–MMT/12), Room 1214, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593, (202) 426–2160.

SUPPLEMENTARY INFORMATION: Since this correction is editorial and contains no substantive changes to the regulations, it is exempt from the notice requirements imposed by 5 U.S.C. 553(b) and is being published as a final rule. Furthermore, under the authority of 5 U.S.C. 553(d)(2), this correction may be made effective in less than 30 days after its publication in the **Federal Register.**

Drafting Information

The principal persons involved in drafting this rule are Commander John C. Maxham, Office of Merchant Marine Safety, and Lieutenant Jack Orchard, Office of the Chief Counsel.

Discussion

Two figues contained in subpart 57.06 of Title 46 are incorrectly combined and listed as one figure. Within the text of the subpart, the figures are referred to as Figure 57.06–4(f)(2), and Figure 57.06–4(g). This rule separates the two figures and labels them correctly.

In consideration of the foregoing, Part 57 of Title 46 is amended as follows:

The figure which, on page 290 of the October 1, 1979, edition of the Code of Federal Regulations, Title 46, Parts 41 to Part 69 is designated as "FIGURE 57.06–4(f)(2). (PW–53.3) *'All weld metal tension-test specimen'.*", is separated into two distinct figures. The top portion of the figure down to and including the bold-face typed line *"Not less than ⅛"*, is redesignated as "FIGURE 57.06–(4)(f)(2).—(PW–53.3) *All weld metal tension-test specimen."* The remainder of the figure is redesignated as "FIGURE 57.06–4(g).—(PW–53.3) *Specimen for free-bend test."*

(63 Stat. 545 (14 U.S.C. 633); R.S. 4405 (46 U.S.C. 375); 70 Stat. 152 (46 U.S.C. 390b); R.S. 4418 (46 U.S.C. 392); R.S. 4428 (46 U.S.C. 406); R.S. 4462 (46 U.S.C. 416))

W. D. Markle, Jr.,

Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc. 80–5057 Filed 2–15–80; 8:45 am]

BILLING CODE 4910–14–M

National Highway Traffic Safety Administration

49 CFR Part 554

[Docket No. 75–26; Notice 2]

Standards Enforcement and Defects Investigation

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Final rule.

SUMMARY: This notice amends Title 49 of the Code of Federal Regulations by the addition of a new part 554, "Standards Enforcement and Defects Investigation," to codify existing agency procedures with respect to noncompliance and defect investigations.

EFFECTIVE DATE: March 20, 1980.

FOR FURTHER INFORMATION CONTACT: Roger Tilton, Office of Chief Counsel, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202–426–2993).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking to establish Part 554 was published in the **Federal Register** on September 30, 1975, (40 FR 44842). Ten comments were received from vehicle manufacturers and consumer groups. The National Motor Vehicle Safety Advisory Council did not take a position on the proposal. The Vehicle Equipment Safety Commission did not submit comments.

The NHTSA is adding Part 554 to Title 49 to combine and condense previously published policy directives (39 FR 1373, January 8, 1974; 38 FR 31460, November 14, 1973) and to modify its procedures somewhat, as contemplated by the Motor Vehicle and Schoolbus Safety Amendments of 1974 (Pub. L. 93–492, 88 Stat. 1470). This codification is intended to better inform interested persons of the agency's procedures.

The comments submitted in response to the notice of proposed rulemaking were generally in favor of this codification. Most commenters suggested minor changes, and many of the changes have been incorporated into the wording of the final rule.

American Motors Corporation (AMC), Grove Manufacturing Company, and International Harvester (IH) recommended that the scope of the investigatory powers described in § 554.4 be limited to protect the privacy of manufacturers. Section 112 of the Act prescribes the extent of the agency's powers of investigation, and these powers are not expanded, and cannot be, by virtue of this regulation. The purpose of Part 554 is merely to make public the procedures that the agency has employed in the past as authorized by section 112. In view of this limited role, a recitation of limits found in the statute is unnecessary.

The Center for Auto Safety requested that the agency change § 554.4 to amplify the fact that the five investigatory techniques detailed in that section are not the exclusive means available to the agency for pursuing an investigation. The agency agrees with this suggested modification. The enumerated investigatory techniques are only the major methods employed by the agency to pursue the investigations. The agency modifies the language of the section to indicate that other investigatory means will be used where necessary.

IH and Recreational Vehicle Industry Association (RVIA) suggested changes to § 554.6. IH recommended written notification of a compliance test failure to an "appropriate designated contract." RVIA requested notification of the commencement of defect investigations as well as compliance test failures.

The notification provided in paragraph (b) is made only upon the finding of a compliance test failure. The NHTSA agrees with RVIA that manufacturers should be notified at the beginning of a defect investigation as well. Additionally, the agency understands the need for timely notification of noncompliance investigations. It has been the policy of the NHTSA to issue written notification of the commencement of both defect and noncompliance investigations. The NHTSA, therefore, amends paragraph (b) of § 554.6 to provide for timely written notification to the manufacturer of defect and noncompliance investigations.

The agency always attempts to notify an appropriate official within the company. To require notification of an "appropriate designated contract" as suggested by IH would mean that each manufacturer would be required to file with the NHTSA the name of an individual to whom notification could be sent. Additionally, the manufacturer would need to update this filing whenever necessary. The agency concludes that this would be unnecessarily burdensome and, therefore, reserves the right to contact any person with the apparent authority to receive this notification. There has been no indication that notices to date have gone astray.

The Center for Auto Safety argued that paragraph (b) of § 554.7 should provide more specific criteria for the opening of a formal defects investigation. The NHTSA deems it unnecessary to be more specific about the pertinent criteria that warrant the commencement of an investigation. The decision to proceed with a defects investigation is based upon a careful analysis of a variety of data. These data differ from case to case. Offices within the agency exercise their collective judgment as to the necessity for an investigation, given the particular facts of any case. For this reason, the NHTSA concludes that modification of paragraph (b) is unnecessary.

IH and Ford suggested that the agency define the term "exempt material" in § 554.9 to avoid confusion. Additionally, they both recommended that the NHTSA clarify the section to indicate that the disclosure of exempt communications as well as all other exempt material would be prohibited.

The NHTSA utilizes a two-step approach to the disclosure of confidential material pertaining to safety-related defects and noncompliances. The agency first determines whether the information qualifies for confidential treatment under any statutory authority. Second, the agency exercises its discretion under paragraph (e) of section 112 of the National Traffic and Motor Vehicle

Safety Act (the Act) whereby the NHTSA may disclose confidential material if relevant to any proceeding undertaken pursuant to the Act. After determining relevance, the agency, under the authority granted in section 158(a)(2)(B) of the Act, releases confidential information pertaining to safety-related defects and noncompliances only when deemed necessary by the agency. The agency is amending § 554.9, therefore, to indicate that any communication or part of a file pertaining to a safety-related defect or noncompliance that is considered confidential will not be disclosed unless that disclosure is deemed necessary.

Many commenters suggested changes in § 554.10. Rohr Industries and AMC recommended that the phrase "preliminary determination" be changed to "initial determination" to make it consistent with Part 556. The NHTSA agrees with this suggestion and amends the language accordingly to reflect this change.

IH and General Motors Corporation (GM) suggested that the proposed 30-day time limit would be insufficient to prepare for the hearing that follows an initial determination. The language of this section indicates that any time period is only an approximation of the date upon which a hearing normally would be scheduled. The NHTSA has decided that 30 days allows sufficient time to prepare for the hearing, since manufacturers are forewarned of an investigation at its initiation and can, at that time, commence planning to dispute agency findings. The agency will, however, amend § 554.10 to show that hearings are normally scheduled within 30 days of the initial determination but that the 30-day requirement can be extended by the Administrator for good cause shown.

Most commenters argued that § 554.10 should allow for cross-examination at the hearings as well as other more formal procedures. The NHTSA has carefully considered these and similar comments for this part and in other contexts in our regulations and concludes that the informal procedures, as authorized by Congress, do provide adequate opportunity for comment and the presentation of facts.

AMC suggested that paragraph (e) of § 554.10 be deleted. They believed that the file should be closed once the Administrator finds that there is no noncompliance or safety-related defect. The Center for Auto Safety, on the other hand, requested that the agency amend paragraph (e) to allow any interested person to demand a public hearing once the Administrator has made his finding.

The purpose of paragraph (e) is to allow the Administrator to seek further public comments in those rare cases where further comment might add significant new data. Normally, the public meeting held prior to the determination will provide ample opportunity to comment. On those occasions when a public meeting is not held prior to a finding that a noncompliance or safety-related defect does not exist, the Administrator should be permitted, not required, to seek further information by way of a public meeting where, in his opinion, additional information would be useful. To preserve this discretion, the agency retains the paragraph as written and declines to adopt the suggested changes.

GM requested that § 554.11 be modified to state that a manufacturer can proceed to a district court to obtain a trial *de novo* of the Administrator's determination. Judicial review of agency decisions is granted by Congress. The National Traffic and Motor Vehicle Safety Act specifically enumerates the procedures available to manufacturers to review the agency's decisions. Regulations promulgated by the NHTSA can in no way expand or restrict the manufacturer's right to seek judicial review. Since judicial review is a Constitutional guarantee with limited Congressional discretion to allocate it among the several courts, it would be inappropriate for the agency to proffer rules concerning this review.

Rohr Industries requested that the NHTSA change § 554.11 to require publication in the **Federal Register** of a finding that a defect or noncompliance does not exist. The agency agrees with Rohr's suggestion to publish the Administrator's finding and § 554.11 has been modified accordingly.

In consideration of the foregoing, Title 49, Code of Federal Regulations, is amended by the addition of a new Part 554 titled "Standards Enforcement and Defects Investigation", as set forth below.

(Secs. 103, 108, 109, 112, 114, 119, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1398, 1401, 1403, 1407); secs. 102–104, 106, Pub. L. 93–492, 88 Stat. 1470 (15 U.S.C. 1410a, 1411–1418); delegation of authority at 49 CFR 1.50)

Issued on February 11, 1980.

Joan Claybrook,
Administrator.

PART 554—STANDARDS ENFORCEMENT AND DEFECTS INVESTIGATION

Sec.

554.1 Scope.
554.2 Purpose.
554.3 Application.
554.4 Office of Vehicle Safety Compliance.
554.5 Office of Defects Investigation.
554.6 Opening an investigation.
554.7 Investigation priorities.
554.8 Monthly reports.
554.9 Availability of files.
554.10 Preliminary determinations and public meetings.
554.11 Final determinations.

Authority: Secs. 103, 108, 109, 112, 114, 119, Pub. L. 89–563, 80 Stat. 718 (15 U.S.C. 1392, 1397, 1398, 1401, 1403, 1407); Secs. 102–104, 196, Pub. L. 93–492, 88 Stat. 1470 (15 U.S.C. 1410a, 1411–1418); delegations of authority at 49 CFR 1.50.

§ 554.1 Scope.

This part establishes procedures for enforcing Federal motor vehicle safety standards and associated regulations, investigating possible safety-related defects, and making non-compliance and defect determinations.

§ 554.2 Purpose.

The purpose of this part is to inform interested persons of the procedures followed by the National Highway Traffic Safety Administration in order more fairly and effectively to implement National Traffic and Motor Vehicle Safety Act (the Act).

§ 554.3 Application.

This part applies to actions, investigations, and defect and non-compliance determinations of the National Highway Traffic Safety Administration under sections 109, 112, 124, 152, 156, 157, and 158 of the Act (15 U.S.C. 1398, 1401, 1411, 1412, 1416, 1417, 1418).

§ 554.4 Office of Vehicle Safety Compliance.

The Office of Vehicle Safety Compliance, investigates compliance with Federal motor vehicle safety standards and associated regulations, and to this end may—

(a) Verify that manufacturers certify compliance with all applicable safety standards;

(b) Collect field reports from all sources;

(c) Inspect manufacturers' certification test data and other supporting evidence, including dealer communications;

(d) Inspect vehicles and equipment already in use or new vehicles and equipment at any stage of the manufacturing, distribution and sales chain;

(e) Conduct selective compliance tests; and

(f) Utilize other means necessary to conduct investigations.

§ 554.5 Office of Defects Investigation.

The Office of Defects Investigation conducts investigations to implement the provisions of the Act concerning the identification and correction of safety-related defects in motor vehicles and motor vehicle equipment. It elicits from every available source and evaluates on a continuing basis any information suggesting the existence of a safety-related defect.

§ 554.6 Opening an investigation.

(a) A compliance or defect investigation is opened either on the motion of the Administrator or his delegate or on the granting of a petition of an interested party under Part 552 of this chapter.

(b) A manufacturer is notified immediately by telephone of any compliance test failure in order to enable the manufacturer to begin his own investigation. Notification is sent by mail at the beginning of any defect or noncompliance investigation.

§ 554.7 Investigation priorities.

(a) Compliance investigation priorities are reviewed annually and are set according to the following criteria:

(1) Prior compliance test data;

(2) Accident data;

(3) Engineering analysis of vehicle and equipment designs;

(4) Consumer complaints; and

(5) Market share.

(b) Defects inputs are reviewed periodically by an appropriate panel of engineers in consultation with the Office of Chief Counsel to determine whether a formal investigation should be opened by the Office of Defects Investigation.

§ 554.8 Monthly reports.

(a) *Compliance.* A monthly compliance report is issued which lists investigations opened, closed, and pending during that month, identifies compliance test reports accepted, and indicates how individual reports may be obtained.

(b) *Defects.* A monthly defects report is issued which lists investigations opened, closed, pending, and suspended during that month. An investigation may be designated "suspended" where the information available is insufficient to warrant further investigation. Suspended cases are automatically closed 60 days after appearing in a monthly report unless new information is received which justifies a different disposition.

§ 554.9 Availability of files.

All files of closed or suspended investigations are available for public inspection in the NHTSA Technical Reference Library. Communications between the agency and a manufacturer with respect to ongoing investigations are also available. Such files and communications may contain material which is considered confidential but has been determined to be necessary to the subject proceeding. Material which is considered confidential but has not been determined to be necessary to the subject proceeding will not be disclosed. Reproduction of entire public files or of individual documents can be arranged.

§ 554.10 Initial determinations and public meetings.

(a) An initial determination of failure to comply with safety standards or of a safety-related defect is made by the Administrator or his delegate based on the completed investigative file compiled by the appropriate office.

(b) The determination is communicated to the manufacturer in a letter which makes available all information on which the decision is based. The letter advises the manufacturer of his right to present data, views and arguments to establish that there is no defect or failure to comply or that the alleged defect does not affect motor vehicle safety. The letter also specifies the time and place of a public meeting for the presentation of arguments or sets a date by which written comments must be submitted. Submission of all information, whether at a public hearing or in written form, is normally scheduled about 30 days after the initial determination. The deadline for submission of information can be extended by the Administrator for good cause shown.

(c) Public notice of an initial determination is made in a **Federal Register** notice that—

(1) Identifies the motor vehicle or item of equipment and its manufacturer;

(2) Summarizes the information upon which the determination is based;

(3) Gives the location of all information available for public examination; and

(4) States the time and place of a public meeting or the deadline for written submissions in which the manufacturer and interested persons may present data, views, and arguments respecting the determination.

(d) A transcript of the public meeting is kept and exhibits may be offered. There is no cross-examination of witnesses.

(e) If the Administrator makes a determination that a failure to comply or a safety-related defect does not exist he may, at his discretion in a particular case, within 60 days of the determination, invite interested persons to submit their views on the NHTSA investigation in a public meeting. Notice and procedures for such a meeting are as specified in paragraphs (c) and (d) of this section.

§ 554.11 Final determinations.

(a) The Administrator bases his final determination on the completed investigatory file and the data, views, and arguments submitted at the public meeting.

(b) If the Administrator determines that a failure to comply or a safety-related defect exists, he orders the manufacturer to furnish the notification specified in the Act and to remedy the defect or failure to comply.

(c) If the Administrator determines that a failure to comply or a safety-related defect does not exist, he so notifies the manufacturer and publishes this finding in the **Federal Register.**

(d) A statement of the Administrator's final determination and the reasons for it appears in each completed public file.

[FR Doc. 80-5142 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-59-M

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49 CFR Part 571

[Docket No. 80-01; Notice 1]

Federal Motor Vehicle Safety Standards; New Pneumatic Tires for Passenger Cars

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation

ACTION: Final rule.

SUMMARY: Pursuant to petitions by the Rubber Manufacturers Association (RMA) and the Michelin Tire Corporation (Michelin), this notice amends Federal Motor Vehicle Safety Standard No. 109, *New Pneumatic Tires—Passenger Cars,* by adding certain tire size designations to Appendix A of that standard. This amendment permits the introduction into interstate commerce of the new tire sizes.

EFFECTIVE DATE: March 20, 1980, if objections are not received before that date. March 20, 1980.

ADDRESSES: Comments should refer to Docket No. 80-01 and be submitted to Docket section, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. (Docket hours 8 a.m. to 4 p.m.)

FOR FURTHER INFORMATION CONTACT:

John Diehl, Office of Automotive Ratings, National Highway Traffic

Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202–426–1714).

SUPPLEMENTARY INFORMATION:

According to agency practice, the National Highway Traffic Safety Administration (NHTSA) responds to petitions for adding new tire sizes to Table I of Appendix A of Standard No. 109 by quarterly issuing final rules under an abbreviated rulemaking procedure for expediting such routine amendments. Guidelines for this procedure were published at 33 FR 14964; October 5, 1968, and amended at 36 FR 8298; May 4, 1971; 36 FR 13601; July 22, 1971; and 39 FR 28980; August 13, 1974. These guidelines provide that these final rules become effective 30 days after their date of publication if no comments objecting to them are received by NHTSA during this 30 day period. If objections are received, regular rulemaking procedures for issuing and amending motor vehicle safety standards are initiated.

On November 27, 1979, RMA petitioned for the addition of a new tire size to an existing table within Table I of Appendix A of Standard No. 109. RMA also petitioned on December 4, for the addition of three other tire sizes to existing tables in Table I. Further, RMA petitioned on December 4, for the addition of a new table to Table I, and requested that this new table list two tire sizes. Michelin petitioned for the addition of two new tire sizes to an existing table on November 7, 1979. On November 26, Michelin petitioned for the establishment of a new table to Table I, and that this table include a new tire size. The basis for accepting or denying requests to add new tire size designations are set forth in the introductory guidelines to Appendix A. Briefly, the tests are the appropriateness of the information submitted for inclusion in the tire tables, and the appropriateness of the requested location within the tables of the requested tire sizes. The eight new tire size designations requested to be added to Standard No. 109 appear to meet these criteria. Accordingly, the RMA and Michelin petitions are granted, and eight new tire sizes are added to Table I of Appendix A of the Standard pursuant to the abbreviated rulemaking procedure.

In consideration of the foregoing, 49 CFR 571.109 is amended as specified below, subject to the 30 day comment period outlined above:

§ 571.109 New pneumatic tires—passenger cars [appendix amended]

1. Tables I–KK, I–RR, and I–WW are amended by adding the following new tire size designations and corresponding values:

Table I–KK.—*Tire Load Rating, Test Rims, Minimum Size Factors and Section Widths for 'P/60' Series ISO Type Tires*

Tire size [1] designation	Maximum tire loads (kilograms) at various cold inflation pressures (kPa)									Test rim width (inches)	Minimum size factor (mm)	Section [2] width (mm)
	120	140	160	180	200	220	240	260	280			
P265/60R15	645	695	745	790	835	875	915	950	985	7	943	262

[1]The letters "D" for diagonal and "B" for bias belted may be used in place of the "R."
[2]Actual section width and overall width shall not exceed the specified width by more than the amount specified in S4.2.2.2.

Table I–RR.—*Tire Load Rating, Test Rims, Minimum Size Factors and Section Widths for 'P/65' Series ISO Type Tires All Millimetric for TR or JM Rims*

Tire size [2] designation	Maximum tire loads (kilograms) at various cold inflation pressures (kPa) [1]									Test rim width (mm)	Minimum size factor (mm)	Section [3] width (mm)
	120	140	160	180	200	220	240	260	280			
P195/65R365	400	430	460	490	515	540	565			135	800	194
P225/65R390	535	575	615	655	690	720	755					
										165	894	228

[1]The designated cold inflation pressures may be increased to a maximum of 300 kPa to meet special vehicle performance requirements with no increase in load.
[2]The letters "D" for diagonal and "B" for bias belted may be used in place of the "R."
[3]Actual section width and overall width shall not exceed the specified width by more than the amount specified in S4.2.2.2.

Table I–WW.—*Tire Load Rating, Test Rims, Minimum Size Factors and Section Widths for 'P/65' Series ISO Type Tires*

Tire size [1] designation	Maximum tire loads (kilograms) at various cold inflation pressures (kPa)									Test rim width (inches)	Minimum size factor (mm)	Section [2] width (mm)
	120	140	160	180	200	220	240	260	280			
P195/65R13	375	400	430	455	480	505	525	550	570	5½	767	196
P205/65R14	425	460	495	525	550	580	605	630	655	5½	811	203
P255/65R15	650	705	750	795	840	880	920	960	995	7	950	255

[1]The letters "D" for diagonal and "B" for bias belted may be used in place of the "R."
[2]Actual section width and overall width shall not exceed the specified width by more than the amount specified in S4.2.2.2.

2. Two new tables, Table I–XX and I–YY, are added to Table I of Appendix A to read as set forth below:

Table I–XX.—*Tire Load Rating, Test Rims, Minimum Size Factors and Section Widths for 'P/70' Series ISO Type Tires All Millimetric for TR or JM Rims*

Tire size [2] designation	Maximum tire loads (kilograms) at various cold inflation pressures (kPa) [1]									Test rim width (mm)	Minimum size factor (mm)	Section [3] width (mm)
	120	140	160	180	200	220	240	260	280			
P165/70R365	325	350	375	395	420	440	460			120	752	167

[1]The designated cold inflation pressures may be increased to a maximum of 300 kPa to meet special vehicle performance requirements with no increase in load.
[2]The letters "D" for diagonal and "B" for bias belted may be used in place of the "R."
[3]Actual section width and overall width shall not exceed the specified width by more than the amount specified in S4.2.2.2.

Table I-YY.—*Tire Load Rating, Test Rims, Minimum Size Factors and Section Widths for 'P/55' Series ISO Type Tires*

Tire size [1] designation	Maximum tire loads (kilograms) at various cold inflation pressures (kPa)									Test rim width (inches)	Minimum size factor (mm)	Section [2] width (mm)
	120	140	160	180	200	220	240	260	280			
P255/55R14	535	575	615	655	690	725	755	785	815	7	875	255
P255/55R15	560	605	645	685	720	755	790	825	855	7	900	255

[1]The letters "D" for diagonal and "B" for bias belted may be used in place of the "R."
[2]Actual section width and overall width shall not exceed the specified width by more than the amount specified in S4.2.2.2.

Interested persons are invited to submit comments on these additions. Comments must be limited so as not to exceed 15 pages in length. Necessary attachments may be appended without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary comments in a concise fashion. Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

The agency has reviewed the impacts of this rule, and determined that permitting the introduction of these tire sizes will benefit those manufacturers desiring to produce the sizes and will have no effect on those manufacturers who do not. The public will be minimally affected by this rule. Accordingly, NHTSA has determined that this is not a significant regulation within the meaning of Executive Order 12044.

The program official and attorney principally responsible for the development of this rule are John Diehl and Stephen Kratzke, respectively.

(Secs. 103, 119, 201, and 202, Pub. L. 89–593, 80 Stat. 718 (15 U.S.C. 1392, 1407, 1421, and 1422); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on February 11, 1980

Michael M. Finkelstein,

Associate Administrator for Rulemaking.

[FR Doc. 80–5053 Filed 2–15–80; 8:45 am]

BILLING CODE 4910–59–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 671

Commercial Tanner Crab Fishery Off Coast of Alaska; Amendment to Fishery Management Plan and Final Regulations

AGENCY: National Oceanic and Atmospheric Administration (NOAA)/ Commerce.

ACTION: Final regulations.

SUMMARY: The Director, Alaska Region, ("Regional Director"), National Marine Fisheries Service (NMFS) issues this final regulation (Field Order), applicable to fishing by vessels of the United States in the Alaska Tanner Crab Fishery. This Field Order is in accordance with the Fishery Management Plan (FMP) for The Commercial Tanner Crab Fishery off the Coast of Alaska, and regulations implementing the FMP [50 CFR 671.27(b)]. This Field Order closes the North Mainland section of the Kodiak district in the Westward Registration Area "J" to fishing for Tanner crab by vessels of the United States effective 6:00 P.M. Alaska Standard Time (AST) on February 20, 1980, rather than on April 30, 1980, as currently provided in 50 CFR 671.26(f)(3)(i). The closure will remain in effect until November 1, 1980.

EFFECTIVE DATE: 6:00 P.M. Alaska Standard Time (AST) on February 20, 1980. Public comments are invited until April 20, 1980.

ADDRESS: Comments may be sent to: Harry L. Rietze, Director Alaska Region, National Marine Fisheries Service, Juneau, Alaska 99802, Telephone (907) 586–7221.

FOR FURTHER INFORMATION CONTACT: Harry L. Rietze, as above.

SUPPLEMENTARY INFORMATION: The FMP which was extended by amendment through October 31, 1980, (45 FR 785) provided for in-season adjustments to season and area openings and closures. The implementing regulations in 50 CFR Part 671 specify in § 671.27(b) that these decisions shall be made by the Regional Director in accordance with the criteria set out in that section. On October 20, 1978, the Assistant Administrator for Fisheries, NOAA, with the approval of the Administrator, NOAA, delegated to the Regional Director authority to promulgate Field Orders making in-season adjustments.

50 CFR 671.28(f) creates four districts within Registration Area J. The districts were created, in part, to prevent overfishing of individual Tanner crab stocks by allowing closure of a particular district when the desired harvest level in that district is reached. One of these districts is the Kodiak district. Although the FMP states that the optimum yield for the Kodiak district is 25 million pounds, the Alaska Board of Fisheries during its December 1979 meeting established a 10 to 25 million pound guideline harvest level in this district. This harvest guideline was based on relative stock abundance indices observed from each of the eight fishing sections within the district during the 1979 crab index survey, together with the historical commercial fishery performance. Preseason assessments of stock abundance for the district indicate a desirable harvest

level of approximately 15 million pounds for the 1979–80 fishing season. Each of eight fishing sections within the Kodiak district are evaluated individually based on their individual stock abundance trends and conditions.

The North Mainland section of the Kodiak district had a preseason harvest goal of 4.5 million pounds established for the current season. This compares to an historical average harvest of 5.6 million pounds (1972–1979), and reflects in part, a drop in the number of legal crabs from 58 to 45 crabs per pot in the commercial fishery observed between the 1977–78 and 1978–79 seasons. Since the start of the season, January 5, approximately 39 vessels have harvested 3.1 million pounds (through February 3) in the North Mainland section.

It is estimated that at the current rate of catch the desired harvest level will be reached by February 20. In order to prevent overfishing of the Tanner crab stock in this section of the Kodiak district, the Regional Director has determined, in accordance with 50 CFR 671.26(b), Department Administrative Order 218–7 (43 FR 2083), and following consultation with the Commissioner, Alaska Department of Fish and Game, that an emergency exists, and that the North Mainland section of the Kodiak district in Registration Area J should be closed at 6:00 P.M. AST on February 20, 1980, rather than on April 30, 1980.

The Regional Director finds further that, in order to protect the resources, public comment prior to issuance of this Field Order is impracticable and contrary to the public interest. However, public comments on the necessity for, and extent of, this closure will be received by the Regional Director for a period of 60 days after the effective date of the Field Order. During this 60-day period, the data and information upon which this decision is based will be available for inspection during business hours at the NMFS, Alaska Regional Office, Federal Building, Room 453, 709 West 9th Street, Juneau, Alaska.

Should comments be received during the 60-day period, if appropriate, the Regional Director shall reconsider the necessity for the closure and, as soon as practicable after the reconsideration, shall publish in the **Federal Register** either: (A) a notice of continued effectiveness of the closure; or (B) a notice to modify or rescind the closure.

An environmental impact statement was prepared for The Commercial Tanner Crab Fishery off The Coast of Alaska FMP and is on file with the Environmental Protection Agency. A regulatory analysis has been prepared in compliance with Executive Order 12044.

Signed at Washington, D.C., this 14th day of February, 1980.

(16 U.S.C 1801 *et seq.*)

Winfred H. Meibohm,

Executive Director, National Marine Fisheries Service.

In accordance with 50 CFR 671.27(h), 50 CFR 671.26(f)(3)(i) is amended to read:

* * * * *

(f) * * *

(3) * * *

(i) In the Kodiak district from January 5 through April 30 only, with the following exceptions:

(A) In that portion of the Kodiak district between 156°20'13" W longitude (Kilokak Rocks) and 157°27' W longitude (Cape Kumlik) Tanner crab may be taken from January 5 through May 15 only; and

(B) In that portion of the Kodiak district west of a line from 58°52' N latitude, 152°45' W longitude to 58° N latitude, 154° W longitude and north of 58° N latitude, Tanner crab may be taken from January 5, 1980, through 6:00 P.M. (Alaska Standard Time) February 20, 1980, only.

[FR Doc. 80–5263 Filed 2–15–80: 8:45 am]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 45, No. 34
Tuesday, February 19, 1980

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.

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Parts 341, and 343

Elimination of Information Contained on Existing Forms Issued by FDIC to Insured State Nonmember Banks

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Proposed Rules.

SUMMARY: As part of its regulatory reform program for improving the quality of its regulations, FDIC proposes to amend Parts 341 and 343 of its regulations. The amendments would delete as unnecessary §§ 341.10, 343.10, and 343.11 which utilize approximately 18 pages to outline the instructions and data format on certain securities reporting forms that are issued by FDIC to insured State nonmember banks. Sentences would be added to §§ 341.2(a) and 343.3(e) to indicate that the forms can be obtained from FDIC.

DATE: Comments must be received by April 21, 1980.

ADDRESS: Interested persons are invited to submit written data, views, or arguments regarding this proposal to Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. 20429. Written comments may be hand delivered to and reviewed in Room 6108 at the same address between 8:30 a.m. and 5:00 p.m. during work days.

FOR FURTHER INFORMATION CONTACT: Jerry L. Langley, Senior Attorney, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. 20429 (202) 389–4237.

SUPPLEMENTARY INFORMATION: FDIC believes that since the present information in §§ 341.10, 343.10, and 343.11 duplicates information on existing forms that are readily available, it serves no significant purpose and can be replaced by a reference to the source for the forms.

The proposed amendments would not have any effect on the competitive status or the recordkeeping and reporting requirements of an insured bank. Thus, no cost/benefit analysis has been undertaken.

Accordingly, under Section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819), the FDIC Board of Directors proposes to amend Parts 341 and 343 of Title 12 of the Code of Federal Regulations as follows:

PART 341—REGISTRATION OF TRANSFER AGENTS

§ 341.2 [Amended] § 341.10 [Revoked]

1. Amend 12 CFR Part 341 by deleting and reserving § 341.10 and adding at the end of § 341.2(a) a sentence that reads:

(a) * * * Form TA–1 (Form for Registration as a Transfer Agent) can be obtained from the Trust Section of the FDIC in Washington, D.C.

* * * * *

PART 343—INSURED STATE NONMEMBER BANKS WHICH ARE MUNICIPAL SECURITIES DEALERS

§ 343.3 [Amended]

§§ 343.10 and 343.11 [Reserved]

2. Amending 12 CFR Part 343 by deleting and reserving §§ 343.10 and 343.11 and adding a sentence at the end of § 343.3(e) to read:

* * * * *

(e) * * * Forms MSD–4 and MSD–5 can be obtained from the FDIC regional office for the area in which the bank is located.

By order of the Board of Directors, February 11, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 80–5143 filed 2–15–80; 8:45 am]

BILLING CODE 6714–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Ch. I

[Docket No. 19749; Petition Notice No. PR 80–3]

Petition for Rule Making of William Becker

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Publication of petition for rulemaking; request for comments.

SUMMARY: By letter dated September 13, 1979, Captain William Becker petitioned the Federal Aviation Administration (FAA) to amend § 121.587 of the Federal Aviation Regulations (FAR) to allow the closing and locking of the flightcrew compartment to be at the discretion of the captain.

DATES: Comments must be received on or before April 21, 1980.

ADDRESS: Send comments on the petition in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC–24), Docket No. 19749, 800 Independence Avenue S.W., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond E. Ramakis, Chief, Regulatory Projects Branch (AVS–24), Federal Aviation Administration, 800 Independence Avenue S.W., Washington, D.C. 20591; Telephone (202) 755–8716.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to submit such written data, views, or arguments on the petition for rule making as they desire. Communications should identify the regulatory docket number or petition notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC–24, 800 Independence Avenue S.W., Washington, D.C. 20591. All communications received on or before will be considered by the Administrator before taking action on the petition for rule making. All comments submitted

will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each substantive public contact with FAA personnel concerned with this rule making will be filed in the docket.

Background Information

On September 13, 1979, Captain William Becker submitted a petition for rule making, in accordance with Part 11 of the FAR, to amend § 121.587. This petition is published in its entirety as part of this notice.

Section 121.587 states, in pertinent part, that the pilot in command of a large airplane carrying passengers shall ensure that the door separating the flightcrew compartment from the passenger compartment is closed and locked during flight.

The petitioner contends that closing and locking the flightcrew compartment door during flight has not been a deterrent to hijacking and could cause delays in case of an emergency evacuation. Additionally, petitioner states the flightcrew compartment can become excessively warm, which can have a detrimental effect on a pilot's performance.

Although this notice sets forth the contents of the petition as received by the FAA without changes, it should be understood that its publication to receive public comment is in accordance with FAA procedures governing the processing of petitions for rule making. It does not propose a regulatory rule for adoption, represent an FAA position, or otherwise commit the agency on the merits of the petition. The FAA intends to proceed to consider the petition under the applicable procedures of Part 11 and to reach a conclusion on the merits of Captain Becker's proposal after it has had an opportunity to carefully evaluate it in light of the comments received and other relevant matters presented. If the FAA concludes that it should initiate public rulemaking procedures on the petition, appropriate rulemaking action, including an evaluation of the proposal, will be published.

The Petition

Accordingly, the Federal Aviation Administration publishes verbatim for public comment the following petition for rule making of Captain William Becker dated September 13, 1979.

Issued in Washington, D.C., on February 11, 1980

Edward P. Faberman,

Acting Assistant Chief Counsel, Regulations and Enforcement Division.

Olmito, Texas, September 13, 1979.

Mr. Langhorne Bond, Administrator, Federal Aviation Agency, 800 Independence Ave., S.W., Washington, D.C.

Dear Mr. Bond: As a commercial airline captain with 27 years of flying experience, I am writing to ask for a change in FAR 121.587, which requires that the cockpit door of a large airplane carrying passengers be kept closed and locked during flight. My reasons for requesting this change are:

1. Having the door closed and locked has never been a deterrent to a hijacking. In fact, after carefully researching every hijacking occuring during the last several years, I found that every one took place while the door was closed and locked. All that person need do is to threaten any crew member or passenger, and his demand to enter the cockpit must be met. The door may be left open while passengers are boarded at the gate, or while taxiing, so why is a hijacking only considered to be a threat during flight?

2. In the event of an accident on take-off or landing, this door could and has become a hazard to safe evacuation by the pilots by becoming distorted and jammed. I have four documented cases of accidents which occured during landing where the door did prevent the pilots from escaping aft through the cabin exits, which according to the aircraft flight manual are the primary emergency escape routes. The manual also states that the pilots shall proceed to the cabin to assist the passengers in evacuating. However, they were forced to use the cockpit windows, thus preventing them from carrying out this important duty. Suppose the cockpit windows had become jammed or shattered? Why should a pilot be forced into a potentially blocking off one avenue of escape? Three of these accidents occurred on the DC–9, which I am flying.

3. On the DC–9, especially during the summer months, the cockpit becomes extremely warm. I have recorded temperatures of up to 110° with the door closed. When the door was opened for comparative purposes, the temperature dropped to 94°. Obviously temperatures in the 100° range can have a detrimental effect on a pilot's performance, especially on a day with several approaches and landings such as we frequently operate under.

It is for these reasons that I request a change in this FAR. If a Captain can be assumed to be responsible enough to operate a multi-million dollar aircraft with a hundred or more human lives entrusted to his care, he should be responsible enough to use his own judgment as to when, and if, his cockpit door should be closed and locked.

I request that a copy of your reply be sent to each of the persons named below.

Sincerely,

William Becker,

Capt., EAL.

[FR Doc. 80–4873 Filed 2–15–80; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 39

[Docket No. 79–EA–71]

Airworthiness Directive; Piper

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Proposed Rule Making.

SUMMARY: This notice proposes to adopt an airworthiness directive applicable to Piper PA–31T type airplanes that involve the high altitude characteristics. As a result of a flight test program it was determined that the airplane exhibited undesirable dynamic characteristics above 20,000 feet in the low speed regime. It required nearly full time pilot attention to maintain the desired aircraft attitude, which meant high pilot workload. The proposed amendment will limit the minimum speed for the climb and cruise configuration.

DATES: Comments must be received on or before April 7, 1980.

ADDRESSES: Send comments on the proposal in triplicate to: Chief, Engineering and Manufacturing Branch, AEA–210, Eastern Region, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. The docket may be examined at the following location: FAA, Office of Regional Counsel, AEA–7, Federal Building, J.F.K. International Airport, Jamaica, New York 11430.

FOR FURTHER INFORMATION CONTACT:

N. Glenn, Flight Test Section, AEA–216, Flight Standards Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. (212) 995–2865.

SUPPLEMENTARY INFORMATION:

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Engineering and Manufacturing Branch, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430. All communications received on or before April 7, 1980, will be considered before action is taken on the proposed amendment. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report summarizing each FAA public contact concerned with the substance of the proposed AD will be filed in the docket. Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Chief, Engineering and Manufacturing Branch, AEA–210, Eastern Region, Federal Aviation Administration, Federal

Building, Jamaica, New York 11430, or be calling (212) 995–2842.

The problem was discovered during the FAA flight test program to expand the maximum approved operating altitude from 29,000 to 31,000 feet. The flight test program was discontinued because of unacceptable long period dynamic characteristics exhibited by the aircraft at 31,000 feet. As a result, the long period dynamic characteristics were evaluated by an Eastern Region multi-pilot team for the presently certified altitudes. It was concluded that the long period dynamic characteristics were undesirable but not hazardous. Flight in the low speed regime above 20,000 feet required nearly full time pilot attention to maintain the desired aircraft attitude and resulted in an unacceptably high pilot workload at low airspeed. The manufacturer has revised the longitudinal control system to improve the dynamic characteristics at altitude. This modification has been incorporated in the 1980 model aircraft. For all PA–31T aircraft prior to the 1980 model, the AFM/POH was revised limiting the minimum speed for the climb and cruise configurations in order to avoid the unacceptably high pilot workload.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 39.13 of Part 13 of the Federal Aviation Regulations (14 CFR Part 39) as follows:

§ 39.13 [Amended]

Piper: Applies to Model PA–31T, Serial Numbers 31T–7400002 thru 31T–7620057 and 31T–7720001 thru 31T–7920004 certificated in all categories.

Compliance required within 25 hours in service after the effective date of this AD unless already accomplished.

In order to prevent undesirable high altitude (above 20,000 feet) Longitudinal Dynamic Stability (Phugoid) Characteristics, accomplish the following:

a. Incorporate the applicable Airplane Flight Mannual/Pilot's Operating Handbook Revision, as listed below, into the FAA-Delegation Option Authority approved Airplane Flight Manual/Pilot's Operating Handbook in accordance with Piper Instruction, Code 31T–6 dated February 5, 1979, or Piper Instruction Code PFL–31T–790228 dated August 17, 1979.

Airplane Serial Number: 31T–7400002 thru 31T–7620057. AFM/POH Rev. and Part No.: Rev. 11–761 560 (AFM). AFM Rev. No.: 790228. Date: 2/28/79.

Airplane Serial Number: 31T–7720001 thru 31T–7920004. AFM/POH Rev. and Part No.: Rev. 5–761 625 (POH). AFM Rev. No.: 781006. Date: 10/6/78.

b. Upon submission of substantiating data by an owner or operator through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region may adjust the inspection intervals specified in this AD.

c. The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Piper Aircraft Corporation, 820 E. Bald Eagle Street, Lock Haven, Pennsylvania 17745. These documents may also be examined at the Eastern Region, Federal Aviation Administration, Federal Building, JFK International Airport, Jamaica, New York 11430, and at FAA headquarters, 800 Independence Avenue, S.W., Washington, D.C. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Eastern Region.

(Sections 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, 1423, and 1431(b); Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c) and 14 CFR 11.85.)

Note.—The FAA has determined that this document involves a proposed regulation which is not considered to be significant under the procedures and criteria prescribed by Executive Order 12044 and as implemented by interim Department of Transportation guidelines (43 FR 9582; March 8, 1976).

Issued in Jamaica, New York, on February 6, 1980.

Lonnie D. Parrish,

Acting Director, Eastern Region.

[FR Doc. 80–4869 Filed 2–15–80; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 80–NE–04]

Transition Area and Control Zone; Alteration of Concord, N.H. Control Zone and 700-Foot Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This Notice (NPRM) proposes to amend the Concord, New Hampshire control zone and 700-foot transition area so as to provide protected airspace for aircraft executing a new proposed VOR and VOR/DME Standard Instrument Approach Procedure (SIAP) to the Concord Municipal Airport, Concord, New Hampshire. This Notice also proposes to revoke the description of the Concord, New Hampshire 1200-foot transition area, which is now redundant.

DATES: Comments must be received on or before March 10, 1980.

ADDRESS: Send comments to the Federal Aviation Administration, Office of the Regional Counsel, ANE–7, Attention: Rules Docket, Clerk, Docket No. 80–NE–04. A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts.

FOR FURTHER INFORMATION CONTACT: Richard G. Carlson, Operations Procedures and Airspace Branch, ANE–536, Federal Aviation Administration, Air Traffic Division, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273–7285.

Comments Invited

Interested persons may particpate in the proposed rulemaking process by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted to the Office of the Regional Counsel, ANE–7, Attention: Rules Docket Clerk, Docket No. 80–NE–04, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803. All communications received on or before March 10, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examnination by interested persons.

Availability of NPRM

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426–8085. Communications must identify the number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart F of Part 71 to alter the description of the Concord, New Hampshire, control zone; and to Subpart G of Part 71 to alter the description of the Concord, New Hampshire, transition area. This action will provide additional controlled airspace to the west of the Concord, New Hampshire airport for aircraft executing new proposed SIAPs (Standard Instrument Approach

Procedures) to the Concord, New Hampshire airport. Futhermore, the Proposal would revoke the description of the Concord, New Hampshire 1200-foot transition area, which is now redundant as Airspace Docket No. 78–NE–16 included this airspace within the State of New Hampshire 1200-foot transition area.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposed to amend §§ 71.171 and 71.181 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

§ 71.171 [Amended]

1. Section 71.171 of Part 71: Delete the description in its entirety of the Concord, New Hampshire control zone and substitute:

Within a five mile radius of the center, 43 degree 12'16"N, 71 degree 30'07"W, of Concord Municipal Airport, Concord, New Hampshire; and within 1.5 miles each side of the 337 degree bearing (352 degree magnetic) from the Epsom, New Hampshire NDB, 43 degree 07'05"N, 71 degree 27'13"W, extending from the 5 mile radius zone to the Epsom NDB; and within 3 miles each side of the Concord, New Hampshire, VORTAC 285 degree radial (300 degree magnetic) extending from the 5 mile radius zone to 8 miles northwest of the VORTAC.

§ 71.181 [Amended]

2. Section 71.181 of Part 71: Delete the description in its entirety of the Concord, New Hampshire transition area and substitute:

That airspace extending upward from 700-feet above the surface bouded by a line beginning at latitude 43 degree 23'00"N, longitude 71 degree 11'50"W; latitude 43 degree 09'00"N, longitude 71 degree 11'50"W; latitude 42 degree 58'50"N, longitude 71 degree 01'00"W; latitude 42 degree 53'00"N, longitude 71 degree 11'30"W, latitude 42 degree 47'00"N, longitude 71 degree 09'00"W; latitude 42 degree 38'00"N, longitude 71'20'00"W; latitude 42 degree 40'00"N, longitude 71 degree 35'00"W; latitude 42 degree 43'00"N, longitude 71 degree 36'00"W; latitude 42 degree 45'00"N, longitude 71 degree 38'25"W; latitude 42 degree 53'30"N, longitude 71 degree 57'15"W; latitude 43 degree 05'20"N, longitude 71 degree 50'00"W; latitude 43 degree 23'00"N, longitude 71 degree 50'00"W; to point of beginning.

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

Note.—The FAA has determined that this document involves a proposed regulation which is not considered to be significant under the procedures and criteria prescribed by Executive Order 12044 and as implemented by Interim Department of Transportation guidelines (43 FR 8582; March 8, 1978.)

Issued in Burlington, Massachusetts, on January 31, 1980.

J. Stiglin,

Acting Director, New England Region.

[FR Doc. 80-4866 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 79-NE-20]

Extension of VOR Federal Airway

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to extend VOR Federal Airway V–104 from Plattsburgh, N.Y., to Bangor, Maine. This proposed extension would provide controlled airspace in an area where aircraft are normally radar vectored and thereby improve traffic flow in the area, reduce controller workload and aid flight planning.

DATES: Comments must be received on or before March 20, 1980.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA New England Region, Attention: Chief, Air Traffic Division, Docket No. 79–NE–20, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803. The official docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC–24), Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591. An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Mr. Lewis W. Still, Airspace Regulations Branch (AAT–230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426–8525.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, New England Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803. All communications received on or before March 20, 1980 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA–430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426–8058. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11–2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart C of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) that would extend VOR Federal Airway V–104 from Plattsburgh, N.Y., via Burlington, Vt., Montpelier, Vt., Berlin, N.H., to Bangor, Maine. An east-west airway is necessary to shorten the distance between Montpelier and Bangor. This action would improve traffic flow in the area, reduce controller workload and aid flight planning. Subpart C of Part 71 was republished in the **Federal Register** on January 2, 1980, (45 FR 307).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.123 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (45 FR 307) as follows:

Under V–104

"Plattsburgh, N.Y. The airspace within Canada is excluded." is deleted and "Plattsburgh, N.Y.; Burlington, Vt.; Montpelier, Vt.; Berlin, N.H.; to Bangor, Maine. That airspace within Yankee Military Operations Area (MOA), 9,000 feet MSL and above, and Condor MOAs 1 and 2, 7,000 feet MSL and above, are excluded during the times these MOAs are activated. The airspace within Canada is excluded." is added.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR

11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Washington, D.C., on February 12, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-5030 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-ASW-2]

Proposed Alteration of Transition Area: Big Sandy, Tex.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The nature of the action being taken is to propose alteration of the transition area at Big Sandy, Tex. The intended effect of the proposed action is to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the Gladewater Municipal Airport, Gladewater, Tex. The circumstances which created the need for the action are the proposed establishment of an instrument approach procedure to the Gladewater Municipal Airport, using the Gregg County VORTAC, and a review of the airspace designated as the Big Sandy, Tex., transition area revealed it is in excess of the controlled airspace necessary for aircraft conducting instrument approach procedures to airports within the area. Coincident with this proposed action, the Gladewater Municipal Airport is changed from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR).

DATES: Comments must be received on or before March 20, 1979.

ADDRESSES: Send comments on the proposal to: Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. The official docket may be examined at the following location: Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas. An informal docket may be examined at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Stephenson, Airspace and Procedures Branch, ASW-535, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone: (817) 624-4911, extension 302.

SUPPLEMENTARY INFORMATION: Subpart G 71.181 (45 FR 445) of FAR Part 71 contains the description of transition areas designated to provide controlled airspace for the benefit of aircraft conducting IFR activity. Alteration of the transition area at Big Sandy, Tex., will necessitate an amendment to this subpart.

Comments Invited

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 within 30 days after publication of this notice in the **Federal Register** 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. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rule making (NPRM) by submitting a request to the Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by calling (817) 624-4911, extension 302. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should contact the office listed above.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area at Big Sandy, Tex. The FAA believes this action will enhance IFR operations at the Gladewater Municipal Airport by providing controlled airspace for aircraft executing a proposed instrument approach procedure using the Gregg County VORTAC. Subpart G of Part 71 was republished in the **Federal Register** on January 2, 1980 (45 FR 445).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (45 FR 445) by altering the Big Sandy, Tex., transition areas as follows:

Big Sandy, Tex.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Ambassador Field (latitude 32°35'03"N., longitude 95°04'03"W.); and within a 5-mile radius of the Holly Lake Ranch Airport (latitude 32°41'51"N., longitude 95°12'27"W.), and within a 5-mile radius of the Gilmer Upshur County Airport (latitude 32°42'10"N., longitude 94°56'55"W.) and within a 5-mile radius of the Gladewater Municipal Airport (latitude 32°31'45.2"N., longitude 94°58'18.9"W.).

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

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Fort Worth, Texas on February 6, 1980.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 80-5031 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-WE-2]

Proposed Designation of Transition Area, Globe, Ariz.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to designate a transition area at Globe, Arizona, to provide controlled airspace for aircraft executing an instrument

approach procedure to the Globe-San Carlos Regional Air Facility Airport utilizing the Globe Nondirectional Radiobeacon (NDB). The need for the transition area was created when an IFR approach procedure was established for Globe-San Carlos Regional Air Facility Airport.

DATES: Comments must be received on or before March 10, 1980.

ADDRESSES: Send comments on the proposal in triplicate to Director, Federal Aviation Administration, Attn: Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California 90261. A public docket will be available for examination in the Office of the Regional Counsel, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, Telephone (213) 536-6270.

FOR FURTHER INFORMATION CONTACT: Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, Telephone: (213) 536-6182.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should identify the Airspace Docket Number and be submitted in triplicate to the Chief, Airspace and Procedures Branch, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California, 90261. All communications received on or before March 10, 1980, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California, 90261, or by calling (213) 536-6180. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which described the application procedures.

Drafting Information

The principal authors of this document are Thomas W. Binczak, Air Traffic Division and DeWitte T. Lawson, Jr., Esquire, Regional Counsel, Western Region.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to designate the Globe, Arizona 700-foot transition area. This action will provide controlled airspace protection for IFR operations at the Globe-Sand Carlos Regional Air Facility Airport.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend Subpart G, § 71.181 (45 FR 445) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following:

§ 71.181 Globe, Ariz.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Globe-San Carlos Regional Air Facility Airport (latitude 33°21'10" N., longitude 110°40'10" W.); and within 4 miles each side of the 080° bearing from the Globe-Sand Carlos Regional Air Facility Radiobeacon (RBN) (latitude 33°21'16" N., longitude 110°39'53" W.) extending from the 5-mile radius area to 10 miles east of the RBN.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.).

Note.—The FAA has determined that this document involves a proposed regulations which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Los Angeles, California on February 6, 1980.

W. R. Frehse,

Acting Director, Western Region.

[FR Doc. 80-5036 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 75

[Airspace Docket No. 80-WE-1]

Alteration of Jet Routes

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter several jet routes in the Los Angeles, Calif., area to overlie current profile descent routes into Los Angeles International Airport. The realignment will reduce controller workload and improve flight planning for arrival traffic.

DATES: Comments must be received on or before March 20, 1980.

ADDRESSES: Send comments on the proposal in triplicate to: Director, FAA Western Region, Attention: Chief, Air Traffic Division, Docket No. 80-WE-1, Federal Aviation Administration, 15000 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. The offical docket may be examined at the following location: FAA Office of the Chief Counsel, Rules Docket (AGC-24), Room 916, 800 Independence Avenue, SW., Washington, D.C. 20591. An informal docket may be examined at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8525.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicant to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, P.O. Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received on or before March 20, 1980 will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must

identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart B of Part 75 of the Federal Aviation Regulations (14 CFR Part 75) that would realign Jet Routes 64 and 107, in part, between Los Angeles, Calif., and Hector, Calif., and realign Jet Route 128, between Los Angeles, Calif., and Peach Springs, Ariz. The proposed alignment of these jet routes will overlie current profile descent routes to Los Angeles International Airport. This action will reduce controller workload by aligning jet routes with low altitude airway segments that interface with the profile descent procedures, thereby reducing coordination and radar vectors in the Los Angeles terminal area. Also, the FAA believes the proposed realignments would improve flow control for arrival and departure aircraft. Subpart B of Part 75 was republished in the **Federal Register** on January 2, 1980, (45 FR 732).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 75.100 of the Federal Aviation Regulations (14 CFR Part 75) as republished (45 FR 732) as follows:

Under Jet Route No. 64: "From Los Angeles, Calif., via Paradise, Calif.; Hector, Calif.;" is deleted and "From Los Angeles, Calif., via INT Los Angeles 083°T(068°M) and Hector, Calif., 226°T(211°M) radials; Hector;" is substituted therefor.

Jet Route No. 107 is amended to read as follows: "From Los Angeles, Calif., via Los Angeles 083°T(068°M) and Hector, Calif., 226°T(211°M) radials; Hector; Boulder City; Milford, Utah; Delta, Utah; Rock Springs, Wyo.; Crazy Woman, Wyo.; Dickinson, N. Dak.; Pembina, N. Dak.; to Kenora, Ontario, Canada. The portion within Canada is excluded."

Under Jet Route No. 128: "From Los Angeles, Calif., via Paradise, Calif.; Peach Springs, Ariz.;" is deleted and "From Los Angeles, Calif., via INT Los Angeles 083°T(068°M) and Peach Springs, Ariz., 243°T(229°M) radials; Peach Springs;" is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.65.)

Note.—The FAA has determined that this document involves a proposed regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation and a comment period of less than 45 days is appropriate.

Issued in Washington, D.C. on Feburary 11, 1980.

William E. Broadwater,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 80-5034 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-13-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Ch. V

[Notice 80-12]

Plans for Implementing Space Transportation System (STS) Insurance and Indemnification Requirements; Request for Comments

AGENCY: National Aeronautics and Space Administration.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: Congress amended the National Aeronautics and Space Act of 1958, as amended, by adding a new section 308 on insurance and indemnification (Pub. L. 96-48, section 6). NASA proposes to draft regulations to implement section 308 and establish a policy on when users of the Space Transportation System must obtain financial protection against third-party claims and the conditions under which NASA will provide insurance or indemnification for users. This document is intended to provide a general background on Space Transportation System operations and the requirements for third-party liability protection to facilitate an orderly and equitable allocation of tort liability risks and requests comments to assist NASA in implementing the legislation.

DATE: Comments should be received by March 21, 1980.

ADDRESS: Send comments to Richard A. Reeves, Office of General Counsel, National Aeronautics and Space Administration, 400 Maryland Avenue SW., Washington, D.C. 20546.

FOR FURTHER INFORMATION CONTACT: Richard A. Reeves (202) 755-3924.

SUPPLEMENTARY INFORMATION:

I. Background
II. Section 308 Insurance and Indemnification
III. Proposed Regulatory Criteria
IV. Public Participation

I. Background

Under NASA's current reimbursable launch policy, users who fly payloads on expendable launch vehicles are required to obtain insurance protecting the user and the United States against liability to third parties who may have been damaged as a result of the launch of the payload.

The Space Transportation System (STS) being developed by NASA will include a Space Shuttle, which is a reusable launch vehicle designed to replace all expendable launch vehicles. The Space Shuttle is capable of carrying a variety of payloads on a given launch. Its cargo bay measures 60 feet in length by 15 feet in diameter and it can carry up to 65,000 pounts of payloads. It can separate and deploy free-flying payloads into Earth orbit and, with a European developed Spacelab in the cargo bay, can serve as a self-contained space station for periods of up to 30 days.

Payloads which will be carried in the Shuttle will include free-flying spacecraft for deployment in Earth orbit, owned by the United States, foreign governments, intergovernmental organizations or commercial concerns; "small self-contained payloads" which NASA would fly for small businesses, universities and others for research and development purposes at low transportation cost; and the European-developed Spacelab, in which experiments will be performed by NASA, the European Space Agency, other governments and commercial concerns. These payloads will be flown under NASA's existing policies either under reimbursable bases where NASA is reimbursed for the costs involved or under cooperative or interagency arrangements. In addition to the flight crew, a given Shuttle flight may also include one or more payload specialists (who are not Government employees) to operate onboard scientific instruments.

NASA expects to include in its STS launch agreements a provision under which a person procuring launch services agrees not to make a claim, and to hold NASA and other users harmless, for damages to that person's property or employees caused by NASA, other users or any other persons involved in space transportation system operations during such operations. The result will be that each person flying on a space vehicle will be required either to insure or to self-insure their own property and to assume responsibility for their own personnel. NASA does not intend to provide a mechanism for users to obtain this type of insurance.

II. Section 308 Insurance and Indemnification

NASA is currently planning to require users of the Space Transportation System to have protection against third-party liability, as it did under the expendable launch policy. The new section 308 to the National Aeronautics and Space Act of 1958, as amended, authorizes NASA to provide liability insurance to any user of a space vehicle to compensate them for claims by third parties resulting from activities carried on in connection with the launch, operations or recovery of the space vehicles. NASA may also agree to indemnify a user for claims by third parties to the extent that such claims are not compensated by insurance or othewise.

Section 308, which became effective October 1, 1979, reads as follows:

Insurance and Indemnification

Sec. 308. (a) The Administration is authorized on such terms and to the extent it may deem appropriate to provide liability insurance for any user of a space vehicle to compensate all or a portion of claims by third parties for death, bodily injury, or loss of or damage to property resulting from activities carried on in connection with the launch, operations or recovery of the space vehicle. Appropriations available to the Administration may be used to acquire such insurance, but such appropriations shall be reimbursed to the maximum extent practicable by the users under reimbursement policies established pursuant to section 203(c) of this Act.

(b) Under such regulations in conformity with this section as the Administrator shall prescribe taking into account the availability, cost, and terms of liability insurance, any agreement between the Administration and a user of a space vehicle may provide that the United States will indemnify the user against claims (including reasonable expenses of litigation or settlement) by third parties for death, bodily injury, or loss of or damage to property resulting from activities carried on in connection with the launch, operations, or recovery of the space vehicle, but only to the extent that such claims are not compensated by liability insurance of the user: Provided, That such indemnification may be limited to claims resulting from other than the actual negligence or willful misconduct of the user.

(c) An agreement made under subsection (b) that provides indemnification must also provide for—

(1) notice to the United States of any claim or suit against the user for the death, bodily injury, or loss of or damage to the property; and

(2) control of or assistance in the defense by the United States, at its election, of that suit or claim.

(d) No payment may be made under subsection (b) unless the Administrator or his designee certifies that the amount is just and reasonable.

(e) Upon the approval by the Administrator, payments under subsection (b) may be made, at the Administrator's election, either from funds available for research and development not otherwise obligated or from funds appropriated for such payments.

(f) As used in this section—

(1) the term "space vehicle" means an object intended for launch, launched, or assembled in outer space, including the Space Shuttle and other components of a space transportation system, together with related equipment, devices, components, and parts;

(2) the term "user" includes anyone who enters into an agreement with the Administration for use of all or a portion of a space vehicle, who owns or provides property to be flown on a space vehicle, or who employs a person to be flown on a space vehicle; and

(3) the term "third party" means any person who may institute a claim against a user for death, bodily injury, or loss of or damage to property.

III. Proposed Regulatory Criteria

NASA intends to rely on commercial sources of insurance to the maximum extent practicable. Although there are several options available to fulfill this requirement, there is a necessity to choose the option or options that will provide sufficient flexibility to meet the needs of the varied payloads that may be on any given flight and to permit late payload substitutions caused by schedule changes.

Some of the options to be considered are:

(1) Require users individually or as a group to obtain financial protection from commercial sources.

(2) NASA acquire insurance coverage for each predominantly non-Government flight and allocate the premiums among the various users.

(3) Exempt certain users, e.g., small self-contained payloads, from the requirement of obtaining insurance and the United States' agreeing to indemnify those users.

(4) The United States self-insure predominantly Government flights and agree to indemnify non-Government users on the flight. Non-Government users would be charged the value of such financial protection to ensure equitable treatment among users of all flights.

(5) NASA establish a charge policy applicable to all users for third-party liability protection. Funds received as a result of the charge policy would be placed into an account used to acquire insurance from commercial sources when, at NASA's discretion, such policies are appropriate.

These options are not exclusive and other options will be explored.

In choosing and developing the option or options for preparation of regulations, factors that must be considered are:

(1) The mix of payloads that will be carried on most flights.

(2) The need to be able to make late substitutions of payloads on particular flights.

(3) The cost of insurance and equitable procedures for allocating that cost to the users.

(4) The availability and terms of insurance.

(5) Equitable procedures for allocating risks.

IV. Public Participation

The public is invited to submit comments on the proposed regulations for implementing section 308. Comments should not contain trade secrets or commercial or financial information which is considered to be privileged or confidential. Comments should be in writing and addressed to Richard A. Reeves, Office of General Counsel, National Aeronautics and Space Administration, 400 Maryland Avenue SW., Washington, D.C. 20546. Comments should be received by March 21, 1980.

S. Neil Hosenball,

General Counsel.

[FR Doc. 80-5081 Filed 2-15-80; 8:45 am]

BILLING CODE 7510-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

20 CFR Part 410

Federal Coal Mine Health And Safety Act of 1969, Black Lung Benefits; Recovery of Black Lung Overpayments From Benefits Due Survivors

AGENCY: Social Security Administration, Department of Health, Education, and Welfare.

ACTION: Notice of Proposal to Develop Regulations.

SUMMARY: The Social Security Administration (SSA) plans to publish proposed regulations which will enable us to recover an overpayment of black lung benefits made to a miner during his or her lifetime, from subsequent black lung benefits payable to survivors. In this regulation, we will expand the present rule so that it will be consistent with 20 CFR 404.502, which contains the rule on recovering overpayments in the Old-Age, Survivors, and Disability Insurance Programs of the Social Security Act. The Federal Coal Mine Health and Safety Act of 1969 provides

in section 413(b) that overpayments should be recovered as provided by section 204 of the Social Security Act. Therefore, it is desirable that the rules to implement these Acts should be consistent.

The proposed revision will amend 20 CFR 410.560(d). HEW has classified the proposed regulations as policy significant.

FOR FURTHER INFORMATION CONTACT: Mrs. Thelma Allen, 1–G–4 West High Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235, Telephone (301) 594–6213.

Dated: January 24, 1980.

William J. Driver,

Commissioner of Social Security

[FR Doc. 80-5160 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-07-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

21 CFR Ch. I

DEPARTMENT OF AGRICULTURE

Food Safety and Quality Service

7 CFR Ch. XXVIII; 9 CFR CH. III

FEDERAL TRADE COMMISSION

Bureau of Consumer Protection

16 CFR Ch. I

[Docket No. 78N–0158]

Food Labeling; Tenative Positions of Agencies; Extension of Comment Period

AGENCY: Food and Drug Administration, Food Safety and Quality Service, and FTC's Bureau of Consumer Protection.

ACTION: Extension of comment period.

SUMMARY: This documents extends the comment period for submitting comments on the advance notice of proposed rulemaking stating the agencies' tentative positions on a variety of food labeling issues. All three agencies have agreed to this extension, which is based upon requests received from trade associations.

DATE: Written comments by April 21, 1980.

ADDRESSES: Written comments to the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Gary Dykstra, Regulatory Operations Staff (HFC–22), Office of Regulatory Affairs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3470.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of December 21, 1979 (44 FR 75990), the Food and Drug Administration (FDA), the United States Department of Agriculture (USDA), and the staff of the Federal Trade Commission's Bureau of Consumer Protection (FTC) announced their tentative positions on a variety of food labeling issues. The positions are the result of the agencies' analysis and evaluation of written and oral comments received in response to a notice published in the **Federal Register** on June 9, 1978 (43 FR 25296), requesting the public's views on several food labeling issues. The notice was intended to prompt further comment from the public about the agencies' tentative positions and other food labeling issues on which the agencies have not yet reached tentative positions. The notice announced a public hearing to be held on March 4 and 5, 1980 and invited the submission of written comments by March 20, 1980.

On January 25, 1980, a group of 23 food trade associations submitted a joint request (on file with the Hearing Clerk, Food and Drug Administration) that the public hearing be postponed to at least May 1, 1980, and that the period for submitting written comments be extended to July 1, 1980. In their request, the trade associations asserted, among other things, that if the affected segments of the food industry are to supply meaningful factual data on the complicated, interrelated labeling and economic issues involved, the timing requirements with respect to the public hearing and submission of written comments are impossible of achievement and unreasonable.

The December 21, 1979, notice provides additional advance notice of the agencies' intent to modify food labeling requirements and additional opportunity for public participation early in the rulemaking process before any changes in the food labeling regulations are actually proposed. This opportunity is in addition to, not in lieu of, the ample opportunities that the public will have later to participate fully in the agencies' rulemaking proceedings when new or modified food labeling regulations are proposed. Therefore, the agencies have concluded that the lengthy delays requested by the trade associations are not warranted.

The agencies have further concluded, however, that because of any disruption in beginning to prepare responses which they have caused by publishing the food labeling document shortly before Christmas, an extension of the period for submitting written comments is in order. Accordingly, the period for submitting written comments is extended to April 21, 1980. Comments may be seen in the office of the Hearing Clerk, Food and Drug Administration, from 9 a.m. to 4 p.m., Monday through Friday.

Dated: February 12, 1980.

Jere E. Goyan,

Commissioner of Food and Drugs.

Dated: February 13, 1980.

Carol Tucker Foreman,

Assistant Secretary for Food and Consumer Services, USDA.

Dated: February 13, 1980.

Albert Kramer,

Director, Bureau of Consumer Protection, FTC.

[FR Doc. 80-5292 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD 79–098

Enlargement of Special Anchorage Area, Niagara River, Youngstown, N.Y.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the Youngstown Yacht Club, the Coast Guard is proposing to expand and redefine the Special Anchorage Area in the Niagara River, Youngstown, New York. An increase in the number of vessels desiring to anchor in the area necessitates expansion of this anchorage. Expanding the anchorage will provide additional space in which vessesl of not more than 65 feet in length may anchor without having to display anchor lights. Also, it is believed that a redefinition of the existing Special Anchorage Area by means of using latitude and longitude coordinates would clarify the location.

DATES: Comments must be submitted on or before April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the Office of the Commander (mps), Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, Ohio 44199.

FOR FURTHER INFORMATION CONTACT: ENS Rhae A. GIACOMA, Office of Marine Environment and Systems (G–WLE/TP11), Room 1611, U.S. Coast Guard Headquarters, 2100 Second St., S.W.; Washington,D.C. 20593 (202) 426–1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each person submitting a comment should include their name and address, indentify this notice (CGD 79–098), and give the reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self addressed postcard or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. GIACOMA, Project Manager, Office of Marine Environment and Systems and Lieutenant J.W. SALTER, Project Attorney, Officer of the Chief Counsel.

Discussion of Proposed Regulation

The Coast Guard, at the request of the Youngstown Yacht Club, Youngstown, New York, is proposing to amend the Anchorage Regulations by expanding and redefining the present Special Anchorage Area in the Niagara River, Youngstown N.Y. The location of the existing Special Anchorage Area will be clarified by substituting latitude and longtitude coordinates and establishing three separate areas. The proposed expansion involves Area 3, which will be expanded approximately 1000 feet to the east. The proposed addition to the Special Anchorage Area is removed from recognized traffic channels to allow safe anchoring of unlighted vessels. In Special Anchorage Areas, vessels of not more than 65 feet in length, when at anchor, are not required to carry or display anchor lights.

The increased density of vessels in the area warrants the proposed expansion. These areas will be for the use of the general public.

An Environmental Assessment was completed in July 1979 which resulted in a negative declaration indicating no foreseeable impact on the quality of the human environment.

The Coast Guard has determined that, in accordance with Department of Transportation "Regulatory Policies and Procedures", (44 FR 11034) this amendment is not significant. The economic impact of this amendment will be minimal and accordingly, it does not warrant a full evaluation. The amendment imposes no economic burdens and benefits small vessel owners since this will give them an expanded area where they can anchor without having to carry or display anchor lights.

In consideration of the foregoing, the Coast Guard proposes to amend Part 110, Title 33, Code of Federal Regulations by revising § 110.85 to read as follows:

§ 110.85 Niagara River, Youngstown, NY.

(a) *Area 1.* Beginning at a point at the intersection of the south line of Swain Street extended with the east shoreline of the Niagara River at latitude 43°14′33″ N., longitude 79°03′7.5″ W., thence westerly to a point at latitude 43°14′33″ N., longitude 79°03′15″ W.; thence northerly to a point at latitude 43°14′54.5″ N., longitude 79°03′09″ W.; thence southerly to a point at latitude 43°14′52.3″ N, longitude 79°03′09″ W.; thence southerly to a point at latitude 43°14′51.5″ N., longitude 79°03′09″ W., thence easterly to a point at latitude 43°14′51.5″ N., longitude 79°03′6.5″ W.; thence along the shoreline to the point of beginning.

(b) *Area 2.* Beginning at a point at latitude 43°14′53.2″ N., longitude 79°03′08″ W.; thence northwesterly to a point at latitude 43°14′56″ N., longitude 79°03′14″ W.; thence northerly to a point at latitude 43°15′07″ N., longitude 79°03′13″ W.; thence northwesterly to a point at latitude 43°15′9.5″ N., longitude 79°03′13.5″ W.; thence southeasternly to a point at latitude 43°15′7.5″ N., longitude 79°03′08″ W.; thence southerly to the point of beginning.

(c) *Area 3.* Beginning at a point at latitude 43°15′7.9″ N., longitude 79°03′03″ W.; thence westerly to a point at latitude 43°15′7.9″ N., longitude 79°03′04″ W.; thence northwesterly to a point at latitude 43°15′11.8″ N., longitude 79°03′14″ W.; thence northerly to a point at latitude 43°15′14″ N., longitude 79°03′14″ W.; thence northwesterly to a point at latitude 43°15′22″ N., longitude 79°03′21.5″ W.; thence northeasterly to a point at latitude 43°15′25.5″ N., longitude 79°03′13″ W.; thence along the shoreline to the point of beginning.

(Sec. 1, 28 Stat. 647 as amended, (33 U.S.C. 258), sec. 6(g)(1)(C), 80 Stat. 937 (49 U.S.C. 1655 (g)(1)(C)); 49 CFR 1.46 (c)(3))

Dated: February 11, 1980.

W.E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80–5171 Filed 2–15–80: 8:45 am]

BILLNG CODE 4910–14–M

33 CFR Part 110

[CGD 79–176]

Amendment to San Francisco Bay Anchorage Grounds, Anchorage Number 5

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing to relocate a buoy that marks the northwest corner of San Francisco Bay Anchorage No. 5, thereby slightly expanding the anchorage. Relocating the buoy would allow it to serve a number of functions and reduce Coast Guard maintenance requirements.

DATES: Comments must be submitted on or before: April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the Office of the Commander (m), Twelfth Coast Guard District, 630 Sansome Street, San Francisco, CA 94126.

FOR FURTHER INFORMATION CONTACT: Lieutenant Gerald D. Jenkins, Commander (m), Twelfth Coast Guard District, Room 356, 630 Sansome Street, San Francisco, CA 94126, (415) 556–1380.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each person submitting a comment should include their name and address, identify this notice (CGD 79–176), the specific section of the proposal to which the comment applies, and give reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self-addressed postcard or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

The Coast Guard is proposing to amend the regulation governing San Francisco Bay Anchorage No. 5 to allow the relocation of a buoy. Presently, the northwest corner of this anchorage is

marked by San Francisco Bay North Channel Lighted Buoy 12. Approximately 400 yards north of buoy 12 is an unlighted "radar buoy", North Channel Buoy 14, that was established to assist pilots navigating the draw of the Richmond San Rafael Bridge. The Coast Guard is considering discontinuing Buoy 14 and moving Buoy 12 approximately 300 yards north so that it can be used to mark the eastern edge of the north channel, serve as a "radar buoy" for the bridge, and mark the northwest corner of Anchorage No. 5. This change will slightly expand the anchorage area and reduce Coast Guard buoy maintenance requirements. In conjunction with this change the description of the anchorage's eastern boundary is updated to reflect the prior replacement of Southampton Shoal Channel Lighted Buoy 5SS by Southampton Shoal Light 5.

An Environmental Assessment was completed in January 1980 which resulted in a negative declaration indicating no foreseeable impact on the quality of the human environment.

The Coast Guard has determined that, in accordance with Department of Transportation "Regulatory Policy and Procedures" (44 FR 11034), this amendment is not significant. Additionally, since this amendment would only slightly expand an existing anchorage, any economic impact would be minimal and therefore no draft evaluation has been prepared.

In consideration of the foregoing, it is proposed that Part 110 of Title 33, Code of Federal Regulations be amended by revising § 110.224(a)(3) to read as follows:

§ 110.224 San Francisco Bay, San Pablo Bay, Carquinez Straits, Suisun Bay, San Joaquin River, and connecting waters, California.

(a) * * *

(3) Anchorage No. 5, General Anchorage. (i) In San Francisco Bay beginning on the northwest shore of Red Rock at latitude 37°55'48" N., longitude 122°25'52" W.; thence west to San Francisco Bay North Channel Lighted Buoy 12 at latitude 37°55'50" N., longitude 122°26'32.4" W.; thence south to San Francisco Bay North Channel Lighted Buoy 10 at latitude 37°54'49" N., longitude 122°26'39" W.; thence southeast to latitude 37°53'23" N., longitude 122°25'09" W.; thence north to Southampton Shoal Light 5 at latitude 37°55'19" N., longitude 122°25'33" W.; thence to the southeast shore of Red Rock at latitude 37°55'42" N., longitude 122°25'45" W.; thence along the shoreline to the point of beginning.

(ii) Special regulation: No vessel anchored in this anchorage may project into the San Francisco Bay North Channel or the Southampton Shoal Channel.

* * * * *

(Sec. 7, 30 Stat. 1053 as amended, (33 U.S.C. 471); 6(g)(1)(A), 80 Stat. 937; (49 U.S.C. 1655(g)(1)(A); 49 CFR 1.46(c)(1))

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5172 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 110

[CGD 79-119]

Reduction of Temporary Anchorage E, San Juan Harbor, P.R.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing to reduce the size of Temporary Anchorage E, San Juan Harbor, Puerto Rico. This reduction is considered necessary due to the construction of mooring dolphins within the present anchorage area. Adoption of this proposal will provide a Temporary Anchorage Area well removed from vessels utilizing the mooring dolphins.

DATES: Comments must be submitted on or before: April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the office of the Commander, Seventh Coast Guard District, 51 S.W. First Avenue, Miami, FL. 33130.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. Giacoma, Office of Marine Environment and Systems (G-WLE/TP11), U.S. Coast Guard Headquarters, 2100 Second St., S.W. Washington, D.C. 20593 (202) 426-1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each person submitting a comment should include the writer's name and address, indentify this notice (CGD 79-119), the specific section of the proposal to which their comment applies and give the reasons for the comment. Persons desiring acknowledgement that their comment hs been received should enclose a stamped self-addressed post card or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

The T.M.T. Corporation of Isla Grande, San Juan, Puerto Rico recently installed mooring dolphins in San Juan Harbor adjacent to their facility. These mooring structures were constructed under a U.S. Army Corps of Engineers permit and presently extend into the southeastern portion of Temporary Anchorage E, San Juan Harbor. In the interest of maximum vessel safety, the Coast Guard is proposing to reduce the size of the present anchorage area by approximately one third. This would provide a Temporary Anchorage Area well removed from vessels transiting the area and mooring at the T.M.T. Corporation facility. Also, a reference point used in the current description of the area is being changed from Isla Grande Light, which is no longer in existence, to Isla Grande Aero Beacon.

An Environmental Assessment was completed in August 1979, which resulted in a negative declaration indicating no foreseeable impact on the quality of the human environment.

The Coast Guard has determined that, in accordance with Department of Transportation "Regulatory Policy and Procedures" (44 FR 11034) this amendment is not significant. The economic impact of this amendment will be minimal and accordingly it does not warrant a full evaluation.

In consideration of the foregoing, the Coast Guard proposes to amend Part 110 of Title 33, Code of Federal Regulations by revising paragraph (a)(2) of § 110.240 to read as follows:

§ 110.240 San Juan Harbor, P.R.

(a) * * *

(2) Temporary Anchorage E (general). Beginning at a point which bears 262° T, 878 yards from Isla Grande Aero Beacon; thence along a line 75°47', 498 yards; thence along a line 134°49', 440 yards; thence along a line 224°49' to the northerly channel limit of Graving Dock Channel, and thence to the point of beginning.

* * * * *

(Sec. 7, 38 Stat. 1053, as amended, (33 U.S.C. 471); sec. 6(g)(1)(A), 80 Stat. 937, (49 U.S.C. 1655(g)(1)(A); 49 CFR 1.46(c)(1))

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5173 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD 79-118]

Establishment of Special Anchorage Area, Manatee River, Bradenton, Fla.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of a number of residents of the Bradenton, Florida area, the Coast Guard is proposing to establish a Special Anchorage Area on the Manatee River, Bradenton, Florida. With the establishment of this Special Anchorage Area, owners of small pleasure craft would be relieved of the requirement to carry and display anchor lights while at anchor. This area would provide space well removed from channels and fairways to accommodate anchoring of local and transit pleasure craft.

DATES: Comments must be submitted on or before April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the office of the Commander, Seventh Coast Guard District, 51 S.W. First Avenue, Miami, FL 33130.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. Giacoma, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second St., S.W., Washington, D.C. 20593, (202) 426-1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each person submitting a comment should include their name and address, identify this notice (CGD 79-118), the specific section of the proposal to which their comment applies, and give reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self addressed postcard or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on the proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

At the request of members of the Bradenton Yacht Club and Snead Island Boat Works of Bradenton, Florida, the Coast Guard is proposing to establish a Special Anchorage Area on the Manatee River, Bradenton, Florida. These organizations have expressed a desire to have a designated anchorage area established on the river to be used by pleasure craft. Also, it is their intention to obtain permission from the U.S. Army Corps of Engineers to place permanent mooring buoys in this area.

Establishing a Special Anchorage Area would allow vessels of not more than 65 feet in length to anchor in the area without displaying anchor lights. The area proposed is well removed from fairways and would provide a safe location for anchoring.

An Environmental Assessment was completed in August 1979 which resulted in a negative declaration indicating no foreseeable impact on the quality of the human environment.

The Coast Guard has determined that, in accordance with the Department of Transportation "Regulatory Policy and Procedures" (44 FR 11034), this amendment is not significant. The economic impact of this amendment will be minimal and accordingly, it does not warrant a full evaluation. The amendment imposes no economic burdens and benefits small vessel owners since they will not have to carry or display anchor lights, while anchored in the special anchorage.

In consideration of the foregoing, the Coast Guard proposes to amend Part 110, Title 33, Code of Federal Regulations by adding § 110.74 to read as follows:

§ 110.74a Manatee River, Bradenton, Fla.

The waters of the Manatee River enclosed by a line beginning at latitude 27°31'18.6"N., longitude 82°36'49.2"W.; thence westerly to latitude 27°31'21"N., longitude 82°37'7.2"W.; thence northwesterly to latitude 27°31'22.2"N., longitude 82°37'8.4"W.; thence northeasterly to latitude 27°31'25.8"N., longitude 82°37'00"W.; thence easterly to latitude 27°31'24"N., longitude 82°36'44.4"W.; thence to the point of beginning.

(Sec. 1, 30 Stat. 98 as amended (33 U.S.C. 180); sec. 6(g)(1)(B), 80 Stat. 937; (49 U.S.C. 1655 (g)(1)(B)); 49 CFR 1.46(c)(2)

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5174 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD 79-170]

Establishment of Special Anchorage Area, Duluth-Superior Harbor, Duluth, Minn.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard, at the request of the Park Point Community Club, Duluth, Minnesota, is proposing to amend the Anchorage Regulations by establishing a Special Anchorage Area adjacent to Park Point in Duluth-Superior Harbor, Duluth, Minnesota (Superior Bay). The proposed area will be for the use of the general public. It is needed because of the large increase of pleasure craft utilizing this area. Establishment of the Special Anchorage Area will eliminate the necessity for displaying anchor lights on vessels of less than 65 feet in length while anchored within the area.

DATES: Comments must be received on or before: April 1, 1980.

ADDRESSES: Comments should be submitted to and will be available for examination at the Office of the Commander, Ninth Coast Guard District, 1240 East 9th St., Cleveland, Ohio 44199. Copies of all written comments will also be available for examination at the Coast Guard Marine Safety Office, Canal Park, Duluth, MN.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. Giacoma, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593, (202) 426-1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include their name and address, identify this notice (CGD-79-170) and the specific section of the proposal to which their comment applies, and give reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self-addressed postcard or envelope. All comments received before the expiration of the comment period

will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

The Park Point Community Club, Duluth, Minnesota has requested that an area in which small boats have been mooring for many years be designated a Special Anchorage Area. The area requested is well removed from the main navigation channel and is sufficient in size to provide anchorage for several hundred small craft. The Community Club is interested in seeing the area officially recognized and charted for use by the general public. Establishment of the Special Anchorage Area will negate the requirement for vessels of not more than 65 feet in length to show anchor lights while at anchor within the area.

The Coast Guard has determined that in accordance with Department of Transportation "Regulatory Policies and Procedures", (44 FR 11034) this amendment is not significant. The economic impact of this amendment will be minimal and, accordingly, it does not warrant a full evaluation. The amendment imposes no economic burdens and benefits on small vessel owners since they will not have to carry or display anchor lights, while anchored, in the special anchorage.

In consideration of the foregoing, it is proposed that Part 110 of Title 33 of the Code of Federal Regulations be amended by adding § 110.77a to read as follows:

§ 110.77a Duluth—Superior Harbor, Duluth, Minn.

The area adjacent to Park Point in Duluth-Superior Harbor within the following boundaries: beginning at latitude 46°45'19.3" N., longitude 92°04'43" W.; thence to latitude 46°45'11.7" N., longitude 92°05'01" W.; thence to latitude 46°44'2" N., longitude 92°04'15.7" W.; thence to latitude 46°44'29.4" N., longitude 92°03'57.5" W.; thence to the point of beginning.

(Sec. 1, 28 Stat. 647, as amended (33 U.S.C. 258); sec. 6(g)(1)(C) 80 Stat. 937, (49 U.S.C. 1655(g)(1)(C)); 49 CFR 1.46(c)(3))

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5175 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 110

[CGD 79-169]

Establishment of Special Anchorage Area, Cedar Point, Sandusky, Ohio

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of Cedar Point, Inc., the Coast Guard is proposing to establish a Special Anchorage Area in Sandusky Bay (Lake Erie) adjacent to Cedar Pont, Sandusky, Ohio. Due to the increase of pleasure craft utilizing the waters of Sandusky Bay, establishment of a Special Anchorage Area is warranted. The Special Anchorage would provide a safe area, protected from transit vessels by a break wall, where small craft may anchor without having to display anchor lights.

DATES: Comments must be submitted on or before April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the Office of the Commander, Ninth Coast Guard District (mps), 1240 East Ninth Street, Cleveland, Ohio 44199.

FOR FURTHER INFORMATION CONTACT: ENS Rhae A. Giacoma, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, U.S. Coast Guard Headquarters, 2100 Second St., S.W.; Washington, D.C. 20593 (202) 426-1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include their name and address, identify this notice (CGD 79-169), the specific section of the proposal to which their comment applies, and give reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self addressed postcard or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

The Coast Guard, at the request of Cedar Point, Inc., is proposing to establish a Special Anchorage Area in Sandusky Bay (Lake Erie), adjacent to Cedar Point, Sandusky, Ohio. Cedar Point, Inc. owns and operates Cedar Point Amusement Park, Cedar Point Marina, and all property adjacent to the proposed anchorage area. This anchorage area would be for the use of the general public, and would provide a safe area protected from transit vessels by a break wall. Permission has been obtained from the U.S. Army Corps of Engineers to place 36 mooring buoys in the area. In Special Anchorage Areas, vessels of not more than 65 feet in lenght, when at anchor, are not required to carry or display anchor lights.

An Environmental Assessment was completed in June 1979 which resulted in a negative declaration indicating no foreseeable impact on the quality of the human environment.

The Coast Guard has determined that, in accordance with Department of Transportation "Regulatory Policies and Procedures" (44 FR 11034), this amendment is not significant. The economic impact of this amendment will be minimal and, accordingly it does not warrant a full evaluation. The amendment imposes no economic burdens and benefits small vessel owners since they will not have to carry or display anchor lights, while anchored, in the special anchorage.

In consideration of the foregoing, the Coast Guard proposes to amend Part 110, Title 33, Code of Federal Regulations by adding § 110.83a to read as follows:

§ 110.83a Cedar Point, Sandusky, Ohio.

The water area enclosed by the break wall beginning at latitude 41°28'16"N., longitude 82°40'39"W.; thence along the break wall to latitude 41°28'24"N., longitude 82°40'52"W.; thence along a straight line westerly to latitude 41°28'24"N., longitude 82°40'56"W.; thence along the break wall to latitude 41°28'36"N., longitude 82°40'50"W.; thence along the shoreline to the point of beginning.

(Sec. 1, 28 Stat. 647, as amended, (33 U.S.C. 258); sec. 6(g)(1)(C) 80 Stat. 937 (49 U.S.C. 1655(g)(1)(C)); 49 CFR 1.46(c)([3])

Dated: February 11, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5176 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD 79-171]

Establishment of Special Anchorage Area Muskegon Lake East, Muskegon, Mich.

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing to establish a Special Anchorage Area on eastern Muskegon Lake, Muskegon, Michigan at the request of the City of Muskegon. This proposal is necessary due to the increased number of pleasure craft utilizing Muskegon Lake. Adoption of this proposal will provide adequate anchorage space for small craft in the area and would relieve them of the requirement to carry and display anchor lights while utilizing the Special Anchorage.

DATES: Comments must be submitted on or before April 1, 1980.

ADDRESSES: Comments should be submitted to and are available for examination at the office of the Commander, Ninth Coast Guard District (mps), 1240 East Ninth Street, Cleveland, Ohio 44199.

FOR FURTHER INFORMATION CONTACT: Ensign Rhae A. Giacoma, Office of Marine Environment and Systems (G-WLE/TP11), Room 1611, Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second St. SW., Washington, D.C. 20593, (202) 426-1927.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data or arguments. Each person submitting a comment should include their name and address, identify this notice (CGD 79-171), the specific section of the proposal to which their comment applies, and give reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped self addressed postcard or envelope. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

DRAFTING INFORMATION: The principal persons involved in drafting this proposal are Ensign Rhae A. Giacoma, Project Manager, Office of Marine Environment and Systems and Lieutenant J. W. Salter, Project Attorney, Office of the Chief Counsel.

Discussion of Proposed Regulation

The Coast Guard, at the request of the city of Muskegon, Michigan is proposing to amend the Anchorage Regulations by establishing a Special Anchorage Area on eastern Muskegon Lake, Muskegon, Michigan. This anchorage area will be for the use of the general public. An increase in the number of pleasure craft utilizing Muskegon Lake warrants the establishment of this Special Anchorage Area. In Special Anchorage Areas vessels of not more than 65 feet in length, when at anchor, are not required to carry or display anchor lights.

The shoreline of the proposed area is bounded by city property with the exception of a parcel of land on the east side which is owned by a private citizen. This individual has been contacted and indicated no objection to the proposal.

Section 110.81 currently contains an existing special anchorage area which is located on the western side of Muskegon Lake. To accommodate the addition of the proposed area (Muskegon Lake East), the existing area is being redesignated (Muskegon Lake West) and placed in paragraph (a) of the section. The description of the existing area is also being revised to make it consistent with the proposed area.

The Coast Guard has determined that in accordance with Department of Transportation "Regulatory Policy and Procedures" (44 FR 11034) this amendment is not significant. The economic impact of this amendment will be minimal and accordingly it does not warrant a full evaluation. The amendment imposes no economic burdens and benefits small vessel owners since they will not have to carry or display anchor lights, while in the special anchorage.

In consideration of the foregoing, it is proposed that Part 110 of Title 33, Code of Federal Regulations be amended by revising § 110.81 to read as follows:

§ 110.81 Muskegon Lake, Mich.

(a) Muskegon Lake West. The waters of the southwest side of Muskegon Lake shoreward of a line beginning at latitude 43°13'24"N., longitude 86°19'18.5"W.; thence 145°T to latitude 43°13'07.5"N., longitude 86°19'02.5"W.; thence 230°T to latitude 43°13'04"N., longitude 86°19'08.5"W.; thence along the shoreline to the point of origin.

(b) Muskegon Lake East. The waters on the southeast aide of Muskegon Lake shoreward of a line beginning at latitude 43°14'04"N., longitude 86°15'47"W.; thence 277°T to latitude 43°14'06.5"N., longitude 86°16'27"W.; thence 205°T to shore; thence along the shoreline to the point of origin.

Note.—Administration of the Special Anchorage Areas is exercised by the City of Muskegon pursuant to local ordinances.

(Sec. 1, 28 Stat. 647, as amended, (33 U.S.C. 258); sec. 6(g)(1)(C), 80 Stat. 937 (49 U.S.C. 1655(g)(1)(C)); 49 CFR 1.46(c)(3))

Dated: February 12, 1980.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 80-5177 filed 2-15-80; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1415-6]

Approval and Promulgation of State Implementation Plans; Revision to the New York State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: This proposal announces receipt of a request from the State of New York to revise its State Implementation Plan (SIP). If approved by the Environmental Protection Agency (EPA), this revision will have the effect of allowing Orange and Rockland Utilities, Inc. to use fuel oil with a sulfur content of 0.60 percent, by weight, in units 1 and 2 of the Bowline Point Generating Station, Haverstraw, New York. The current sulfur content regulatory limitation is 0.37 percent, by weight. Under the provisions of the State's submittal, the use of the higher sulfur content fuel oil would be permitted for a maximum period of three years from the commencement of its use by the utility.

DATES: Comments must be received on or before March 20, 1980.

ADDRESS: All comments should be addressed to: Richard T. Dewling, Ph.D., Acting Regional Administrator, Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007.

Copies of the proposal are available for public inspection during normal business hours at:

Environmental Protection Agency, Air Programs Branch, Room 908, Region II Office, 26 Federal Plaza, New York, New York 10007.
Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW, Washington, D.C. 20460.
New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York, New York 12233.
New York State Department of Environmental Conservation, Region II, Two World Trade Center, New York, New York 10047.

FOR FURTHER INFORMATION CONTACT:
William S. Baker, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, (212) 264–2517.

SUPPLEMENTAL INFORMATION:

On January 29, 1980 New York State submitted to the Environmental Protection Agency (EPA) a proposed revision to its State Implementation Plan (SIP). The proposed revision deals with a "special limitation" which, if approved by EPA for inclusion in the SIP, would allow the Bowline Point Generating Station in Haverstraw, New York to temporarily use in its units 1 and 2 fuel oil with a higher sulfur content than is currently permitted by State regulation. The Bowline Point Generating Station, which is operated by Orange and Rockland Utilities, Inc. (O & R) and is partly owned by them, currently is required to burn fuel oil with a maximum sulfur content of 0.37 percent, by weight. The State's special limitation (authorized by Part 225.2 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York) allows the use of fuel oil with a 0.60 percent maximum sulfur content for a maximum period of three years from the first day on which oil exceeding 0.37 percent sulfur content is burned.

The State's submittal consists of an order signed by the Commissioner of the New York State Department of Environmental Conservation (NYSDEC) promulgating the special limitation, a public hearing officer's report, proof of publication of the State's hearing notice and the following technical documents:

1. "Diffusion Analysis for Special Emission Limitation for the Bowline Point Facility," Document P–3943–150, May 1979, submitted by Orange and Rockland Utilities, Inc.,

2. "TSP Analysis for Special Limitations, Bowline Point Generating Station, Haverstraw, New York," March 1979, submitted by Orange and Rockland Utilities, Inc.,

3. A technical review of the above referenced documents done by the New York State Department of Environmental Conservation, August 1979,

4. A "Supplementary Staff Evaluation of Proposed Special Fuel Use Limitation for Bowline Point Generating Station, Orange and Rockland Utilities, Inc.," supporting the special limitation and prepared by the New York State Department of Environmental Conservation, January 21, 1980.

The State's SIP revision request was submitted in accordance with all EPA requirements under 40 CFR Part 51. These include the need for a public hearing, which was held by the State on July 24, 1979.

In order for EPA to be able to find the State's special limitation approvable as a revision to the New York SIP, it must be demonstrated that the use of 0.60 percent sulfur content fuel oil will not result in a contravention of any health-related national ambient air quality standards or in a violation of any applicable Prevention of Significant Deterioration (PSD) increment.

It should be noted that the objective of the PSD program, as discussed in Part C, Sections 160–169 of the Clean Air Act of 1977, is to protect areas with air quality cleaner than the national ambient air quality standards. The program is designed to insure that economic growth can occur in a manner consistent with the preservation of existing clean air resources. To implement the program, Congress established maximum allowable amounts of degradation known as PSD increments.

EPA has reviewed the technical material submitted by O & R and NYSDEC. Based on this review, EPA concurs with the State's determination that no violation of national ambient air quality standards or PSD increments will occur. However, the analysis does indicate that there exists at the Bowline Point Generating Station a phenomenon known as aerodynamic downwash.

Downwash, which occurs during certain meteorological conditions as a result of low stack heights relative to building heights, can cause high ground level pollutant concentrations in the near vicinity of the plant. An analysis of actual monitored air quality data collected during downwash events at the one monitoring site situated in the downwash area indicates that the projected increase in the sulfur dioxide emissions will result in continued attainment of the national ambient air quality standards and the PSD increments.

The analysis further indicates that, during downwash conditions, the entire available 24-hour PSD increment for sulfur dioxide will be consumed in the area adjacent to the Bowline Point Generating Station. Because consumption of the available PSD increment will preclude future emissions growth impacting on this area and possibly restrict economic development, EPA particularly solicits public comments on this issue.

Based upon the determination that the national ambient air quality standards and the PSD increments will not be violated, EPA proposes to approve the State's proposed SIP revision.

It should also be noted that O & R has indicated a desire to burn fuel oil with a sulfur content of 1.0 percent, by weight. However, recent air quality data indicates that this would result in a potential to violate the 24-hour primary NAAQS and the 24-hour Class II PSD increment for sulfur dioxide. Based on this data, the NYSDEC withdrew an earlier August 24, 1979 special limitation which would have allowed the use of 1.0 percent sulfur content fuel oil. However, O & R has indicated that it intends to expand its existing monitoring network to develop and validate a mathematical procedure for the purpose of demonstrating that the use of 1.0 percent sulfur content fuel oil at the Bowline Point Generating Station will not cause any air quality problems. Any such change in the provisions of the current special sulfur content limitation will be a revision to the New York SIP and, as such, will require the approval to EPA.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. I have reviewed this package and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This notice is issued as required by Section 110 of the Clean Air Act, as amended, to advise the public that comments may be submitted as to whether the proposed revision to the New York State Implementation Plan should be approved or disapproved. The Administrator's decision regarding approval or disapproval of this proposed plan revision will be based on whether it meets the requirements of Section 110(a)(2)(a)–(k) of the Clean Air Act and EPA regulations in CFR Part 51.

(Secs. 110, 301, Clean Air Act, amended (42 U.S.C. 7410, 7601))

Dated: February 8, 1980.

Richard T. Dewling,

Acting Regional Administrator.

[FR Doc. 80–5148 Filed 2–15–80; 8:45 am]

BILLING CODE 6560–01

40 CFR Part 52

[FRL 1415-7]

Approval and Promulgation of State Implementation Plans; Nonattainment Area Plans for Utah

AGENCY: Environmental Protection Agency.

ACTION: Proposed rulemaking.

SUMMARY: On November 5, 1979, the Governor of Utah submitted revisions to the State Implementation Plan (SIP) for the carbon monoxide (CO) and ozone (O_3) nonattainment areas in the State. This notice describes the SIP submission and discusses EPA's proposed actions with respect to the requirements of Part D of the Clean Air Act. EPA is proposing to approve the O_3 plan for Weber County; and, provided that the deficiencies identified herein are corrected, to approve the CO plans for Ogden, Provo and Salt Lake City and the O_3 plans for Davis and Salt Lake Counties.

DATE: Written comments should be submitted on or before March 20, 1980.

ADDRESSES: Copies of the SIP revision and EPA's Evaluation Report are available at the following addresses for inspection:

Environmental Protection Agency Library, Region VIII, 1860 Lincoln Street, Denver, Colorado 80295.

Environmental Protection Agency, Public Information Reference Unit, 401 M Street, SW., Washington, D.C. 20460.

Utah State Division of Health, Bureau of Air Quality, 150 West North Temple, Salt Lake City, Utah 84110.

Written comments should be sent to: Robert R. DeSpain, Chief, Air Programs Branch, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295.

FOR FURTHER INFORMATION CONTACT: Mr. Robert DeSpain, Chief, Air Programs Branch, Region III, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80295, (303) 837-3471.

SUPPLEMENTARY INFORMATION: On March 3, 1978 (43 FR 8962), and September 11, 1978 (43 FR 40412), pursuant to the requirements of Section 107 of the Clean Air Act, as amended in 1977, EPA designated portions of Utah as nonattainment areas for total suspended particulates (TSP), sulfur dioxide (SO_2), carbon monoxide (CO), and photochemical oxidants (ozone). A summary of these designations is presented in Table 1. As a result, pursuant to Part D of the Clean Air Act, the State of Utah was requested to revise its SIP by January 1, 1979, to meet specific requirements for the nonattainment areas. In response to these requirements, the Governor of Utah submitted a revised SIP which was received by EPA on January 3, 1979.

Table 1.—*Utah Nonattainment Areas*

TSP	SO_2	CO	Ozone
Davis County	Salt Lake County.	Salt Lake City	Salt Lake County.
Salt Lake County.	Tooele County.	Bountiful	Davis County.
Utah County	Cedar City	Ogden	Utah County.
Weber County		Provo	Weber County.

The State's submittal consisted of the basic elements contained in the previous SIP and the Air Conservation Regulations enacted by the Utah Air Conservation Committee. Portions of the plan were prepared by associations of local elected officials. The complete local plans were submitted as appendices to the SIP. The Mountainland Association of Governments prepared the transportation measures element of the SIP for Utah County and Provo City. Similarly, the Wasatch Front Regional Council prepared the transportation measures element for the Wasatch Front (all or parts of Weber, Davis and Salt Lake Counties). The local elements were prepared and submitted to the State in accordance with agreements between the Air Conservation Committee and local agencies. These agreements, developed pursuant to Section 174 of the Clean Air Act, were also included in the SIP. Finally, the State submitted a detailed Technical Support Document which included diffusion modeling estimates and considerable background information related to the control strategies in the SIP.

On January 25, 1979 (44 FR 5159), EPA published an advance notice of availability of the Utah SIP revision and invited the public to comment on its approvability. On May 16, 1979 (44 FR 28688), EPA published a notice of proposed rulemaking, which described the SIP and the results of EPA's review with respect to the requirements for an approvable SIP described in a Federal Register notice published on April 4, 1979 (44 FR 20372), and requested public comment.

In brief, EPA proposed to approve the SIP with the following exceptions:

1. The TSP control strategy and regulations for all nonattainment areas;
2. The SO_2 control strategy and regulations for Salt Lake and Tooele Counties;
3. The CO control strategy for Ogden, Provo and Salt Lake City;
4. The ozone control strategy for Davis and Salt Lake Counties;
5. The 18-month extension request to submit a TSP plan for attainment of the secondary NAAQS; and
6. Part D requirements including demonstration of reasonable further progress, submittal of an adequate emission inventory, commitments from local governments to carry out appropriate elements of the plan, and establishment of an inspection/maintenance program in Davis and Salt Lake Counties.

In response to EPA's proposal, the State has revised the sections of the SIP pertaining to CO and O_3 and the revisions were submitted to EPA by the Governor on November 5, 1979. Revisions to other sections of the SIP are still in progress and EPA is publishing its final rulemaking on those sections elsewhere in today's Federal Register.

I. Control Strategy—Carbon Monoxide

A. *Inspection/Maintenance (I/M) Program.* "Inspection/Maintenance" (I/M) refers to a program whereby motor vehicles receive periodic inspections to assess the functioning of their exhaust emission control systems. Vehicles which have excessive emissions must then undergo mandatory maintenance. Generally, I/M programs include passenger cars, although other classes can be included as well. Operation of noncomplying vehicles must be prohibited. This can best be accomplished by requiring proof of compliance to purchase license plates or to register a vehicle. In certain cases, a windshield sticker system can be used, much like many safety inspection programs.

Section 172 of the Clean Air Act requires that State Implementation Plans which include nonattainment areas must meet certain criteria. For areas which demonstrate that they will not be able to attain the ambient air quality standards for ozone or carbon monoxide by the end of 1982, despite the implementation of all reasonably available measures, an extension up to 1987 may be granted. In such cases Section 172(b)(11)(B) requires that: "the plan provisions shall establish a specific schedule for implementation of a vehicle emission control inspection and maintenance program . . ." In Utah the areas which are required to have an I/M program are Davis and Salt Lake Counties.

EPA issued guidance on February 24, 1978, on the general criteria for SIP approval including I/M, and on July 17, 1978, regarding the specific criteria for I/M SIP approval. Both of these items are part of the SIP guidance material referred to in the General Preamble for Proposed Rulemaking (44 FR 20372,

20373, n 6.) Although the July 17, 1978, guidance should be consulted for details, the key elements for I/M SIP approval are as follows:

Legal Authority. States or local governments must have adopted the necessary statutes, regulations, ordinances, etc., to implement and enforce the inspection/maintenance program. (Section 172(b)(10).)

Commitment. The appropriate governmental unit(s) must be committed to implement and enforce the I/M program. (Section 172(b)(10).)

Resources. The necessary finances and resources to carry out the I/M program must be identified and committed. (Section 172(b)(7).)

Schedule. A specific schedule to establish the I/M program must be included in the State Implementation Plan (Section 172(b)(11)(b).) Interim milestones are specified in the July 17, 1978, memorandum in accordance with the general requirement of 40 51.15(c).

Program Effectiveness. As set forth in the July 17, 1978, guidance memorandum, the I/M program must achieve 25% reduction in passenger car exhaust emissions of hydrocarbons and a 25% reduction for carbon monoxide. This reduction is measured by comparing the levels of emission projected to December 31, 1987, with and without the I/M program. This policy is based on Section 172(b)(2) which states "the plan provisions * * * shall * * * provide for the implementation of all reasonably available control measures * * *."

Specific detailed requirements of these five provisions are discussed below:

To be acceptable, I/M legal authority must be adequate to implement and effectively enforce the program and must not be conditioned upon further legislative approval or any other substantial contingency. However, the legislation can delegate certain decision-making to an appropriate regulatory body. For example, a state department of environmental protection or department of transportation may be charged with implementing the program, selecting the type of test procedure as well as the type of program to be used, and adopting all necessary rules and regulations. I/M legal authority must be included with any plan revision which must include I/M (i.e., a plan which establishes an attainment date beyond December 31, 1982) unless an approved extension to certify legal authority is granted by EPA. The granting of such an extension, however, is an exceptional remedy to be utilized only when a state legislature has no opportunity to consider enabling legislation.

Written evidence is also required to establish that the appropriate governmental bodies are "committed to implement and enforce the appropriate elements of the plan." (Section 172(b)(10)) Under Section 172(b)(7), supporting commitments for the necessary financial and manpower resources are also required.

A specific schedule to establish an inspection/maintenance program is required. (Section 172(b)(11)(B)) The July 17, 1978, guidance memorandum established as EPA policy the key milestones for the implementation of various I/M programs. These milestones were the general SIP requirements for compliance modified at 40 CFR 51.15(c). This section requires that increments of progress be incorporated for compliance schedules of over one year in length.

To be acceptable an I/M program must achieve the requisite 25% reductions in both hydrocarbon and carbon monoxide exhaust emissions from passenger cars by the end of calendar year 1987. The Act mandates "Implementation of all reasonably available control measures as expeditiously as practicable." (Section 172(b)(2)). At the time of passage of the Clean Air Act Amendments of 1977, several inspection/maintenance programs were already operating, including mandatory programs of New Jersey and Arizona operating at about a 20% stringency. (The stringency of a program is defined as the initial proportion of vehicles which would have failed at program's standards if the affected fleet had not undergone I/M before. Because some motorists tune their vehicles before I/M tests, the actual proportion of vehicles failing is usually a smaller number than the stringency of the program.) Depending on the program type (private garage or centralized inspection) a mandatory I/M program may be implemented as late as December 31, 1982, and the attainment date may be as late as December 31, 1987. Based on an implementation date of December 31, 1982, and a 20% stringency factor, EPA predicts the reductions of both CO and HC exhaust emissions of 25% can be achieved by December 31, 1987. Earlier implementation of I/M will produce greater emission reductions. Thus, because of the Act's requirement for the implementation of all reasonably available control measures and because New Jersey and Arizona have effectively demonstrated practical operation of I/M programs with a 20% stringency factor, it is EPA policy to use a 25% emission reduction as the criterion to determine compliance of the I/M portion with Section 172(b)(2).

Because the 1979 General Session of the Utah Legislature failed to pass a bill permitting an inspection fee for testing pollutants in vehicle exhaust emissions, the affected counties decided to establish locally-run I/M programs. The SIP includes resolutions from both the Davis and Salt Lake Boards of County Commissioners to develop an I/M program for implementation by December 31, 1981. The Boards of Health will be responsible for the planning, implementation, and enforcement of the program. Included in the SIP is a resolution from the Salt Lake City-County Board of Health approving the adoption and implementation of an I/M program. However, the SIP includes neither schedules for implementing a specific type of program, nor a commitment to achieve a 25% reduction in light-duty vehicle exhaust emissions by hydrocarbons and carbon monoxide.

The revised Utah SIP includes an opinion from the Assistant Attorney General indicating that, under State law, counties or local health departments have authority to establish an I/M program. A similar opinion from the Salt Lake County Attorney is also included. However, the SIP does not contain an opinion from the Davis County Attorney.

With respect to enforceability, the Assistant Attorney General's opinion cites general statutory provisions authorizing the local health departments to enforce rules and regulations, but does not comment on the legal aspects of any specific program or proposed rules establishing a program. The Salt Lake County Attorney's opinion describes an enforcement mechanism involving cooperative action by the Health Department, County Tax Assessor and State Division of Motor Vehicles, but does not cite authority for requiring such cooperative action or include agreements or commitments from the enforcing agencies. EPA review of state and local statutes shows that the counties have the legal authority to implement and enforce an alternative, sticker-based program.

Therefore, while the SIP includes evidence of clear legal authority to establish locally-run I/M programs and general legal authority for enforcing local rules and regulations, until a decision is made by each county regarding the specific type of program to be implemented, the legal enforceability of the county programs is open to question.

In comparing the Utah SIP to the key elements for approval of an I/M strategy, EPA has determined that several actions are required:

1. Commitment by both the Davis County and Salt Lake County Boards of Health to implement a program which would achieve a 25 percent reduction in light-duty vehicle exhaust emissions of hydrocarbons and carbon monoxide.

2. Decisions by each county regarding an enforcement mechanism, including identification of the enforcement agency(ies) and agreements/commitments from the responsible agencies to enforce the program.

3. Legal opinion from Davis County that it has authority to adopt, implement and enforce an I/M program.

4. Legal opinion from Salt Lake County that it has the authority to enforce the selected I/M program.

5. Legal opinion from the State Attorney General on the legality of the county enforcement mechanisms.

6. Implementation schedules from Davis and Salt Lake Counties which include all the key milestones identified in EPA's July 17, 1978, I/M guidance. (A Salt Lake County implementation schedule has been provided to EPA in a grant application and is referenced in the SIP submittal letter from the Governor; however, this schedule has not yet been formally incorporated into the SIP.)

B. *Transportation Control Measures.*

1. *Ogden-Salt Lake City.* Three transportation control measures (TCM's) for short-term implementation are included in the SIP. These are employer-based carpooling, computerized traffic synchronization in the Salt Lake City CBD, and mass transit improvements. Appropriate implementation schedules are included in the SIP and commitments have been made in the Unified Planning Work Program (UPWP) and Transportation Improvement Program (TIP) to implement the measures. The UPWP also contains a commitment form the Wasatch Front Regional Council to study all other available control measures and obtain implementation commitments for those measures determined to be reasonable.

2. *Provo.* Several Transportation control measures are considered in the SIP for implementation in Provo. However, there is no documented commitment to implement them. In addition, although an attainment demonstration is made, it shows attainment in 1983, and an extension is not requested. These deficiencies may be attributed to the fact that prior to State Legislature inaction on an I/M bill, Provo could demonstrate attainment by 1982, because it was included under the State I/M program. The air quality planning process was then discontinued and had to be re-established to reconsider TCM's originally found to be unnecessary. Because Provo's population is under 200,000, I/M is not a requirement for SIP approval. Efforts are currently underway, as reflected in the Mountainland Associations of Governments 1980 UPWP, to establish an ongoing air quality planning process to correct SIP deficiencies.

The State, together with the Mountainland Association of Governments, must either demonstrate that the standard can be attained by 1982 or request an extension while complying with all other requirements, I/M excepted, of the Act. In either case, the necessary commitments and schedules must be provided for those measures to be implemented and those to be evaluated for future implementation. For each measure to be implemented, the following information must be included in addition to that already contained in the SIP:

(1) Implementation commitments such as (a) evidence of adoption of the measure and implementation schedules by the policy body responsible for measure implementation or (b) inclusion of the project in an annual work program of the implementing agency.

(2) Steps required for implementation, with estimated completion dates, and organization responsible for each step.

(3) Funding level and source(s).

(4) Local and/or regional emission reductions expected based on projected traffic data.

(5) Social, environmental and energy impacts.

(6) Evaluation plan to monitor strategy effectiveness.

For each measure to be evaluated for implementation in the long-term, the following information should be provided:

(1) Description of measure.

(2) Schedule for the comprehensive analysis including he dates when each phase of the evaluation and implementation process is to be completed.

(3) Funding levels and source(s).

(4) Emission reduction potential.

II. Control stategy—ozone

The SIP states that Weber County will attain the Ozone Standard in 1980 with only the Federal Motor Vehicle Emissions Control Program and Transportation control measures as described in the CO control strategy section for Ogden. Davis and Salt Lake Counties are expected to attain the standard in 1985 with the application of three control programs: Inspection/Maintenance, volatile organic compound regulations, and transportation controls.

A. Inspection/Maintenance—EPA findings are discussed in the section on the CO control strategy and apply to the ozone strategy as well.

B. Volatile Organic Compound (VOC) Regulations—The State has adopted the necessary VOC regulations and committed to implementing Stage II vapor recovery regulations or equivalent measures. EPA has determined that these regulations represent reasonably available control technology. The State has certified that there are no surface coating operations in the nonattainment areas, therefore, the VOC regulations are acceptable even though surface coating is not covered. EPA is concerned over the lack of bulk terminal test procedures. Prior to the final rulemaking, the State must provide further detail on the procedures that will be used.

C. Transportation Control Measures—EPA findings are discussed in the CO control strategy section for Salt Lake City—Ogden.

III. Proposed EPA Action

On the basis of the findings discussed above, EPA is proposing the following actions on the November 5, 1979, submittal from Utah:

1. Approval of the CO strategies for Ogden, Salt Lake City, and Provo provided that the deficiencies identified are corrected and necessary documentation submitted to EPA as a SIP revision before final rulemaking.

2. Approval of the ozone strategies for Davis and Salt Lake Counties provided that the identified deficiencies are corrected and necessary documentation submitted to EPA as SIP revision before final rulemaking.

3. Approval of the ozone control strategy for Weber County.

4. Approval of the extension request for CO in Salt Lake City until December 31, 1983.

5. Approval of the extension request for ozone in Salt Lake and Davis County until December 31, 1985.

The affected counties have already initiated effort to remedy these deficiencies. The Salt Lake City County Board of Health adopted implementation schedules and committed to a 25% reduction in light duty exhaust emissions at its December 13, 1979, meeting. Thus, EPA believes that reasonable efforts to submit a SIP revision are being made and will not institute procedures to imose federal assistance limitations authorized by Section 176(a) and 316 of the Act unless these deficiencies are not corrected within a reasonable period of time. EPA considers May 1, 1980, to be a reasonable date for submittal of this SIP revision.

The practical effect of these actions will be to withhold final approval of the submittal until a SIP revision is submitted which adequately responds to the deficiencies identified. If the submission corrects the deficiencies, a final notice will be published approving these portions of the plan. Until the final notice is published approving the plan, the restrictions on new sources construction in Section 110(a)(2)(I) will remain in effect.

Interested persons are invited to comment on the revised Utah SIP and EPA's proposed actions. Comments should be submitted, preferably in triplicate, to the address listed in the front of this notice. Public comments received by March 20, 1980, will be considered in EPA's final decision on the SIP. EPA believes the available period for comments is adequate because the issues involved in the Utah SIP are sufficiently clear to allow comments to be developed in the available thirty day period.

All comments received will be available for inspection at the Region VIII Office, 1860 Lincoln Street, Denver, Colorado 80295.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized." I have reviewed this regulation and determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

This rulemaking action is issued under the authority of Section 110 of the Clean Air Act, as amended.

Dated: January 28, 1980.

Roger L. Williams,

Regional Administrator.

[FR Doc. 80-5146 Filed 2-15-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

45 CFR Part 17

Publicizing "Adverse" Information

AGENCY: Office of the Secretary (OS), HEW.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department intends to revise the regulation on "Release of Adverse Information to the News Media" to make it easier for people to understand how they can obtain a retraction or correction when the Department has issued an incorrect statement about them that adversely affects them.

DATES: Comments must be received on or before April 21, 1980.

ADDRESS: Comments should be addressed to: Freedom of Information Officer, Office of Public Affairs, HEW, Room 118–F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT: Russell M. Roberts, telephone (202) 472–7453.

SUPPLEMENTAL INFORMATION: The Department's policy is to avoid issuing statements which adversely affect individuals or organizations where a reasonable and equally effective alternative is available. However, when it is necessary to warn of a danger to public health or safety, the Department will balance the need for adequately serving the public interest and the need to protect from excessive harm individuals or organizations affected by its statements.

The regulation ensures that individuals or organizations adversely affected by issuances of the Department are provided adequate opportunity for obtaining correction or retraction if the content of such issuances is shown to be inaccurate.

Dated: February 12, 1980.

Patricia Roberts Harris,

Secretary.

It is proposed to revise 45 CFR Part 17 to read as follows:

PART 17—PUBLICIZING "ADVERSE" INFORMATION

Sec.

17.1 Publicizing "adverse" information.
17.2 What is adverse information?
17.3 What factors does HEW consider in determining whether to release and publicize adverse information?
17.4 Advance notice.
17.5 Right to request correction.

Authority: 5 U.S.C. 301.

PART 17—PUBLICIZING "ADVERSE" INFORMATION

§ 17.1 Publicizing "adverse" information.

(a) This part sets out the responsibilities of HEW when HEW releases on its own initiative adverse information about an individual or an organization to the news media or in another public forum. This part also sets out the rights of individuals or organizations to seek correction of any adverse information HEW has released which they believe to be inaccurate.

(b) Regulations covering release of information at the request of the public are covered by HEW's Public Information Regulation and Privacy Act Regulation at Part 5 and 5(b).

§ 17.2 What is adverse information?

Adverse information is information which reflects negatively on an individual or an organization. Examples are: information that a drug manufactured by a named drug company is unsafe; information that a packaged food is contaminated; information about an outbreak of a dangerous, infectious or contagious disease in a specific area, institution or place of business.

§ 17.3 What factors does HEW consider in determining whether to release and publicize adverse information?

HEW considers the following factors in determining whether to release adverse information. Whether:

(a) The benefit to the public outweighs any potential adverse effect upon a person or organization identified in the information released;

(b) The release is consistent with the Privacy Act requirements requiring certain protections of information about individuals (4 CFR Part 5b);

(c) The information is factual and accurate;

(d) The information is limited to that necessary to carry out HEW's responsibilities and does not include irrelevant or excessive material;

(e) The Assistant Secretary for Public Affairs approves the release.

§ 17.4 Advance notice.

HEW provides any person or organization identified in information HEW intends to publicize advance notice of the release, unless providing the notice would increase risk to public health, safety, or general welfare.

§ 17.5 Right to request correction.

(a) An individual or organization has the right to ask that HEW consider any evidence that the information was inaccurate; and to request that HEW release and publicize a correction in the same manner as original information.

(b) An individual must submit a request for review and correction to the Assistant Secretary for Public Affairs.

[FR Doc. 80-5181 Filed 2-15-80; 8:45 am]

BILLING CODE 4110-12-M

Office of Education

45 CFR Part 150

Law School Clinical Experience Program; Proposed Grants Regulations

AGENCY: Office of Education, HEW.

ACTION: Notice of Proposed Rulemaking.

SUMMARY: The Commissioner of Education proposes regulations to govern the award of grant under the Law School Clinical Experience Program. The purpose of the regulations is to implement Title XI of the Higher Education Act of 1965, as amended. The regulations will give better guidance to applicants and improve program management by broadly defining the types of projects the Commissioner intends to support under this program. The regulations also specify the selection criteria to be used in evaluating applications.

DATES: Comments must be received on or before April 21, 1980.

ADDRESSES: Comments should be addressed to Donald N. Bigelow, Graduate Training Branch, Division of Training and Facilities, Bureau of Higher and Continuing Education, U.S. Office of Education (Room 3060, ROB–3), 400 Maryland Avenue SW., Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: Donald N. Bigelow, telephone (202) 245–2347.

SUPPLEMENTARY INFORMATION: (a) **Applicable regulations.** Federal assistance under the Law School Clinical Experience Program is subject to these regulations, as well as to the Education Division General Administrative Regulation (EDGAR).

(b) **Questions and answers.** The Law School Clinical Experience Program regulations are explained by the following questions and answers:

What is clinical legal experience? The term "clinical legal experience" means actual experience in legal skills such as the preparation and trial of actual cases, including administrative cases and the settlement of cases and controversies outside the courtroom.

What skills are included in this experience? This experience may include, but is not necessarily limited to, the development of such skills as interviewing witnesses, counseling clients, negotiating compromises, drafting documents, trial preparation, advocacy, and training in professional responsibility.

What is the purpose of this program? The purpose of the Law School Clinical Experience Program is to establish or expand projects at accredited law schools to provide supervised clinical experience to students in the practice of law.

Are there priorities among the kinds of projects supported? To the extent practicable, preference is given to programs providing experience in the preparation and trial of cases. However, in any fiscal year, the Commissioner intends to fund different kinds of projects in law school clinical experience, which, when all funded projects are considered as a whole, will serve a variety of client groups.

(c) **Invitation to comment.** Interested persons are invited to submit comments, suggestions, and recommendations to be considered before the final regulations are issued. They may be sent to the address given at the beginning of this document.

Comments submitted in response to these proposed regulations will be available for public inspection during and after the comment period in Room 3060, Regional Office Building #3, 7th and D Streets SW., Washington, D.C. between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday of each week except on Federal holidays.

Education Division General Administrative Regulations

These proposed regulations do not contain certain types of requirements. Those requirements are covered in the Education Division General Administrative Regulations (EDGAR) which were published as a notice of proposed rulemaking (NPRM) on May 4, 1979 and will replace the General Provisions for Office of Education Programs Regulations.

The following items applicable to this program are now among those covered generally in EDGAR:

How to apply for a grant.

How grants are made.

Certain conditions that must be met by a grantee.

The administrative responsibilities of a grantee.

The Office of Education's procedures to assure compliance.

Approved: February 5, 1980.

(Catalog of Federal Domestic Assistance No. 13.584, Law School Clinical Experience Program)

William L. Smith,

Commissioner of Education.

Title 45 of the Code of Federal Regulations is amended by adding Part 150 to read as follows:

PART 150—LAW SCHOOL CLINICAL EXPERIENCE PROGRAM

Subpart A—General

Sec.
150.1 Law School Clinical Experience Program.
150.2 Eligible parties.
150.3 Regulations that apply to the Law School Clinical Experience Program.
150.4 Definitions.

Subpart B—What Kinds of Projects Does the Law School Clinical Experience Program Support?

150.5 Project activities.

Subpart C—How Is Application Made for a Grant?

150.6 How to use regulations.
150.7 How to apply for funds.
150.8 When are applications accepted?

Subpart D—How Is a Grant Made?

150.9 How does the Commissioner evaluate an application?
150.10 What selection criteria does the Commissioner use?

Subpart E—What Conditions Must a Grantee Meet?

150.11 Costs.

Authority: Title XI, Sec. 1101–1103 of the Higher Education Act of 1965, as amended by Pub. L. 90–575, Pub. L. 92–318, and Pub. L. 94–482 (20 U.S.C. 1136–1136a and b)

Subpart A—General

§ 150.1 Law School Clinical Experience Program.

The Law School Clinical Experience Program provides assistance to accredited law school for establishing or expanding programs of clinical experience for students in the practice of law.

(20 U.S.C. 1136–1136b)

§ 150.2 Eligible parties.

Individual law schools which have been accredited by a nationally recognized agency listed by the Commissioner of Education are eligible to apply.

(20 U.S.C. 1136)

§ 150.3 Regulations that apply to the Law School Clinical Experience Program.

(a) The following regulations apply to the Law School Clinical Experience Program:

(1) The Education Division General Administrative Regulations (EDGAR) in Part 100a (Direct Grant Program) and Part 100d (Definitions); and

(2) The regulations in this part.

§ 150.4 Definitions.

(a) Definitions in EDGAR. The following terms used in this part are defined in EDGAR, Part 100c: Applicant;

Award; Commissioner; Grant; and Project

(b) *Other definitions.* "Accredited law school" means a law school which has been accredited by a nationally recognized agency listed by the Commissioner of Education.

"Clinical legal experience" means actual experience in legal skills such as the preparation and trail of actual cases, including administrative cases and the settlement of cases and controversies outside the courtroom. This experience may include, but is not necessarily limited to, the development of such skills as interviewing witnesses, counseling clients, negotiating compromises, drafting documents, trail preparation, advocacy, and training in professional responsiblity.

(20 U.S.C. 1136)

Subpart B—What Kinds of Projects Does the Law School Clinical Experience Program Support?

§ 150.5 Project activities.

The Commissioner awards grants for approved programs offering clinical legal experience for students in the practice of law.

(a) Preference will be given to programs providing legal experience, to the extent practicable, in the preparation and trail of actual cases, including administrative cases and the settlement of controversies outside the courtroom.

(b) This experience may include, but is not necessarily limited to, the development of such skills as: interviewing witnesses, counseling clients, negotiating compromises, drafting documents, trial preparation, advocacy, and training in professional responsibility.

(c) In any fiscal year the Commissioner intends to fund different kinds of projects in law school clinical experience, which when all funded projects are considered as a whole, will serve a variety of client groups.

(20 U.S.C. 1136)

Subpart C—How Is Application Made for a Grant?

§ 150.6 How to use regulations.

The "Introduction to Education Division Programs" at the beginning of EDGAR includes general information to assist in using regulations that apply to Education Division programs.

(20 U.S.C. 1221e-3(a)(1))

§ 150.7 How to apply for funds.

In applying for a grant, an applicant shall follow the procedures and meet the requirements stated in EDGAR.

§ 150.8 When are applications accepted?

Applications will be received and reviewed only in response to a Notice of Closing Date which the Commissioner publishes in the Federal Register.

(20 U.S.C. 1136a(a))

Subpart D—How Is a Grant Made?

§ 150.9 How does the Commissioner evaluate an application?

(a) The Commissioner evaluates an application on the basis of the criteria in § 150.10.

(b) The Commissioner awards up to 100 possible points for these criteria.

(c) The maximum possible score for each complete criterion is indicated in parentheses at the end of that criterion.

§ 150.10 What selection criteria does the Commissioner use?

(a) *Plan of operation.* (1) The Commissioner reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Commissioner looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective; and

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly. (10 points)

(b) *Quality of key personnel.* (1) The Commissioner reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The Commissioner looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2)(i) and (ii) of this section plans to commit to the project; and

(iv) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourage applications for employment from persons who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, handicapped persons, and the elderly.

(3) To determine the qualifications of a person, the Commissioner considers evidence of past experience and training in fields related to the objectives of the project, as well as other information that the applicant provides. (10 points)

(c) *Budget and cost effectiveness.* (1) The Commissioner reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Commissioner looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project. (5 points)

(d) *Evaluation plan.* (1) The Commissioner reviews each application for information that shows the quality of the evaluation plan for the project. (See § 100a.590—Evaluation by the grantee.)

(2) The Commissioner looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable. (5 points)

(e) *Adequacy of resources.* (1) The Commissioner reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Commissioner looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate. (3 points)

(f) The Commissioner shall also take into account the following considerations when evaluating applications for grants under the Law School Clinical Experience Program:

(1) The application will assist in attaining a wider distribution throughout the United States of higher quality law school clinical experience programs;

(2) The proposed project would provide a demonstration in training of law students by supervised use of legal skills on behalf of varied client groups, and;

(3) The extent to which the proposed project ranks high on the criteria set forth below, with the maximum point score for each criterion as shown:

(g) The proposed project indicates that the law school has a fiscal commitment to clinical legal education as demonstrated by the increased degree to which the institution's regular budget is devoted to continue an

existing program or to establish a new program. (15 points)

(h) The proposed project will either establish for the first time a new program of clinical legal education or expand an existing program in which case these factors will be evaluated: Developing new areas of practical experience, increasing the number of participating students, and providing appropriate and improved supervision. (15 points)

(i) The proposed project will provide actual experience in legal skill such as the preparation and trial of actual cases, including administrative cases and the settlement of cases and controversies outside the courtroom. This experience may include, but not necessarily be limited to, the development of such skills as interviewing witnesses, counseling clients, negotiating compromises, drafting documents, trial preparation, advocacy, and training in professional responsibility. (10 points)

(j) The proposed program of law school clinical experience provides for the award of appropriate academic credits to participating students. (7 points)

(k) The proposed project will increase the law school's involvement in clinical legal education while providing adequate on-the-job supervision to students while they are learning legal skills. (15 points)

(l) The proposed project indicates that the law school will incorporate into its curriculum the relevant experiences and the knowledge acquired from the Law School Clinical Experience Program. (5 points)

(20 U.S.C. 1221e–3(a)(1); (20 U.S.C. 1136a)

Subpart E—What Conditions Must a Grantee Meet?

§ 150.11 Costs.

(a) The Commissioner makes available funds to cover part of the cost of establishing and implementing a Law School Clinical Experience Project, subject to the limitations and applicable cost principles stated or referred to in EDGAR. This includes the cost of:

(1) Planning, preparation of related teaching materials, and administration;

(2) The training of faculty members;

(3) Payment for the director of supervision and other faculty or attorneys directly involved in supervision;

(4) Appropriate travel; and

(5) Other related activities in connection with the program.

(20 U.S.C. 1136(b))

[FR Doc. 80–5018 Filed 2–15–80; 8:45 am]

BILLING CODE 4110–02–M

Notices

Federal Register
Vol. 45, No. 34
Tuesday, February 19, 1980

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.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Committee on Agency Organization and Personnel; Public Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given of a meeting of the Committee on Agency Organization and Personnel of the Administrative Conference of the United States, to be held at 10:00 a.m., Tuesday, March 11, 1980, in the library of the Administrative Conference, Suite 500, 2120 L Street, N.W., Washington, D.C.

The Committee will meet to discuss a proposed recommendation regarding implementation of the Federal Advisory Committee Act. There will also be a report on other pending Committee projects.

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. Members of the public may be permitted to present oral statements, if deemed appropriate by the Committee Chairman. Members of the public may also file a written statement with the Committee before, during or after the meeting.

For further information concerning this meeting, contact Richard K. Berg (202–254–7020). Minutes of the meeting will be available upon request.

Richard K. Berg,
Executive Secretary.
February 11, 1980.
[FR Doc. 5039 Filed 2–15–80; 8:45 am]
BILLING CODE 6110-01-M

Forum on Improving the Regulatory Process

In accordance with its statutory mandate to arrange for the interchange of information potentially useful in improving administrative procedure, 5 U.S.C. 571–575, the Administrative Conference will be sponsoring a fourth session of its Forum on Improving the Regulatory Process. This session will be held on March 3, 1980 at 2:00 p.m. in the (sixth floor) Bank Board Room, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C.

Invited to participate in the Forum will be officials from the Administration, bar, business community, labor, and citizen groups, as well as the Council of the Administrative Conference. Invited participants will discuss possible alternative ways of structuring the Government's ovesight of the regulatory process.

The forum will be open to the public (space permitting), but participation is restricted to invited participants.

Persons wishing to attend or persons seeking further information should contact Jeffrey Lubbers, 254–7065.

Richard K. Berg,
Executive Secretary.
February 11, 1980.
[FR Doc. 80–5040 Filed 2–15–80; 8:45 am]
BILLING CODE 6110-01-M

DEPARTMENT OF AGRICULTURE

Forest Service

Forest Service Policy on Pesticide Use and Criteria for Use of 2,4,5-T and 2,4-D; Correction

AGENCY: Forest Service.

ACTION: Notice; Correction.

In FR Doc. 80–509, which begins on page 1650 and ends on page 1651, appearing in Vol. 45, No. 5, Tuesday, January 8, 1980, under definitions on page 1651, paragraph (5) should be deleted and paragraphs (6) through (15) should be renumbered (5) through (14).

R. Max Peterson,
Chief.
February 11, 1980.
[FR Doc. 80–5088 Filed 2–15–80; 8:45 am]
BILLING CODE 3410-11-M

Office of the Secretary

Privacy Act of 1974; Systems of Records

Notice is hereby given that the Department of Agriculture in accordance with 5 U.S.C. 552(e) (4) and (11), intends to amend the notice of an existing system of records to relocate the system's automated data therein, reduce the categories of individuals covered by the system, reduce the categories of records covered by the system, and eliminate the use of a skills inventory form for storage purposes. Although the Privacy Act requires only that portion of each system which describes the "routine uses" of that system be published for public comment, USDA invites such comment on any portion of these amendments to the notice.

Interested persons may submit written comments on this amendment to: Director, Research and Operations Division Office of the General Counsel, U.S. Department of Agriculture, Washington, D.C., 20250, on or before the sixtieth day following publication of the amendments to the notice.

All comments submitted will be available for public inspection during regular business hours in Room 2321 of the South Building, USDA, 12th Street and Independence Ave., S.W.

This notice was originally published in the **Federal Register**, 40 FR 38937 (August 27, 1975). The proposed amendment is administrative and is based on operational experience under the Privacy Act. The change will provide more accurate information for the public.

The amendments to the notices will be adopted without further publication as set forth below on April 21, 1980, unless modified by a subsequent notice to incorporate comments received from the public.

February 12, 1980.

Bob Bergland,
Secretary of Agriculture.

USDA/FS–4

SYSTEM NAME:

Certification of Engineering Personnel, USDA/FS.

SYSTEM LOCATION:

At the Forest Service Headquarters Offices of the Chief, Regional Foresters, and Forest Supervisors as listed in 36 CFR 200.2, Subpart A, where individual is or was employed, and at Bibliographic Retrieval Service, Inc., 702 Corporation Park, Scotia, N.Y. 12302.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Forest Service employees who have taken examinations in one or more of the certification categories.

CATEGORIES OF RECORDS IN THE SYSTEM:

Consists of the name, social security number, work location, written and oral examination results, and certificates issued for each Forest Service employee defined in the preceding paragraph.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5. U.S.C. 301; 7 CFR 2.60.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

"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:

Examination results, and supporting documents. Data is also on magnetic tape.

RETRIEVABILITY:

Manual system is indexed by name and location. ADP System is indexed by individual social Security numbers.

SAFEGUARDS:

Records are maintained in standard filing system and on magnetic tape. The records are located in offices that are locked during non-office hours. They are available only to authorized personnel.

RETENTION AND DISPOSAL:

Records are maintained for the duration of individual's employment and thereafter filed in the Federal Records Center in accordance with standard procedures. Entries on magnetic tape are eliminated when employee leaves the organization.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Engineering, Forest Service, U.S. Department of Agriculture, Washington, DC. 20250 or the appropriate Regional Forester, Forest Supervisor in charge of the unit where the individual is or was employed.

NOTIFICATION PROCEDURE:

Employees (past or present) may request information as to whether or not the system contains records pertaining to them from the appropriate system manager listed in the preceding paragraph. A request for information should be in writing and should include the individual's full name, address, and social security number; approximate date of last certification or examination, and place of employment at that time.

RECORD ACCESS PROCEDURES:

Use same procedures as for requesting Notification.

CONTESTING RECORD PROCEDURES:

Use same procedures as for requesting Notification.

RECORD SOURCE CATEGORIES:

Information in this sytem comes primarily from written oral, and applied examinations.

[FR Doc. 80-5184 Filed 2-15-80; 8:45 am]
BILLING CODE 3410-10-M

Privacy Act of 1974; System of Records

AGENCY: U.S. Department of Agriculture, Soil Conservation Service.

ACTION: Notice of system of records.

SUMMARY: The United States Department of Agriculture, Soil Conservation Service (SCS), in accordance with 5 U.S.C. 552a(e)(4) and (11), intends to adopt a system of records identified as USDA/SCS–3 Federal Financed Cost-Sharing Information.

DATES: Interested persons are invited to submit written comments, suggestions and recommendations to Chief, Records and Communications Management Branch, Administrative Services Division, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013. Comments should be received by March 30, 1980.

For further information contact: Carter C. Cochran, Management Evaluation Division, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013. Telephone (202) 447–4102.

This system of records will be adopted without further publication on April 21, 1980, unless modified by a subsequent notice to incorporate comments received from the public.

February 12, 1980.

Bob Bergland,

Secretary of Agriculture.

USDA/SCS–3

System name:

Federal Financed Cost-Sharing Information applicable to individual participants in USDA—Soil Conservation Service (SCS) programs.

System location:

Records in this system are maintained at the Soil Conservation Service Headquarters in Washington, D.C., and in the Computer Centers located at the National Finance Center, New Orleans, Louisiana, SCS Technical Service Center, Fort Worth, Texas, and USDA Computer Centers located in Washington, D.C., Fort Collins, Colorado, and Kansas City, Missouri.

Categories of individuals covered by the system:

Volunteer participants, namely landowners and operators in conservation programs administered by the Soil Conservation Service where federally financed cost sharing is involved. The programs are the Great Plains Conservation Program, Small Watershed Program, Rural Abandoned Mine Program, and Resource Conservation and Development Program.

Categories of records in the system:

Computer data cards, tapes, computer printouts, and hard copies of records. These records include name, address, social security number, SCS program, and amount of payment by program.

Authority for maintenance of the system:

Soil Conservation Act, Pub. L. 74–46, 49 Stat. 163, (16 U.S.C. 590a–f, q); Resource Conservation and Development Program, Pub. L. 87–703, as amended (7 U.S.C. 1010–1011); Small Watershed Program, Pub. L. 83–566, 68 Stat. 666, as amended (16 U.S.C. 1001–1009); Rural Abandoned Mine Program, Pub. L. 95–87, 91 Stat. 163 (16 U.S.C. 590 a–f, q); Great Plains Conservation Program, Pub. L. 84–1021, 70 Stat. 1115, as amended (16 U.S.C. 590 p(b)); and related laws 42 U.S.C. 3271–3274.

Routine uses of records maintained in the system including categories of users and purposes of such uses:

Report to Internal Revenue Service (IRS) of payments made to individual participants for income tax purposes. Also used by authorized USDA personnel for budget estimates and program cost data.

Disclosure of data to IRS is in accordance with the Internal Revenue Act of 1954 (26 U.S.C. 6041) as amended.

Policies and practices for storing, retrieving, accessing, retaining, and disposing records in the system:

Storage:

By individual on keypunched cards or magnetic tapes for computers.

Retrievability:

Names and addresses of the individuals are kept for reports to the Internal Revenue Service. Record material will be retrieved by name,

social security number, and program applicable.

Safeguards:

Locked file cabinets, locked computer storage rooms, and locked computer terminal rooms. Access to records is in accordance with USDA ADP security plan as supplemented by SCS.

Retention and disposal:

Maintained indefinitely on a currently updated basis.

System manager(s) and address:

Chief, Management Systems Branch, Management Evaluation Division, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013.

Notification procedure:

Any Soil Conservation Service officer from which the individual participant has received technical assistance for implementation of a conservation plan required for Federal cost-sharing financial assistance will receive requests for information regarding the system of records. Identifying information should be made by individual names, social security number, address, contract or agreement number, and program involved.

Record access procedures:

To obtain information for obtaining access to the system of records, write to the system manager listed above.

Contesting record procedures:

Use the same procedures as for records access.

Record source categories:

Participants voluntarily ask for Federal financial cost-share assistance to apply needed conservation treatment or practices to lands owned or operated by the individual participant. Such cost-sharing data is needed for Federal income tax information as it applies to the year and income of the participant using the programs.

BILLING CODE 3410-16-M

Soil Conservation Service

Plant Materials Centers Program

AGENCY: Soil Conservation Service, U.S. Department of Agriculture.

ACTION: To study the Soil Conservation Service (SCS) Plant Materials Centers Program in order to identify recommendations on possible program changes. This revises the prenotice of intent to study this program published in the **Federal Register** on January 16, 1980, on page 3089.

FOR FURTHER INFORMATION CONTACT: Dr. Thomas N. Shiflet or Mr. Robert S. MacLauchlan, Ecological Sciences and Technology Division, Soil Conservation Service, P.O. Box 2890, Washington, D.C. 20013, telephone (202) 447–2587, –2588, or –5667 *or any of the SCS State Conservationists.*

NOTICE: The U.S. Department of Agriculture, Soil Conservation Service is conducting a study of the National SCS Plant Materials Centers Program to determine if there are opportunities for additional arrangements for Federal, State, and local participation in the staffing, financing, and/or management of this program. This program is concerned with plant materials appropriate for conserving soil and water resources. These centers test plant materials, select those appropriate for conservation, and release them for commercial production. These centers also develop techniques for their effective use. These plant materials are used in conservation and environmental improvement programs where existing plants and conservation measures are not suitable or available. This nationally-coordinated program involves a network of 22 plant materials centers (PMC's). These centers are strategically located throughout the United States. These centers, their testing, and their plant development are adapted to both local and regional conditions to meet the need for plants for reducing erosion and sedimentation.

The work of these centers is conducted in cooperation with, but does not duplicate, the work of Federal and State research agencies. The comparative plant materials testing program, carried out through numerous cooperative agreements, helps many Federal and State agencies meet urgent plant materials needs for conservation and environmental improvement, as well as the needs of SCS. This work is also done in close cooperation with commercial seed growers and nurserymen and their associations who grow and distribute these specialized materials to the public.

SCS provides about $2,700,000 annually towards the operation of these PMC's. Other Federal agencies, through cooperative agreements, provided in excess of $450,000 in fiscal year 1979 to accelerate studies to meet high priority mutual plant materials needs. State and local agencies and organizations make substantial "in-kind" assistance to this program. In 1979, this "in-kind" assistance was in excess of $700,000.

The final testing of selected plants is conducted under actual use conditions on the properties of cooperators. Over 4,000 cooperators assisted with the final evaluation of promising plant materials in fiscal year 1979. This local assistance by cooperators contributes substantially to the success of the plant materials program.

Finally, commercial seed growers and nurserymen place released conservation plants into commercial production and help promote their use in conservation programs. These commercial producers take a calculated, long-term risk, but without their cooperation, the SCS plant materials program could not be effective.

Eighteen PMC's are operated by SCS. They are located at:

Tucson, Arizona
Lockeford, California
Brooksville, Florida
Americus, Georgia
Molokai, Hawaii
Aberdeen, Idaho
Manhattan, Kansas
Quicksand, Kentucky
Beltsville, Maryland
East Lansing, Michigan
Coffeeville, Mississippi
Elsberry, Missouri
Bridger, Montana
Cape May Courthouse, New Jersey
Big Flats, New York
Corvallis, Oregon
Knox City, Texas
Pullman, Washington

Two centers are operated by cooperating nonfederal agencies but funded and partially staffed by SCS. They are:

Los Lunas, New Mexico (New Mexico State University), and Bismarck, North Dakota (North Dakota Association of Soil Conservation Districts).

In addition to the 20 centers listed above, the State of Alaska operates a PMC at Palmer; and the White River and Douglas Creek Soil Conservation Districts have established an Environmental Plant Center at Meeker, Colorado. SCS provides professional staff or technical assistance to these centers through cooperative agreements.

Under this program, about 16,000 domestic and foreign plant collections are being evaluated at any one time. Evaluation typically extends over a period of 5–10 years. In 1978 and 1979, an evaluation was completed for 32 varieties, and these improved conservation plants (grasses, legumes, forbs, shrubs, and trees) were released to commercial growers. Of the 200 improved conservation plant varieties released under this program, over 140 were in commercial production and extensive use in 1978. Further, for these 140 plus varieties, commercial seed growers and nurserymen produced seeds and plants in sufficient quantity for conservation treatment of 1,700,000 acres of land. These plant materials

would not have been commercially available had it not been for the nationally-coordinated PMC's program.

The objective of this SCS study is to identify alternative arrangements for maintaining a coordinated National program which best meets the need for plant materials for soil conservation and environmental improvement programs.

Current Situation

Currently SCS is appropriated $2,693,000 for the operation of PMC's. This is approximately 10% less than the agency reveived in 1978 for operating these centers. This reduction in SCS funding has been largely offset by deferring the scheduled replacement of equipment and maintenance of facilities.

In addition to SCS funding, these centers receive approximately $450,000 through cooperative agreements with other Federal agencies to accelerate the selection of plants to meet mutual high-priority needs, such as plant materials for reclaiming surface mined lands. State and local contributions, mostly "in-kind" assistance, such as the use of land, buildings, office space, utilities, equipment, etc., were estimated in excess of $700,000 in fiscal year 1979.

Over 4,000 district cooperators contribute substantially to this program through the final testing of selected plants on their properties, and commercial seed growers and nurseryment place released plants into commercial production and help promote their use in conservation programs.

Unless additional Federal, State, or local financial assistance becomes available, however, SCS must make adjustments in its Plant Materials Centers Program.

Alternatives Being Considered by SCS Include

1. Continuation of the present program with adequate SCS funding, supplemented with funds and "in-kind" assistance from other Federal, State, and local agencies and organizations. Funding and staffing would be provided at a level to maintain the current program level of testing and provide for the scheduled replacement of equipment and maintenance of facilities. This would require increased SCS funding of approximately $600,000. Increased participation by other Federal and State and local agencies and organizations would be encouraged.

This alternative would maintain the current level of the fully-coordinated National Plant Materials Centers Program, provide for current and scheduled studies to meet high-priority needs and maintain scheduled equipment replacement and maintenance of facilities at an acceptable and safe level.

2. Continuation of the present program funding with definite arrangements on obtaining the additional needed financing, technical and/or "in-kind" assistance from other Federal, State, and local agencies and organizations. Specific cooperative arrangements would need to be identified.

Numerous cooperative agreements exist between SCS and other Federal, State, and local agencies and organizations. Other Federal agencies contributed in excess of $450,000 in fiscal year 1979 to accelerate plant studies to meet urgent mutual needs such as the reclamation of surface mined lands. State and local contributions, mostly "in-kind" assistance, such as the use of land, buildings, office space, utilities, equipment, etc., was in excess of $700,000 in fiscal year 1979.

There may exist, however, additional opportunities for increased-shared financial, staffing and/or "in-kind" assistance from Federal, State, and/or local levels. This could include, but not be limited to:

—Additional opportunities for increased-shared funding from other agencies and organizations to accelerate plant materials studies to meet mutual high-priority needs.

—Opportunities for the assignment of other agency personnel (shared staffing) at SCS PMC's.

—Opportunities for cooperating agencies and organizations to have greater responsibility for the advanced studies of promising plants and techniques for their effective use in reducing erosion and sedimentation.

This alternative must identify specific arrangements that can be implemented on a continuing basis.

3. Reduce the number of PMC's or reduce the level of ongoing programs at some or all PMC's.

Closing some centers would leave geographic voids in the network of strategically located PMC's which now cover most major land resource areas. This could weaken the systematic procedures used by SCS to quickly and accurately determine the range of adaptation of improved plant materials. It could also result in greater difficulties in getting selected plants into commercial production and widespread use.

The reduction of ongoing programs at some or all centers would result in continuing work only on selected high-priority needs, and other needed studies for selecting improved plants for reducing erosion and sedimentation would be discontinued. Scheduled work on other high-priority plant materials needs would have to be deferred.

This alternative would, however, provide for continuation of a reduced, but coordinated, SCS Plant Materials Centers Program.

4. Where suitable arrangements can be specifically identified, transfer the operations of some PMC's to nonfederal control with Federal funding and adequate SCS technical coordination, or develop arrangements for shared funding, staffing, and/or management with nonfederal entities.

This alternative could provide additional nonfederal involvement and perhaps additional financial and technical assistance. It could, however, cause additional problems in overall coordination, in determining needs and priorities, and of assuring a constant and continuing level of the nonfederal contribution.

As in alternative #2, specific arrangements for implementing this alternative must be identified.

The range of alternatives under consideration for operating PMC's can have various impacts. Some potential impacts that might result if there is a change in the present management, financing, of staffing of SCS PMC's are listed below.

—Maintaining a *coordinated* National plant materials program.

—Developing conservation plants or techniques for their use applicable to *multistate* and regional areas.

—Interstate and intercenter testing and the exchange of promising plant materials among PMC's.

—Development of conservation plants for specific plant materials needs in States *other than* where the PMC is located.

—Conduct of *cooperative reimbursable* plant materials *studies* with other Federal or State agencies.

—Promoting commercial production of released plant materials.

—*Interest* or *dedication* to finding vegetative solutions to *small* but *significant* conservation problems.

—*Efficiency* in PMC operation.

—Ability to *finance* PMC operation.

—National image of PMC's program.

The public is invited to react to the above alternative arrangements and their possible impacts and to suggest

additional alternatives for the staffing, financing, and/or management of the SCS Plant Materials Centers Program.

Additional information concerning the SCS Plant Materials Centers Program may be obtained from Dr. Thomas N. Shiflet or Robert S. MacLauchlan, Soil Conservation Service, Ecological Sciences and Technology Division, P.O. Box 2890, Washington, D.C. 20013, phone (202) 447–2587, –2588, or –5667 or by contacting *any SCS State Conservationist.*

SCS invites you to express your views on this program. If you have any comments at this time about SCS PMC's or the alternatives being studied or other alternatives, send them to Dr. Thomas N. Shiflet or *the SCS State Conservationist in your respective State* by April 4, 1980. These responses will be used in determining which alternatives might be implemented relative to the staffing, financing, and/or management of the coordinated PMC program.

Recommended proposal(s) for any changes in the SCS Plant Materials Centers Program will be published in the **Federal Register** on or about May 1, 1980.

Dated: February 12, 1980.

Roy M. Gray,

Acting Assistant Administrator for Field Services.

[FR Doc. 80-5266 Filed 2-18-80: 8:45 am]

BILLING CODE 3410-16-M

CIVIL AERONAUTICS BOARD

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits

Notice is hereby given that, during the week ended February 8, 1980 CAB has received the applications listed below, which request the issuance, amendment, or renewal of certificates of public convenience and necessity or foreign air carrier permits under Subpart Q of 14 CFR 302.

Answers to foreign permit applications are due 28 days after the application is filed. Answers to certificate applications requesting restriction removal are due within 14 days of the filing of the application. Answers to conforming applications in a restriction removal proceeding are due 28 days after the filing of the original application. Answers to certificate applications (other than restriction removals) are due 28 days after the filing of the application. Answers to conforming applications or those filed in conjunction with a motion to modify scope are due within 42 days after the original application was filed. If you are in doubt as to the type of application which has been filed, contact the applicant, the Bureau of Pricing and Domestic Aviation (in interstate and overseas cases) or the Bureau of International Aviation (in foreign air transportation cases).

Subpart Q Applications

Date filed	Docket No.	Description
Feb. 5, 1980	37593	Continental Air Lines, Inc., Los Angeles International Airport, Los Angeles, California 90009. Application of Continental Air Lines, Inc. pursuant to Section 401 of the Act and Subpart Q, requests the Board to amend its certificate of public convenience and necessity for Route 29 so as to authorize it to perform round trip nonstop air transportation between New York, NY. and New Orleans, La. Answers may be filed by February 19, 1980.
Feb. 5, 1980	37597	Ozark Air Lines, Inc., Lambert-St. Louis International Airport, St. Louis, Missouri 63145. Application of Ozark Air Lines, Inc. pursuant to Section 401(e)(7)(B) of the Act and Subpart Q, requests amendment of its certificate of public convenience and necessity for Route 107 so as to remove the Conditions (4) and (5), which read as follows: "(4) On each trip over all or part of this route, the holder shall stop at each point named between the point of origin and point of termination of the trip except a point or points at which the holder has been relieved of this requirement (a) by order of the Board, (b) as a result of a suspension under sections 401(j) and 419 of the Act, (c) because of adverse weather conditions or other conditions it could not reasonably foresee or control, or (d) because condition (5) below is applicable". "(5) If the holder has scheduled two daily round trips at each intermediate point, it may omit that point on any additional trips scheduled over all or part of this route as long as it remains in compliance with all other conditions in this certificate: *Provided, however,* That if the holder has scheduled one daily round trip to Fort Leonard Wood, Mo., serving St. Louis, Mo., on the one hand, and Kansas City, Springfield, or Joplin, Mo., or Tulsa, Okla., on the other hand, it may omit service to Fort Leonard Wood on any additional flights." Conforming Applications and Answers are due February 20, 1980.
Feb. 6, 1980	37616	Air Florida, Inc., c/o Richard D. Mathias, Crowell & Moring, 1100 Connecticut Avenue, N.W., Washington, D.C. 20036. Application of Air Florida, Inc. pursuant to Section 401 of the Act and Subpart Q requests a certificate of public convenience and necessity authorizing it to engage in the regularly scheduled air transportation of persons, property and mail between Miami and Tampa, Florida, on the one hand, and Mexico City, Mexico, on the other hand. Conforming Applications and Answers are due March 5, 1980.
Feb. 7, 1980	37619	Frontier Airlines, Inc., 8250 Smith Road, Denver, Colorado 80207. Application of Frontier Airlines, Inc. pursuant to Section 401(e)(7)(B) of the Act and Rule 1701(b) of Subpart Q of the Board's Rules of Practice requests an amendment to its Certificate of Public Convenience and Necessity for Route 73 so as to delete Conditions (4) and (5) therefrom, viz: (4) On each trip over all or part of this route, the holder shall stop at each point named between the point of origin and point of termination of the trip except a point or points at which the holder has been relieved of this requirement (a) by order of the Board, (b) as a result of a suspension under sections 401(j) and 419 of the Act, (c) be-

Subpart Q Applications—Continued

Date filed	Docket No.	Description
		cause of adverse weather conditions or other conditions it could not reasonably foresee or control, or (d) because condition (5) below is applicable. (5) If the holder has scheduled two daily round trips at each intermediate point, it may omit that point on any additional trips scheduled over all or part of this route as long as it remains in compliance with all other conditions in this certificate: *Provided, however,* That, if the holder has scheduled one daily round trip to each of the following points in (a), or one daily round trip six days per week to each of the following points in (b), it may omit that point on any additional trips: (a) Harrison, Hot Springs, or Little Rock, Arkansas, Gunnison or Steamboat Springs-Hayden-Craig, Colorado, Bozeman, Glasgow, Glendive, Havre, Kalispell, Lewistown, Miles City, Sidney or Wolf Point, Montana, Gallup, New Mexico, Independence-Coffeyville-Parsons, Kansas, McAlester or Ponca City, Oklahoma, Memphis, Tennessee, Amarillo, Texas, or Vernal, Utah. (b) Stillwater, Oklahoma, Dodge City, Garden City, Goodland or Hays, Kansas, Lamar, Colorado, or Paris, Texas. (5) Frontier is fit, willing, and able to provide air transportation. Positive findings to this effect have been included in Orders 80-1-5 and 80-1-18. Answers are due February 21, 1980.
Feb. 7, 1980	37621	USAir, Inc., Washington National Airport, Washington, D.C. 20001. Application of USAir, Inc. pursuant to Section of the Act and Part 201 and Subpart Q of Part 301 of the Board's Economic Regulations, requests amendment of its certificate of public convenience and necessity for Route 97 so as to remove Conditions (4) and (5) therein: (4) On each trip over all or part of this route, the holder shall stop at each point named between the point of origin and point of termination of the trip except a point or points at which the holder has been relieved of this requirement (a) by order of the Board, (b) as a result of a suspension under sections 401(j) and 419 of the Act, (c) because of adverse weather conditions or other conditions it could not reasonably foresee or control, or (d) because condition (5) below is applicable. (5) If the holder has scheduled two daily round trips at each intermediate point, it may omit that point on any additional trips scheduled over all or part of this route as long as it remains in compliance with all other conditions in this certificate: *Provided, however,* That, if the holder has scheduled one daily round trip to each of the following points, it may omit that point on any additional trips: Atlantic City and Cape May, N.J., DuBois, Pa., Hagerstown, Md.-Martinsburg, W. Va., Rutland, Vt., Salisbury, Md., Glens Falls, Jamestown, Plattsburgh, and Saranac Lake-Lake Placid, N.Y., South Bend, Ind., Grand Rapids and Kalamazoo, Mich., and Zanesville-Cambridge, Ohio. Answers may be filed by February 21, 1980.
Feb. 7, 1980	37623	Republic Airlines, Inc., Hartsfield-Atlanta Int'l Airport, Atlanta, Georgia 30320. Application of Republic Airlines, Inc. pursuant to Section 401 of the Act, Part 201 and Subpart Q of the Board's Procedural Regulations requests amendment of its certificate of public convenience and necessity for Route 86 so as to eliminate conditions (4) and "(5) therein: "(4) On each trip over all or part of this route, the holder shall stop at each point named between the point of origin and point of termination of the trip except a point or points at which the holder has been relieved of this requirement (a) by order of the Board, (b) as a result of a suspension under sections 401(j) and 419 of the Act, (c) because of adverse weather conditions or other conditions it could not reasonably foresee or control, or (d) because condition (5) below is applicable. (5) If the holder has scheduled two daily round trips at each intermediate point, it may omit that point on any additional trips scheduled over all or part of this route as long as it remains in compliance with all other conditions in this certificate: *Provided, however,* That, if the holder has scheduled one daily round trip to each of the following points, it may omit that point on any additional trips: Alpena, Mich., Charlotte, N.C., Dothan, Ala., and Manistee-Ludington, Mich." Answers may be filed by February 21, 1980.
Feb. 7, 1980	37624	Republic Airlines, Inc., Hartsfield-Atlanta Int'l Airport, Atlanta, Georgia 30320. Application of Republic Airlines, Inc. pursuant to Section 401 of the Act, Part 201, and Subpart Q of the Board's Economic Regulations requests amendment of its certificate of public convenience and necessity for Route 86 so as to authorize it to engage in nonstop air transportation of persons, property and mail on a subsidy-ineligible basis, between Detroit, Michigan, on the one hand, and Philadelphia, Pennsylvania, on the other, by removing Republic's one-stop restriction in the Detroit-Philadelphia markets. Answers may be filed by February 21, 1980.
Feb. 8, 1980	37637	USAir, Inc., Washington National Airport, Washington, D.C. 20001. Application of USAir, Inc. pursuant to Section 401 of the Act and Part 201 and Subpart Q of Part 302 of the Board's Economic Regulations requests amendment of its certificate of public convenience and necessity for Route 97 so as to authorize USAir to engage in scheduled nonstop air transportation of persons, property and mail: between Indianapolis, Indiana, on the one hand, and Minneapolis/St. Paul, Minnesota, and Phoenix, Arizona, on the other hand; and between Milwaukee, Wisconsin, and Phoenix, Arizona. USAir requests that its certificate for Route 97 be amended to include two new segments as follows: "Between the terminal point Indianapolis, Indiana, and the alternate terminal points Minneapolis/St. Paul, Minnesota, and Phoenix, Arizona." "Between the terminal point Milwaukee, Wisconsin, and the terminal point Phoenix, Arizona." Conforming Applications and Answers are due March 7, 1980.
Feb. 8, 1980	37638	Republic Airlines, Inc., Hartsfield-Atlanta Int'l Airport, Atlanta, Georgia 30320. Application of Republic Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests amendment of its certificate of public convenience and necessity for Route 86 so as to remove certain restrictions on its authority at Flint, Grand Rapids, Lansing, Muskegon and Saginaw/Bay City/Midland, Michigan. Answers may be filed by February 22, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-5159 Filed 2-15-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket No. 34271]

Davis Airlines, Inc., Fitness Investigation; Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge Elias C. Rodriguez. Future communications should be addressed to Judge Rodriguez.

Dated at Washington, D.C., February 12, 1980.

Joseph J. Saunders,

Chief Administrative Law Judge.

[FR Doc. 80-5157 Filed 2-15-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket No. 37009]

Trans World Airlines, Inc., Discount Fare Advertising Enforcement Proceeding; Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding, which was assigned to be held on February 21, 1980 (45 FR 4369, January 22, 1980) is hereby postponed until further notice.

Dated at Washington, D.C., February 12, 1980.

William H. Dapper,

Administrative Law Judge.

[FR Doc. 80-5158 Filed 2-15-80; 8:45 am]

BILLING CODE 6320-01-M

COMMISSION ON CIVIL RIGHTS

California Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the California Advisory Committee (SAC) of the Commission will convene at 7 p.m. and will end at 10 p.m., on March 7, 1980, at the Western Regional Office of the Commission, 312 North Spring Street, Los Angeles, California 90012.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Western Regional Office of the Commission, 312 North Spring Street, Room 1015, Los Angeles, California 90012.

The purpose of this meeting is to finalize plans for the Affirmative Action open meeting on March 21.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 12, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-5135 Filed 2-15-80; 8:45 am]

BILLING CODE 6335-01-M

Michigan Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Michigan Advisory Committee (SAC) of the Commission will convene at 4 p.m. and will end at 6 p.m., on March 6, 1980; and will convene at 9 a.m. and will end at 3 p.m., on March 7, 1980, at the University Inn, 1100 Trowbridge Road, East Lansing, Michigan 48823.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Midwestern Regional Office of the Commission, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to discuss educational equality; criminal justice problems; affirmative action; and loan equality.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 11, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-5133 Filed 2-15-80; 8:45 am]

BILLING CODE 6335-01-M

Minnesota Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Minnesota Advisory Committee (SAC) of the Commission will convene at 4:30 p.m. and will end at 8 p.m., on March 7, 1980, at Capp Towers, 77 East 9th Street, St. Paul, Minnesota 55119.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the Midwestern Regional Office of the Commission, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to discuss police community relations project; progress rechartering of committee; and plan for new project.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 12, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-5134 Filed 2-15-80; 8:45 am]

BILLING CODE 6335-01-M

New Hampshire Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the New Hampshire Advisory Committee (SAC) of the Commission will convene at 7:30 p.m. and will end at 9 p.m., on March 12, 1980, at the Federal Building, Third Floor Conference Room, 275 Chestnut Street, Manchester, New Hampshire.

Persons wishing to attend this open meeting should contact the Committee Chairperson, or the New England Regional Office of the Commission, 55 Summer Street, 8th Floor, Boston, Massachusetts 02110.

The purpose of this meeting is to discuss and approve final draft of the battered women report.

This meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 12, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-5136 Filed 2-15-80; 8:45 am]

BILLING CODE 6335-01-M

Pennsylvania Advisory Committee; Meeting Amendment

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Pennsylvania Advisory Committee (SAC) of the Commission originally scheduled for February 21, 1980, in Harrisburg, Pennsylvania, (FR Doc. 80-2941 on page 6817) has been changed.

The meeting now will be held on February 28, 1980. The place and time will remain the same.

Dated at Washington, D.C., February 12, 1980.

Thomas L. Neumann,

Advisory Committee Management Officer.

[FR Doc. 80-5132 Filed 2-15-80; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

Applications for Duty Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the **Federal Register.**

Regulations (15 CFR 301.9) issued under the cited Act prescribe the requirements for comments.

A copy of each application is on file, and may be examined between 8:30 a.m. and 5:00 p.m., Monday through Friday, in Room 735 at 666 11th Street N.W., Washington, D.C.

Docket No. 80–00058. Applicant: NASA-Ames Research Center, Mail Stop 241–1, Moffett Field, CA 94035. Article: Electron Microscope, Model H–500–3 and Accessories. Manufacturer: Hitachi Ltd., Japan. Intended use of article: The article is intended to be used for studies of microscopic and crystallographic propertis of aerospace materials. Application received by Commissioner of Customs: December 3, 1979.

Docket No. 80–00066. Applicant: University of Rochester, River Campus, Rochester, New York 14627. Article: NMR Spectrometer System, Model WH–400 with Accessories. Manufacturer: Bruker Instruments, Inc., Switzerland. Intended use of article: The article is intended to be used for investigations of a broad range of chemical and biological molecules. All of the compounds will be dissolved in appropriate solvents for study on the article. The experiments to be conducted will include the recording of routine spectra under the condition of the very large magnetic field available in this instrument. The measurement of ^{1}H, ^{2}H, ^{13}C, and ^{31}P spectra under conditions in which both homonuclear and heteronuclear decoupling will be utilized. The values of the chemical shifts, the coupling constants, and the relaxation time (T_1 and T_2) will be measured. The temperature dependence of these parameters for a variety of systems will also be investigated in order to obtain kinetic parameters. Primary research will include the following projects: Total Synthesis of Natural Products, Magnetic Resonance Studies of Drug-Nucleic Acid Complexes, and Synthetic Organic Chemistry. Application received by Commissioner of Customs: December 12, 1979.

Docket No. 80–00082. Applicant: Regents of the University of California, Electron Microscope Laboratory, Room 1581, L.S.B., Berkeley, California 94720. Article: Electron Microscope, Model JEM 100CX and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the identification of ultrastructural components of cells, their movements and physiology. Specific properties to be investigated will include the following:

1. Involvement of membrane lipids with membrane protein mobility in mammalian cell cultures,
2. The strucural and physiological bases of cell shape using the lysed cell,
3. The physiology of chromosome movement at anaphase using the lysed cell,
4. The mechanism of gastric HCl secretion, and
5. Identification of arboviruses in mosquito areas of California.

Application received by Commissioner of Customs: December 12, 1979.

Docket No. 80–00083. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Turbo Molecular Pump #120. Manufacturer: Cameca Instruments, France. Intended use of article: The article is an accessory to an existing ion microprobe being used to determine the trace element concentrations and isotopic ratios on small (1–10μ) sample areas of natural minerals and ores and synthetic laboratory minerals. Experiments will be conducted to obtain an understanding of the processes governing geochemical distribution of the elements in terrestrial and lunar materials. This article will give deeper and cleaner vacuum for the microprobe thus providing better data. Application received by Commissioner of Customs: December 12, 1979.

Docket No. 80–00084. Applicant: Wilmington Medical Center, 501 West 14th Street, Wilmington, DE 19801. Article: Electron Microscope, Model EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for precise anatomical diagnosis for continuation of advancement in cancer therapy. In addition, the article will provide a hydrogen, carbon-free vacuum system for contamination free specimen observation, and also provide a microdoes focusing system for minimum radiation damage of the specimen. Application received by Commissioner of Customs: December 12, 1979.

Docket No. 80–00085. Applicant: The Pennsylvania State University Biochemistry Department, 401 Althouse Lab, University Park, PA 16802. Article: COLORA Gel Electrophoresis Apparatus UltraPhor. Manufacturer: Colora Messtechnik GMBH, West Germany. Intended use of article: The article is intended to be used to separate blood (sera) from rats into its various protein components (about 50). After the various proteins in the serum preparations have been separated, the fractions will be tested for inhibitor activity. Studies will be conducted to determine the reason why differences exist between normal and tumor-bearing animals. Application received by Commissioner of Customs: December 18, 1979.

Docket No. 80–00086. Applicant: J. K. and Susie L. Wadley Research Institute and Blood Bank, d/b/a Wadley Institutes of Molecular Medicine, 900 Harry Hines Boulevard, Dallas, Texas 75235. Article: Electron Microscope, Model EM 109. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for investigations of tissue, blood, or bone marrow cells, bacteria, viruses and protein molecules. The research program involves the study of individual cells to establish individual characteristics of disease of malignancy. This involves the study of the ultrastructure of biological cells as they are manipulated or challenged with environmental modifiers and the study of malignant and normal cells prior to and after exposure to either routine or experimental therapeutic agents. The information derived will be useful in the training of oncology fellows so that they can be aware of some of the latest knowledge in the field of cancer. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00087. Applicant: University of Pennsylvania, 38th and Hamilton Walk, Philadelphia, PA 19104. Article: Electron Microscope, Model EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in a research project involving the study of the ultrastructure of individual cardiac muscle cells and the way in

which they are organized in the heart. Cardiac tissue from mammalian and amphibian hearts will be used. It will be isolated from anesthetized animals and then suspended in a chamber where its mechanical and contractile properties will be studied by electrically or chemically stimulating the tissue under different physical conditions and in different chemical environments. In addition, the article will be used for educational purposes in the courses Physiology 683: Cellular Control of Cardiac Contractility. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00088. Applicant: University of Washington, School of Pharmacy, Seattle, WA 98195. Article: High Resolution Mass Spectrometer Model MM 7070 and Accessories. Manufacturer: VG Micromass, VG–Organic Ltd., United Kingdom. Intended use of article: The article is intended to be used in conducting investigations on the following:

1. Estradiol and its Oxygenated Metabolites
2. GC–MS Analysis of Sulfur-Ether Conjugates of Amino Acids and Peptides with Drugs and Other Chemicals
3. Warfarin Stereoselective Drug Interactions in Man
4. Warfarin as a Probe of Microsomal Multiplicity
5. Pathways of Propranolol Metabolism
6. Pathways of Hydroxylation of Oxprenolol
7. Mass Spectral Stable Isotope Drug Assays
8. The Effect of Gut Flora on Metabolism

The article will also be used for educational purposes in a high quality predoctoral program, the objective of which is to develop scientist equipped with the necessary background in the basic biological and physical sciences, and trained in the application of modern tools and instrumental techniques, to undertake and direct research related to fundamental aspects of drug action and interaction. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00089. Applicant: U.S. Food and Drug Administration HFF–459, 200 C Street, Washington, D.C. 20204. Article: Mass Spectrometer, Model MM ZAB–2F and Accessories. Manufacturer: VG Micromass, United Kingdom. Intended use of article: The article is intended to be used to extend existing capabilities in the trace level analysis of toxic and/or carcinogenic substances that may be present in foods. They include halogenated compounds (phenols, vinyl chloride, vinylidene chloride, polyhalogenated dibenzofurans, dibenzodioxins, and biphenyls), nitrosamines, direct and indirect food additives, veterinary drug residues, mycotoxins, plant toxins, marine toxins, organophosphate pesticides, and aromatic amines. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00090. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 S. Cass Avenue, Argonne, Illinois 60439. Article: System Teknik High Precision Digital Temperature Meter. Manufacturer: Automatic Systems Laboratories, United Kingdom. Intended use of article: The article is intended to be used to provide accurate temperature compensation for a very minute plastic deformation measurement to obtain necessary engineering data on the plastic deformation of 20% cold-worked Type 316 stainless steel for designing safe reliable and economical liquid-metal-fast-breeder-reactors. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00091. Applicant: University of Arizona, Tucson, Arizona 85721. Article: Ultramicrotome, Model LKB 2128–010 and Accessories, IKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to section biological tissues for subsequent study in the electron microscope. Most of the studies will involve sectioning of skeletal muscle, cardiac muscle, smooth muscle tissues, but a few studies will involve certain cells such as blood platelets. A variety of experiments will be done. Some experiments will involve a careful and detailed description of the ultrastructure of the sample including membrane ultrastructure and association of the fibrous proteins with membranes. Other experiments will involve ultrastructural studies of samples after application of selective extraction procedures designed example, to remove one or more of the contractile proteins. Histochemical and immunohistochemical studies of enzyme activities of localization of specific proteins will be done. Cell fractions will be examined to determine the nature of the materials isolated by certain biochemical procedures and if possible to identify this material. Also, ultrastructural examination of cell fractions will be used to determine the effects of various treatment on these fractions. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00092. Applicant: University of Colorado, Purchasing Services Department, Willard Administrative Center #160, Boulder, Colorado 80309. Article: Cryokit, LKB 14800–3 complete. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used to prepare frozen biological materials (cells and tissues) for experiments concentrating on visualization of 3–D organization of organelles and intracellular systems in normal and transformed cells and tissues by use of a high-voltage electron microscope. These experiments are to be conducted to reveal high-resolution features and to identify possible preparation artifacts. The article will also be used in the courses: MCDB–312 Cell and Tissue Biology, MCDB–513 Advanced Topics in Electron Microscopy and MCDB–511 Introduction to Electron Microscopy for Biologists to increase expertise in various research areas handled by electron microscopy and specimen sectioning. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00095. Applicant: White Memorial Medical Center, Clinical Laboratory, 1720 Brooklyn Avenue, Los Angeles, CA 90033. Article: Electron Microscope, Model EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in the diagnosis of renal diseases and tumors. In addition, the article will be used in a teaching program including postgraduate training (residency training) undergraduate education, pathology teaching, Tumor Board conferences as well as a variety of conferences, (i.e. Death Review conferences and Grand Rounds). In all of these there is the potential to enhance training by the use of electron micrographs of the pathological changes in the diseases being discussed. Application received by Commissioner of Customs: December 19, 1979.

Docket No. 80–00096. Applicant: University of Southern California School of Medicine, Livingston Research Center, 1321 N. Mission Road, Los Angeles, CA 90033. Article: Stomacher Laboratory Blender. Manufacturer: Seward Ltd., United Kingdom. Intented use of article: The article is intended to be used to blend (homogenize) sanitary menstrual materials collected by women during menstruation in order to measure the amount of blood lost at menses. The study intends to determine how much menstrual blood loss is increased or decreased by various standard and experimental types of intrauterine

contraceptive devices (IUDs). Application received by Commissioner Customs: December 18, 1979.

Docket No. 80–00098. Applicant: Antelope Valley Hospital Medical Center, 1600 West Avenue J., Lancaster, California 93534. Article: Diagnostic Ultrasound Instrument. Manufacturer: Ausonics, Ltd., Australia. Intended use of article: The article is intended to be used for the study of the reflection characteristics of a variety of tissues within the body by computer analysis of the amplitude, scattering characteristics and frequency content of signals emanating from specific targets. In addition, the article will permit large image reconstruction of the heart at selected phases of the cardiac cycle to provide static images of structure position or in a motion format which will provide dynamic information concerning the movement of structures. The unique features of the article will permit rapid and accurate calculation of the volumes of organs as well as the display of structures in 3-dimension using a computerized facility. Resident physicians will have continuous exposure to the results obtained from the above research. Application received by Commissioner of Customs: December 18, 1979.

Docket No. 80–00099. Applicant: University of Massachusetts Medical School, 55 Lake Avenue, North, Worcester, Massachusetts 01605. Article: Electron Microscope, Model JEM 100CX and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to investigate the organization of the plasma membrane at central and peripheral synapses in the nervous system; the structural organization of muscle and nonmuscle contractile filaments; and structural-functional relationships in cellular membrane systems of various mammals. Female and male reproductive systems will be studied in material from humans, rhesus monkeys, and rodents; visual and auditory systems from a variety of vertebrate species; avian and mammalian skeletal muscles; bone cells; blood cells. The article will also be used by post-doctoral fellows and carefully selected graduate students whose research is being directed by investigators represented in the above description. Application received by Commissioner of Customs: December 21, 1979.

Docket No. 80–00097. Applicant: Medical University of South Carolina, 171 Ashley Avenue, Charleston, South Carolina. 29403. Article: LeVeen Thermotherapy Unit. Manufacturer: Industrial Development Group, University of North Wales, United Kingdom. Intended use of article: The article is intended to be used for the purposes of heating tumors (malignant) which are inoperable, and cannot be treated by any other method. Application received by Commissioner of Customs: December 13, 1979.

Docket No. 80–00100. Applicant: Carnegie Mellon University, Carnegie Mellon Institute of Research, P.O. Box 100, 5000 Forbes Avenue, Pittsburgh, PA 15213. Variable Linear Temperature Programmer. Manufacturer: Stanton Redcroft, United Kingdom. Intended use of article: The article is intended to be used for the investigation of alkyds, acrylics, vinyl, epoxies, urethanes, amino compounds, cellulosics, phenolics, polyesters and natural occurring control materials. The products of controlled degradation will be assayed by inhalation studies using mice as test subjects. Application received by Commissioner of Customs: December 26, 1979.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director Statutory Import Programs Staff.

[FR Doc. 80–5141 Filed 2–15–80; 8:45 am]

BILLING CODE 3510–25–M

Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

The following is a consolidated decision on applications for duty-free entry of electron microscopes pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR part 301). (See especially § 301.11(e).) A copy of the record pertaining to each of the applications in this consolidated decision is available for public review between 8:30 a.m. and 5:00 p.m. at 666–11th Street, N.W. (Room 735), Washington, D.C.

Docket No. 79–00429. Applicant: University of Iowa, Iowa City, Iowa 52242. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of the replication of yeast DNA molecules, and the binding of RNA polymerase to bacteriophage DNA and cell-to-cell interaction in the formation of embryonic tissues in both insects and vertebrates. The experiments to be conducted will include the following:

(1) Promoter function in bacteriophage λ.

(2) Eucaryotic chromosomal and mitochondrial DNA replication.

(3) Vertebrate limb chondrogenesis and neural fold defects.

(4) Control of insert reproduction and development.

In addition, the article will be used in a course entitled "Introduction to Electron Optical Research Techniques" to provide hands on training in electron microscopy for graduate students and professional staff who plan to use electron microscopy in their research. Application received by Commissioner of Customs: September 19, 1979.

Docket No. 79–00431. Applicant: Uniformed Services University of Health Sciences, School of Medicine, 4301 Jones Bridge Road, Bethesda, Md. 20014. Article: Two Electron Microscopes, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for high resolution studies of negatively stained preparations, analysis of intramembranous particles in freeze preparations, and high resolution studies of thin sections of biological materials embedded in plastic. The research projects will include the following:

(1) Analysis of interaction of glial cells around surface of cell body of injured neurons during postnatal development.

(2) Visualization of both single and double stranded DNA and RNA molecules.

(3) Visualization of nucleic acid-protein interactions in bacterial and animal virus systems.

(4) Direct genetic mapping of the Herpex simple virus genome using "R-loop" DNA-mRNA hybridization techniques.

(5) Quantitative and qualitative studies of cells of connective tissue origin in the brain ventricular system.

(6) Analysis of synaptic distribution in developing and mature CNS.

(7) Basal membrane biosynthesis in the lens.

The article will also be used extensively in graduate school courses which include an interdepartmental laboratory course on electron microscopic techniques, a course on ultrastructure of the central nervous system and elective tutorial courses in special projects in transmission electron microscopy. Article ordered: September 6, 1979.

Docket No. 79–00434. Applicant: University of Michigan, Neuroscience Laboratory Building, 1103 E. Huron, Ann Arbor, MI 48109. Article: Electron

Microscope, Model JEM–100S with Sheet Film Camera and Eucentric Side Entry Goniometer. Manufacturer: JEOL, Ltd., Japan. Intended use of article: The article is intended to be used to examine the central nervous system of experimental animals, mainly rats and to examine tissue culture specimens of mouse brain origins. Included in the research projects will be:

1. Investigations of the synaptic connections made by certain cells in the brain.

2. Demonstration of synaptic connections made by cells in tissue culture preparations, and

3. Studies of the morphology, including the presence of light junctions of brain capillary endothelial cells in tissue culture.

The general objectives of this work are (a) to study the presence or absence of synaptic connections between cells which have previously been identified by other techniques and (b) to determine if cells in other tissue culture preparations meet the morphologic criteria for being brain endothelial cells. The article will be used as an educational tool for graduate students of the neurosciences program. Article ordered: July 23, 1979.

Docket No. 79–00437. Applicant: Baltimore City Hospital, 4940 Eastern Avenue, Baltimore, Maryland 21224. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of renal biopsies at the ultrastructural level with two interrelated purposes in mind: (1) immediate clinical diagnosis of the renal disease responsible for the clinical symtomatology; (2) long term correlation of ultrastructural studies of a series of cases with light, immunofluorescence and clinical data to determine which ultrastructural criteria are best correlated with diagnosis and prognosis. Poorly differentiated tumors will be studied by electron microscopy for the presence of such subcellular organelles as neurosecretory granules, melanosomes, tonofibrils and tight junctions, etc. which allow accurate clinical diagnosis to be made. Studies will also be conducted on surgical specimens of tumors with the interest of identifying subcellular markers for prediction of response to therapy and selection of drugs for maximum therapeutic effect. Application received by Commissioner of Customs: September 19, 1979.

Docket No. 79–00440. Applicant: Tennessee Department of Agriculture, C.E. Kord Diagnostic Laboratory, Division of Animal Industries, Box 40627 Melrose Station, Nashville, TN 37204. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to examine virus infected cells and virus-laden fluids by negative stain and ultra-thin-sectioning to detect diseases that cannot be diagnosed by any other means and to confirm other diagnoses. Article ordered: April 7, 1979.

Docket No. 79–00442. Applicant: Beth Israel Hospital, 330 Brookline Avenue, Boston, MA 02215. Article: Electron Microscope, Model EM 400 and Accessories. Manufacturer: Philips Electronics Instruments, The Netherlands. Intended use of article: The article is intended to be used by faculty, postdoctoral fellows and technicians to study the ultrastructural features of human and experimental animal tissues in varied research projects including the following:

(1) Mechanisms of degranulation in basophils of human and guinea pig origin.

(2) Fine structure of synapses, of muscle and of epithelial cells in lamprey.

(3) Localization of an identification of basophils using ferritin labeled antibasophil serum.

(4) Scanning electron microscopy of guinea pig basophil degranulation.

(5) Guinea pig basophil eteraces; Studies using ultrastructural cytochemistry and autoradiography.

(6) Complement-induced degranulation of human basophils.

(7) Electron microscopy of Bullous Pemphigoid.

(8) Electron microscopy of Fabrey's disease.

(9) Ultrastructural analysis of the inflammatory response to melanoma.

(10) Ultrastructural analysis of acute leukemias using peroxidase cytochemistry.

Article ordered: December 27, 1979.

Docket No. 79–00452. Applicant: Lehigh University, Department of Metallurgy & Materials Engineering, Whitaker Laboratory No. 5, Bethlehem, Pennsylvania 18015. Article: Electron Microscope, Model EM–400 TLG and Accessories. Manufacturer: Philips Electronics Instruments NVD, The Netherlands. Intended use of article: The article is intended to be used to carry out the following materials research:

(1) Study of grain boundary segregation accompanying discontinuous precipitation reactions.

(2) Controlled variation of interpenetrating polymer network morphology and behavior.

(3) Fatigue crack propagation in crystalline and multicomponent polymers.

(4) Interface motion and stress state during solid state joining in ternary systems.

(5) The effect of long time stress relieving on the structures and properties of pressure vessel steel weld metals.

(6) Phase growth in the FeNi and FeNiC system—application to extraterrestrial materials.

(7) Shock and thermal history of metallic phases in lunar glassy materials.

(8) Study of Ni concentration distribution in FeNi meteorites.

(9) Methanol and methyl fuel catalysts.

(10) Catalysts and photocatalysis of symmetry controlled reactions.

(11) Model system studies of conduction mechanisms in thick film resistors.

(12) Study of solute segregation in hot pressed oxide ceramics.

(13) Grain boundary segregation in ceramic materials.

(14) Grain boundary segregation in solid state device substrates.

The article will also be used limitedly in the course Met. 423 Advanced TEM to provide hands on experience for postgraduate level students. Article ordered: June 1, 1979.

Docket No. 79–00455. Applicant: Duke University, Durham, North Carolina 27706. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of primary spermatocytes of the grassshopper and chromatin isolated from sea urchin cells. Investigations will be conducted to determine whether kinetochore microtubules arise by nucleation or by binding. The arrangement of kinetochore microtubules immediately after their appearance and during their earliest interactions with the rest of the spindle will also be investigated. Article ordered: October 5, 1979.

Docket No. 79–00463. Applicant: Texas A & M University-Texas Veterinary Medical Diag. Lab., P.O. Drawer 30–40, College Station, Texas 77840. Article: Electron Microscope, Model EM–109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for studies of ultrastructure of viruses and cellular changes caused by animal viruses. Experiments to be conducted which will involve obtaining specimens from

animals suspected of being affected with a viral disease, identifying viruses directly by negative staining and studying their pathogenesis at the cellular level in in vivo as well as in vitro experiments. The article will also be used to instruct residents, staff and graduate students in electron microscopy. Application received by Commissioner of Customs: October 18, 1979.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, was being manufactured in the United States at the time the articles were ordered.

Reasons: Each foreign article to which the foregoing applications relate is a conventional transmission electron microscope (CTEM). The description of the intended research and/or educational use of each article establishes the fact that a comparable CTEM is pertinent to the purposes for which each is intended to be used. We know of no CTEM which was being manufactured in the United States either at the time of order of each article described above or at the time of receipt of application by the U.S. Customs Service. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which was being manufactured in the United States either at the time of order or at the time of receipt of application by the U.S. Customs Service.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 80-5140 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-25-M

Environmental Protection Agency; Decision on Application for Duty Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. at 666—11th Street, N.W. (Room 735) Washington, D.C.

Docket No: 79-0037. Application: U.S. Environmental Protection Agency, Environmental Sciences Research Laboratory, Environmental Research Center, Research Triangle Park, N.C. 27711. Article: Aerosol Filter Photometer. Manufacturer: Fraunhofer-Gesellschaft Insti. for Aerobiology, West Germany. Intended use of article: The article is intended to be used for studies of airborne pollution particles. Short term (minutes) and long term (hours and days) integrated airborne particle mass concentrations are to be measured. The objectives of the experiments conducted are to evaluate the filter photometer as an aerosol mass monitor and to determine variations in airborne particle mass concentrations and their dependence on source operating and atmospheric conditions. Application received by Commissioner of Customs: August 9, 1979.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides continuous determination of particle mass coupled with the ability to detect minute differences in particles over a broad range of particle sizes. The National Bureau of Standards advises in its memorandum dated December 4, 1979 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 80-5137 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-25-M

Geophysical Institute; Decision on Application for Duty Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. at 666—11th Street, N.W. (Room 735) Washington, D.C.

Docket No. 79-00107. Applicant: Geophysical Institute, C. T. Elvey Building, University of Alska, Fairbanks, Alaska 99701. Article: Four (4) Recording Current Meters, Model 4 with 2105 Conductivity Sensor, Temperature Sensor, and Two (2) Aanderaa Tide Recorders with Pressure Transducer to 20m. Manufacturer: Aanderaa Instruments, Canada. Intended use of Article: The article is intended to be used for studies of the circulation under ice and in the cold waters of the Arctic Continental shelf off Alaska.

Comments: No comments have been received with respect to this application. Decision: Application denied.

Reason: An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the Unitd States at the time the foreign article was ordered (October 27, 1978). Discussion:

This application is substantially identical to application No. 77-00173. The application in the prior case was denied for reasons similar to those expressed herein. (See *Geophysical institute*, Docket No. 77-00173, 43 F.R. 3413, January 25, 1978.) In response to Question 8 the applicant alleges that the foreign article (the article) provides the following features, pertinent to its intended uses (within the meaning of Subsection 301.2(n) of the regulations) that are not available in any domestic instrument:

(1) Ability to operate instrument under arctic conditions;

(2) Ability to measure current speed and direction at the same place that the water quality parameters are measured (conductivity, temperature and depth);

(3) Ability to operate at temperatures below 0 degrees C;

(4) Small, compact size of instrument; and

(5) Longtime reliable operation under cold water conditions.

However, the National Oceanographic and Atmospheric Administration (NOAA) advises in its memorandum dated March 19, 1979 that the Model 9021 recording current meter (equipped with optional sensors), which was being manufactured by the U.S. firm Plessey Environmental Systems (Plessey) at the

time the foreign article was ordered and is currently manufactured by the Grundy Corporation, is of equivalent scientific value to the foreign article for such purposes as the article is intended to be used. The Department concurs for the reasons given below. A discussion of each feature alleged to be pertinent by the applicant follows.

Operation Under Arctic Conditions

The specifications of the foreign article provide little information on operation in an arctic environment. The timing accuracy of the article is given to 0° C (and no lower) and the article measures temperatures from −2.5° C. to 22° C. The specifications of the Plessey Model 9021 (the 9021) are more complete on arctic operation. The 9021's timing precision is given to −5° C, it measures temperature to −2° C, it has an operating temperature range of −5° C to 40° C and it has a storage temperature range of −30° C to 40° C. NOAA advises, and we concur, that the 9021 has specifications satisfying the applicant's requirement for arctic operation. Accordingly, the Department finds that the 9021 is scientifically equivalent to the foreign article with respect to operation under arctic conditions.

Measurement of Current Speed and Direction at the Same Place the Water Parameters Are Measured

The specifications for the 9021 (equipped with optional conductivity, pressure and temperature sensors) indicate that it provides on-site digital recording of current speed, current direction, conductivity, temperature and pressure. The values of these parameters that can be measured are very similar to those of the article. NOAA advises that the ability to measure the required parameters of combined current, conductivity, pressure and temperature is pertinent to the applicant's intended work, and that the 9021 fulfills the pertinent requirement. Based on the above information including NOAA's advice, the Department finds that the 9021 matches the foreign article with respect to on-site measurement of current speed, current direction, conductivity temperature and depth.

Operation at Temperatures Below 0°C

The applicant requires an instrument small enough to be deployed through a hole in the ice, possibly during conditions of severe arctic winter, and still operate. NOAA advises that this requirement is pertinent to the applicant's studies but that this requirement is fulfilled with the 9021. Further, as noted under "Operation Under Arctic Conditions" above, the 9021 has the ability to operate and record temperatures below 0°C. Based on NOAA's advice and the discussion above, we find that the Plessey Model 9021 matches the article with respect to operation at temperatures below 0°C.

Small, Compact Size

The article was ordered with a 100 pounds/square inch pressure sensor and is intended to be used in shallow water. The size/weight specifications for the shallow water version of the 9021 are similar to those of the foreign article. The 9021 has a weight in air of 51 pounds (lbs.), a housing diameter of 5.5", a guard frame width of 8", an instrument and fin height of 24", and an instrument and fin length of 51.8". The article has a weight in air of 56.1 lbs. for recorder and vane assembly, an overall length of 53.9", an overall height of 29.5" and a recording unit height of 20" with a diameter of 5". NOAA, after its review of the application (including, among other things, all of the applicant's intended purposes) advises that a size that permits easy deployment through a hole in the ice is pertinent to the applicant's intended program, but that the 9021 is comparable in size to the article and fulfills this requirement. Based on our comparison of the size of the domestic and foreign instruments, as well as NOAA's advice, the Department finds that the 9021 is scienficially equivalent to the foreign article with respect to the issue of size.

Long-Term Reliable Operation Under Cold Water Conditions

The applicant intends to recover and retrieve information from the foreign article after an initial deployment of at least one month and later, after ice has formed on the sea, deploy the article, through a hole in the ice, to be recovered after 8 months. NOAA advises that collection of the required data digitally on magnetic tape for 8 months, and easy deployment through the ice (possibly during conditions of severe arctic winter) are pertinent to the applicant's intended purposes. As noted above under "Operation under Arctic Conditions" and "Operation at Temperatures Below 0°C", the 9021 is scientifically equivalent to the article with respect to operating in the cold. And, like the article, the 9021 can collect data for the required periods of time. The 9021's 70,000 word tape storage capacity permits sampling of the required data for over two months at 10-minute intervals, or sampling for over one year at longer intervals as does the article's 60,000 word tape storage capacity.

The reliability of an instrument is generally not considered a pertinent specification within the meaning of Subsection 301.2(n) of the regulations, because this factor is normally associated with the level of maintenance which must be provided by the user, and is thus usually either a matter of its cost of ownership or a matter of convenience. In some instances, however, the need for maintenance of an instrument at particular times could render it unsuitable for the work to be performed. In the present case, the instrument is to be left for several months in a remote arctic location where the servicing of an unreliable instrument would be impracticable. Accordingly, we find that reliability in this instance is a pertinent specification, since it relates not merely to the cost of ownership of the instrument, but in large measure to its basic effectiveness for the intended use.

Although we find reliability to be pertinent in the present case, we cannot find on the basis of the record that the domestic instrument is in fact less reliable than the foreign instrument. Without strong and substantive evidence in the record that the two instruments were substantially different in terms of reliability, we believe that a finding of non-equivalency for purposes of duty-free entry would not be justified. Moreover, with respect to the reliability of the domestic instrument (9021), NOAA advised the Department in a telephone conversation on October 22, 1979, that it knew of no problem with the domestic instrument in cold water, having tested it for long-term operation in cold baths.

In general, information which can lead to a direct quantitative comparison of the reliability (i.e., ability to conform to specifications without excessive breakdown) of two instruments (as required by §§ 301.4 and 301.11) is almost never available. Customarily, a manufacturer's "guaranteed specifications" (See §§ 301.11(a)) do not include reliability, although the guarantee of an instrument presupposes a determination of reliability to a particular instrument can, and frequently does, improve with time (for example, as the manufacturer makes minor modifications dictated by experience). Also, while reputations with respect to reliability which are derived from word-of-mouth allegations or even personal experience may enter into a person's decision to buy a particular instrument, such yardsticks could not serve as a sufficiently objective basis for the granting of duty-free entry. Thus, based on NOAA

advice, our own review of the application as well as published factual information and recognized scientific and technical theories (specifications, textbooks etc.), to the extent mentioned herein, we find that the Model 9021 recording current meter was of equivalent scientific value to the foreign article, for such purposes as the article is intended to be used, at the time the foreign article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 80-5139 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-25-M

University of California—Livermore Laboratory; Decision on Application for Duty-Free Entry of Scientific Article: Correction

In the Decision on Application for Duty-Free Entry of Scientific Article appearing at page 6817 in the Federal Register of Wednesday, January 30, 1980 (Docket Number 79-00366), the intended use of the article should read as follows:

Intended use of article: The article is intended to be used for performing research into the mechanisms of aging and cancer. Cancer experiments conducted involve the detection of changes that occur in cells and animals that have been exposed to cancer-promoting agents and certain enzyme inhibitors used to study the mechanisms whereby cancers arise. Ultrastructural changes or other markers of early cancer will be sought. Aging experiments will involve the characterization of morphological changes that occur as animals age in order to test the hypothesis that aging results from failure of cells to proliferate.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 80-5138 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-25-M

Maritime Administration

Proposal To Grant Written Consent Under Section 506 to Owners of Vessels Under Charter to the Military Sealift Command

Notice is hereby given that the Maritime Administration proposes to grant written consent on a one-time basis under section 506 of the Merchant Marine Act, 1946, as amended (the Act) to owners of vessels which are or may be chartered to the Military Sealift Command (MSC) so as to permit MSC to operate any such vessel for which construction-differential subsidy (CDS) has been paid in the domestic trade for periods not exceeding six months in any one year. The Maritime Administration has determined that such blanket authorization is necessary and appropriate to carry out the purposes of the Act. As required under section 506, such consent shall be conditional upon the agreement by the owner to pay to the Maritime Administration, upon such terms and conditions as it may prescribe, an amount which bears the same proportion to the construction-differential subsidy paid by the Maritime Administration as such temporary period in the domestic trade bears to the economic life of the vessel.

Any person, firm or corporation having an interest in the foregoing who desires to offer views and comments thereon for consideration by the Assistant Secretary of Commerce for Maritime Affairs, should submit such views and comments in writing, in triplicate, to the Secretary, Maritime Administration, Room 3099-B, Department of Commerce Building, 14th & E Streets, NW., Washington, DC 20230, by the close of business on February 25, 1980. The Assistant Secretary of Commerce for Maritime Affairs will consider such views and comments and take such action with respect thereto as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.500 Construction-Differential Subsidy (CDS))

By Order of the Assistant Secretary of Commerce for Maritime Affairs.

Dated: February 13, 1980.

Robert J. Patton, Jr.,

Secretary.

[FR Doc. 80-5179 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-15-M

Minority Business Development Agency

Finanical Assistance Application Announcement

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprise, announces that it is seeking applications under its program to operate one project for a twelve month and 15 day period beginning April 15, 1980 in the State of Alabama with two offices, one located in Tuskegee and the other in Montgomery, Alabama. The cost of the project is estimated to be $155,000 and the Project Number is 04-10-30332-00.

Funding Instrument

It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to meet the specifications for a Business Development Organization providing services to promote the establishment, viability and growth of minority businesses.

Eligibility Requirements

There are no restrictions. Any for profit firm or not-for-profit institution is eligibile to submit an application.

Application Materials

An application kit for each of the projects may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Atlanta Regional Office, 1371 Peachtree Street, N.E., Suite 505, Atlanta, Georgia 30309.

In requesting an application kit, the application must specify its profit status (i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process

All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Award Office to be in the best interest of the Government.

Closing Date

Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficent time to prepare and submit an application before the closing date of March 14, 1980. Detailed submission procedures are outlined in each application kit.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: Feburary 12, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5026 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprise, announces that it is seeking applications under its program to operate one project for a 12 month period beginning April 1, 1980 in the South Bronx area of New York, New York. The cost of the project is estimated to be $125,000 and the Project Number is 02-10-70007-00.

Funding Instrument

It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to provide the general business services, as well as, management and technical assistance to minority firms.

Eligibility Requirements

There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an applicantion.

Application Materials

An application kit for each of the projects may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, New York Regional Office, 26 Federal Plaza, Rm. 1307, New York, New York 10007.

In requesting an application kit, the applicant must specify its profit status (i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process

All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards office to be in the best interest of the Government.

Closing Date

Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of March 7, 1980. Detailed submission procedures are outlined in each application kit.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: February 12, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5027 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprises, announces one project for a 12 month period bginning April 1, 1980 in the Chicago Standard Metropolitan Statistical Area (SMSA) which includes DuPage, Kane, Lake, McHenry and Will. In addition *on an as needed basis,* will serve all of the remaining counties in the State of Illinois, except Madison, St. Clair and Monroe (St. Louis SMSA). The cost of the project is estimated to be $310,000 and the Project Number is 05-10-00107-00.

Funding Instrument

It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to provide management and technical assistance to minority contractors to enable them to acquire bonding, financing, and other resources needed to compete effectively.

Eligibility Requirements

There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an application.

Application Materials

An application kit for each of the projects may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Chicago Regional Office, 55 East Monroe St., Suite 1440, Chicago, Illinois 60603.

In requesting an application kit, the applicant must specify its profit status (i.e., a State or local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process

All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards Office to be in the best interest of the Government.

Closing Date

Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of March 7, 1980. Detailed submission procedures are outlined in each application kit.

11.800 Minority Business Development Agency (Catalog of Federal Domestic Assistance)

Dated: February 12, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80-5028 Filed 2-15-80; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement

The Minority Business Development Agency (MBDA), formerly the Office of Minority Business Enterprise, announces that it is seeking applications under its program to operate one project for a twelve month period beginning May 1, 1980 in the Standard Metropolitan Statistical Area of Richmond, Virginia. The cost of the project is estimated to be $275,000 and the Project Number is 03–10–55130–00.

Funding Instrument

It is anticipated that the funding instrument, as defined by the Federal Grant and Cooperative Agreement Act of 1977, will be a grant.

Program Description

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to minority business enterprises. This proposed project is specifically designed to provide the services of a Business Development Center to minority businesspersons and firms seeking business information, counseling, financial packaging assistance and assistance in identifying and exploiting business opportunities.

Eligibility Requirements

There are no restrictions. Any for-profit firm or not-for-profit institution is eligible to submit an application.

Application Materials

An application kit for each of the projects may be requested by writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Washington Regional Office, 1730 "K" Street, N.W., Suite 420, Washington, D.C. 20006.

In requesting an application kit, the applicant must specify its profit status (i.e., a State or Local Government, Federally recognized Indian Tribunal Unit, Educational Institution, Hospital, other type of non-profit organization, or if the applicant is a for-profit firm). This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process

All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. The applications will be ranked as to their understanding of minority business problems, approach and program methodology, responsiveness to questions, organizational structure, quality of personnel, experience, capacity, and cost. Specific criteria will be included in the application kit.

If an application is approved, an initial award will be made for a period specified for that award. Continuation awards may be made on a noncompetitive basis when determined by the Awards Office to be in the best interest of the Government.

Closing Date

Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of April 1, 1980. Detailed submission procedures are outlined in each application kit.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: February 12, 1980.

Allan A. Stephenson,

Deputy Director.

[FR Doc. 80–5029 Filed 2–15–80; 8:45 am]

BILLING CODE 3510–21–M

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board; Open Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee (P.L. 92–463), announcement is made of the following Committee meeting:

Name of the committee: Army Science Board.
Dates of meeting: March 25 and 26, 1980.
Place: The Pentagon, Washington, D.C.
Time: 0830 to 1630 hours, March 25 and 26, 1980 (open).
Proposed agenda: The Army Science Board Ad Hoc Sub-Group on Blast Overpressure will receive briefings to acquire scientific and technical information relevant to human biophysical and physiological response to blast overpressure.

Persons desiring to attend the meetings should contact the Army Science Board, (202) 697–9703, for specific room locations.

Helen Pipon,

Staff Assistant.

[FR Doc. 80–5012 Filed 2–15–80; 8:45 am]

BILLING CODE 3710–08–M

Department of Army Performance Review Boards

ACTION: Notice.

SUMMARY: Notice is hereby given of the names of the members of three of the six Performance Review Boards for Department of the Army.

EFFECTIVE DATE: February 20, 1980.

FOR FURTHER INFORMATION CONTACT: Carol D. Smith, CSRA Special Projects Office, Directorate of Civilian Personnel, Headquarters, Department of Army, the Pentagon, Washington, DC 20310 (202–694–4383).

SUPPLEMENTARY INFORMATION: Section 4314 (c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more performance review boards. The boards shall review and evaluate the initial appraisal of senior executive's performance by the supervisor and make recommendations to the appointing authority relative to the performance of the senior executives. Each board's review and evaluation will include only those senior executive's appraisals from their respective commands or activities. A consolidated board will be established for those commands who do not have enough senior executives to warrant the establishment of separate boards. The names of the members of the Performance Review Boards for the Office, Chief of Staff; Office of the Surgeon General; and the Consolidated Commands will be published at a later date.

The Members of the Performance Review Board for the Office, Secretary of the Army (OSA) are:

1. Mr. Leon Kniaz, Deputy for Civilian Personnel Policy, Office of Assistant Secretary of the Army (Manpower and Reserve Affairs)—chairman.
2. Mr. Joshph H. Yang, Principal Deputy, Office of the Assistant Secretary of the Army (Research, Development and Acquisition).
3. Mr. David C. Hardison, Deputy Under Secretary of the Army for Operations Research, Office of the Under Secretary of the Army.
4. Mr. Edward L. Rogers, Principal Deputy, Office of the Assistant Secretary of the Army (Civil Works).
5. Mr. John F. Wallace, Deputy for Management Systems, Office of the Assistant Secretary of the Army (Installations, Logistics and Financial Management).
6. Mr. Isaac C. Hunt, Jr., Principal Deputy General Counsel, Office of General Counsel.
7. Mr. Roswell M. Yingling, Acting Administrative Assistant, Office of the Secretary of the Army.

The Members of the Performance Review Board for the Office of the Chief of Engineers (OCE) are:

1. Major General James A. Johnson, Deputy Chief of Engineers.
2. Major General William E. Read, Assistant Chief of Engineers.
3. Major General E. R. Heiberg, Director of Civil Works, Chief of Engineers.
4. Brigadier General James N. Ellis, Division Engineer, Middle East Division.

5. Brigadier General Henry J. Hatch, Division Engineer, Pacific Ocean Division.
6. Ms. Betty J. Farwell, Director of Real Estate, Office, Chief of Engineers.
7. Dr. L. R. Shaffer, Technical Director, Construction Engineering Research Lab.
8. Mr. Lee Garrett, Chief, Engineer Division, Director of Military Programs, office, Chief of Engineers.
9. Mr. Zane Goodwin, Chief, Engineer Division, North Central Division.
10. Mr. Herbert Howard, Chief, Enginer Division, North Atlantic Division.
11. Mr. Rodney Resta, Chief, Engineer Division, Lower Mississippi Valley Division.
12. Mr. William N. McCormick, Chief, Engineer Division, South Atlantic Division.
13. Dr. James Choromokos, Chief, Research and Development, Office, Chief of Engineers.
14. Mr. George Brazier, Chief, Construction-Operations Division, Director of Civil Works, Office, Chief of Engineers.
15. Mr. Delbert E. Olson, Chief Planning Division, North Pacific Division.

The Members of the Performance Review Board for U.S. Army Materiel Development and Readiness Command (DARCOM) are:

1. Major General Robert L. Moore, Chief of Staff, HQ DARCOM—Chairman.
2. Major General Jere W. Sharp, Director, Procurement and Production, HQ DARCOM.
3. Major General Patrick M. Roddy, Director, Materiel Management, HQ DARCOM.
4. Major General Elton J. Delaune, Jr., Comptroller, HQ DARCOM.
5. Major General Stan R. Sheridan, Director, Development and Engineering, HQ DARCOM
6. Mr. Francis X. McKenna, Command Counsel, HQ DARCOM.
7. Mr. William S. Charin, Deputy Director, Personnel, Training and Force Development, HQ DARCOM.
8. Mr. Seymour J. Lorber, Director, Quality Assurance, HQ DARCOM.
9. Dr. Robert E. Weigle, Technical Director, Armament Research and Development Command.
10. Mr. Richard B. Lewis, Technical Director, Aviation Research and Development Command.
11. Dr. Robert S. Wiseman, Assistant to Deputy Commanding General for Science and Technology, HQ DARCOM.
12. Dr. Hermann R. Robl, Technical Director, Army Research Office.
13. Mr. Barton J. Toohey, Comptroller, Tank-Automotive Readiness Command.
14. Mr. Thomas J. Keenan, Director, procurement and Production, Troop Support Readiness Command.
15. Lieutenant General Woodrow W. Vaughan, U.S. Army (Retired)
16. Mr. Norm Klein, Assistant to Deputy Commanding General for Science and Technology (Retired), HQ DARCOM

Dated: February 12, 1980.

William S. Fraim,

Chief, Civil Service Reform Act, Special Project Office.

[FR Doc. 80- 5010 Filed 2-15-80; 8:45 am]

BILLING CODE 3710-08-M

Intent To Grant Limited Exclusive Patent License; Delta Manufacturing and Sales, Inc.

Pursuant to provisions of Army Regulation 27–60, the Department of the Army announces its intention to grant to Delta Manufacturing and Sales, Inc., a corporatation of the State of Texas, a limited exclusive license, for a term of five yeras, under the United States Patent Number 3,757,806, issued September 11, 1973, entitled "Pulsating Hydrojet Lavage Device," invented by S. N. Bhaskar, et al.

This license will be granted unless an application for a nonexclusive license, submitted by a responsible applicant, is received by the Chief, Intellectual Property Division, Office of the Judge Advocate General, Department of the Army, Washington, D.C. 20310, within 60 days of this notice, and it is determined, in accordance with procedures set forth in Army Regulation 27–60, that the applicant for such license has established that he has already brought or is likely to bring the invention to the point of practical application within a reasonable period if granted a nonexclusive license or it is determined that a third party has presented written evidence and argument which has established that it would not be in the public interest to grant the limited exclusive license.

For futher information concerning this notice, contact: Lieutenant Colonel H. M. Hougen, HQDA (DAJA–IP), Washington, D.C. 20310, telephone number (202) 695–9356.

William G. Gapcynski,

Chief, Intellectual Propoerty Division, Office of The Judge Advocate General Department of the Army.

February 12, 1980.

[FR Doc. 80–5011 Filed 2–15–80; 8:45 am]

BILLING CODE 3710-08-M

Marine Corps

Privacy Act of 1974; Amendment to System of Records

AGENCY: U.S. Marine Corps.

ACTION: Notice of amendment to a system of records.

SUMMARY: The U.S. Marine Corps proposes to amend an existing record system. The specific changes to the system being amended are set forth below followed by the system published in its entirety, as amended. The proposed changes are published for public notice and comment.

DATE: The system shall be amended as proposed without further notice on March 20, 1980, unless comments are received on or before March 20, 1980, which would result in a contrary determination and require republication for further comments.

ADDRESS: Send comments to the system manager identified in the record system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. B. L. Thompson, Privacy Act Coordinator, Headquarters, U.S. Marine Corps, Washington, DC 20380, telephone 202–694–3027.

SUPPLEMENTARY INFORMATION: The Marine Corps' record system notices as prescribed by the Privacy Act of 1974, Pub. L. 93–579 (5 U.S.C. 552a) have been published in the **Federal Register** as follows:

FR Doc. 79–36964 (44 FR 68946) November 30, 1979.

FR Doc. 79–37052 (44 FR 74495) December 17, 1979.

This proposed amendment is not within the purview of the provisions of 5 U.S.C. 552a(o) of the Privacy Act of 1974 which requires the submission of a new or altered system report.

February 13, 1980.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

MMN00044

SYSTEM NAME:

Equal Opportunity Information Support System (44 FR 68946) November 30, 1979.

Changes:

Systems exempted from certain provisions of the Act:

Delete entire entry and substitute "None."

MMN00044

SYSTEM NAME:

Equal Opportunity Information and Support System.

SYSTEM LOCATION:

Commandant of the Marine Corps (Code MPH), Headquarters, U.S. Marine Corps, Washington, D.C. 20380 and all Marine Corps activities. See organizational elements of the U.S. Marine Corps as listed in the Directory of the Department of the Navy Activities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Marine Corps military personnel who submit complaints of discrimination and Marine Corps military personnel who are under formal or informal investigation as a result of complaints of discrimination.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence and records compiled pursuant to the processing of a complaint concerning discrimination, incident data, endorsements and recommendations, formal and informal investigations concerning aspects of equal opportunity.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e–16 (b) and (c).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Officials and employees of the U.S. Marine Corps in the performance of their official duties related to equal opportunity matters.

The Attorney General of the United States or his authorized representatives in connection with litigation, law enforcement, or other matters under the direct jurisdiction of the Department of Justice or carried out as the legal representative of the Executive Branch agencies.

Officials and employees of other components of the Department of Defense in the performance of their official duties related to equal opportunity matters.

Officials and employees of other Departments and Agencies of the Executive Branch of government, upon request, in the performance of their official duties related to equal opportunity matters.

The Senate or the House of Representatives of the United States or any committee or subcommittee thereof, any joint committee of Congress or any subcommittee or joint committees on matters within their jurisdiction requiring disclosure of the files or records of Marine Corps military personnel. When required by Federal Statute, by Executive Order, or by treaty, personnel record information will be disclosed to the individual organization, or governmental agency as necessary.

POLICIES AND PROCEDURES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper files and file folders.

RETRIEVABILITY:

Files are retrieved alphabetically by name of the complainant or by the name of the individual who is the subject of the complaint.

SAFEGUARDS:

Files are stored in filing cabinets. After normal working hours, rooms are locked. Building is located in controlled access area with security guards on 24 hour duty. Access to files is limited to officials and employees of Headquarters, U.S. Marine Corps acting in their official capacity on a need-to-know basis. Files held by field activities are maintained in areas accessible only to authorized personnel that are properly trained.

RETENTION AND DISPOSAL:

Records disposed of two years after administrative closing of the case.

SYSTEM MANAGER(S) AND ADDRESS:

Commandant of the Marine Corps (Code MPH), Attn: Equal Opportunity Officer, Headquarters, U.S. Marine Corps, Washington, D.C. 20380, telephone 202–694–2895.

NOTIFICATION PROCEDURE:

Correspondence pertaining to files maintained should be addressed to: Commandant of the Marine Corps (Code MPH), Headquarters, U.S. Marine Corps, Washington, D.C. 20380.

Written request for information should contain the individual's name, social security number and signature.

Personal visits may be made to Headquarters, U.S. Marine Corps (Code MPH), Columbia Pike and Arlington Ridge Road, Arlington, Virginia 20380. Individuals should be able to provide personal identification to include valid military identification or two valid civilian items of identification such as driver's license, passport, credit cards, etc.

RECORD ACCESS PROCEDURES:

Requests should be addressed to the System Manager.

CONTESTING RECORD PROCEDURES:

The agency's rules for contesting contents and appealing initial determination by the individual are contained in SECNAVINST 5211.5A and 32 CFR section 701.1 et. seq. Additional information may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Individual concerned, other systems, investigations, witnesses and correspondents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 80–5182 Filed 2–15–80; 8:45 am]

BILLING CODE 3810–71–M

Office of the Secretary

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L. 92–463, as amended by Section 5 of Pub. L. 94–409, notice is hereby given that closed meetings of the DIA Advisory Committee will be held on: Thursday & Friday, 10–11 April 1980, Sandia Laboratories, Albuquerque, New Mexico.

The entire meetings commencing at 0900 hours are debated to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. The Committee will receive briefings on and discuss several current critical intelligence issues and advise the Director, DIA on related scientific and technical intelligence matters.

February 13, 1980.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

[FR Doc. 80–5155 Filed 2–15–80; 8:45 am]

BILLING CODE 3810–70–M

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of Subsection (d) of Section 10 of Pub. L. 92–463, as amended by Section 5 of Pub. L. 94–409, notice is hereby given that a closed meeting of a Panel of the DIA Advisory Committee will be held as follows: Monday & Tuesday, 17–18 March 1980, Pomponio Plaza, Rosslyn, Virginia.

The entire meeting, commencing at 0900 hours each day is devoted to the discussion of classified information as defined in Section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a study on special signals.

February 13, 1980.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

[FR Doc. 80–5156 Filed 2–15–80; 8:45 am]

BILLING CODE 3810–70–M

Defense Science Board Task Force on MX; Meeting

The Defense Science Board Task Force on MX will meet in closed session of 6–7 March 1980 in San Bernardino, California.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Research and Engineering on scientific and technical matters as they affect the perceived needs to the Department of Defense.

A meeting of the Task Force on MX has been scheduled for 6–7 March 1980 to critically review current designs, operational modes, alternatives, and cost estimates.

In accordance with 5 U.S.C. App. I 10(d) (1976), it has been determined that this Defense Science Board Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1)(1976), and that accordingly, this meeting will be closed to the public.

February 13, 1980.

H. E. Lofdahl,

Deputy Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

[FR Doc. 80-5154 Filed 2-15-80; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[Case No. 720H00552]

Amtel, Inc.; Final Action on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces final action to accept a Consent Order after consideration of comments received from the public.

DATES: Effective date: February 7, 1980.

FOR FURTHER INFORMATION CONTACT: Jeannine C. Fox, Chief, Refined Products Programs Management Branch, 324 East 11th Street, Kansas City, Missouri 64106. (phone) 816–374–5932.

SUPPLEMENTARY INFORMATION: On May 21, 1979 the Office of Enforcement of the ERA published Notice of a Consent Order which had been executed between Amtel, Inc., (Amtel) and DOE (44 FR 247, December 21, 1979). With that Notice, and in accordance with 10 CFR 205.199J(c), the Office of Enforcement invited interested persons to comment on the Consent Order. A press release was issued simultaneously, in conformity with 10 CFR 205.199J(c). Under the terms of 10 CFR 205.199J(b), no Consent Order involving sums in excess of $500,000 shall become effective until the DOE publishes Notice of its execution and solicits and considers public comments with respect to its terms. Pursuant to 10 CFR 205.199J, the Office of Enforcement of the ERA hereby gives Notice of final action taken on the Consent Order.

Determinations

In response to its publication of Notice of the proposed Consent Order, the Office of Enforcement of the ERA received notice from several potential claimants to the funds to be paid by Amtel pursuant to the Consent Order. Alternatively, the Office of Enforcement did not receive any comments objecting to execution of the Consent Order as proposed nor seeking modification of the proposed terms. Therefore, after due consideration, the Office of Enforcement has concluded that the Consent Order as proposed and as executed by and between the DOE and Amtel, Inc., is an appropriate resolution of the compliance proceedings described in the Notice published on December 21, 1979 and hereby gives Notice that the Consent Order is made effective by written notice to Amtel on this date.

Issued in Washington, D.C. on this 7th day of February, 1980.

William D. Miller,

District Manager, Central Enforcement District.

Concurrence:

David H. Jackson,

Regional Counsel.

[FR Doc. 80-5162 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[ERA Docket No. 79-CERT-115]

Salt River Project Agricultural Improvement and Power District; Application for Certification of the Use of Natural Gas To Displace Fuel Oil

Take notice that on December 3, 1979, as amended on December 21, 1979, Salt River Project Agricultural Improvement and Power District (Salt River Project), Box 1980, Phoenix, Arizona 85001, filed an application for certification of an eligible use of natural gas to displace fuel oil at its Agua Fria Steam Plant in Glendale, Arizona, and its Kyrene Steam Plant in Tempe, Arizona, pursuant to 10 CFR Part 595 (44 FR 47920, August 16, 1979). More detailed information is contained in the application on file with the Economic Regulatory Administration (ERA) and available for public inspection at the ERA, Docket Room 4126–A, 2000 M Street, N.W., Washington, D.C., 20461, from 8:30 a.m.–4:30 p.m. Monday through Friday, except Federal holidays.

In its application, Salt River Project states that the volume of natural gas for which it requests certification is approximately 19,000,000 Mcf. This volume is estimated to displace the use of approximately 2,844,000 barrels of residual fuel oil (0.9 percent sulfur) and approximately 254,000 barrels of distillate fuel oil (0.5 percent sulphur) per year.

The eligible sellers are the Consumers Power Company (212 West Michigan Avenue, Jackson, Michigan 49201) and the Delhi Gas Pipeline Corporation, (Fidelity Union Tower, Dallas, Texas 75201). The gas would be transported by the Panhandle Eastern Pipe Line Company (P.O. Box 1642, Houston, Texas 77001), the Trunkline Pipe Line Company (P.O. Box 1642, Houston, Texas), the Northern Natural Gas Company (223 Dodge Street, Omaha, Nebraska 68102), and the El Paso Natural Gas Company (P.O. Box 1492, El Paso, Texas 79948).

In order to provide the public with as much opportunity to participate in this proceeding as is practicable under the circumstances, we are inviting any person wishing to comment concerning this application to submit comments in writing to the Economic Regulatory Administration, Room 4126–A, 2000 M Street, N.W., Washington, D.C. 20461, Attention: Mr. Finn K. Neilsen, on or before February 29, 1980.

An opportunity to make an oral presentation of data, views, and arguments either against or in support of this application may be requested by any interested person in writing within the ten (10) day comment period. The request should state the person's interest, and, if appropriate, why the person is a proper representative of a group or class of persons that has such an interest. The request should include a summary of the proposed oral presentation and a statement as to why an oral presentation is necessary. If ERA determines that an oral presentation is necessary, further notice will be given to Salt River Project and any persons filing comments and will be published in the **Federal Register.**

Issued in Washington, D.C., on February 12, 1980.

Doris J. Dewton,

Assistant Administrator, Office of Petroleum Operations, Economic Regulatory Administration.

[FR Doc. 80-5161 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. RE80-24]

Cincinnati Gas & Electric Co., and the Union Light, Heat & Power Co.; Application for Exemption

January 29, 1980.

Take notice that The Cincinnati Gas & Electric Company and The Union Light, Heat and Power Company (Applicants), on November 1, 1979, filed an application for exemption from certain requirements of Part 290 of the Commission's regulations (Order 48, 44 FR 58687). Exemption is sought from the requirement that the Applicants separately file, on or before November 1, 1980, information on the costs of providing electric service as specified in Sections 290.402 and 290.403 of Part 290 of the Commission's regulations issued pursuant to Section 133 of PURPA.

In their application for exemption, Applicants state that they should be permitted to file the required data in a combined report covering both utilities, rather than separately, for the following reasons:

Applicants are contiguous electric utility companies operating in Southwestern Ohio and Northern Kentucky. The Union Light, Heat and Power Company purchases all of its electric energy at wholesale from The Cincinnati Gas & Electric Company under the jurisdiction of the FERC.

Applicants are situated in a compact geographical area with identical weather characteristics and similar customer mix.

Copies of the application for exemption are on file with the Commission and are available for public inspection. The Commission's regulations require that said utility also apply to any State regulatory authority having jurisdiction over it to have the application published in any official State publication in which electric rate change applications are usually noticed, and that a summary of the application be published in newspapers of general circulation in the affected jurisdiction.

Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 10, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5055 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. SA80-71]

Energy Reserves Group, Inc.; Application for Adjustment

January 29, 1980.

On October 26, 1979, Energy Reserves Group, Inc. (applicant) filed with the Federal Energy Regulatory Commission an application for price adjustment under Section 105 of the Natural Gas Policy Act of 1978 wherein applicant seeks an increase in price from $1.05 to $1.80 per Mcf in an intrastate contract entered into prior to November 8, 1978 with Amoco Gas Company. Applicant requests a price increase in consideration of recompleting the Louis Arnold No. 1 Well, East Hammon Field, Matagorda County, Texas.

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure, Order No. 24 issued March 22, 1979.

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of § 1.41. All petitions to intervene must be filed on or before March 15, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5058 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ER80-201]

Indiana & Michigan Electric Co.; Notice of Filing

January 29, 1980.

The filing Company submits the following:

Take notice that American Electric Power Service Corporation (AEP) on January 24, 1980 tendered for filing on behalf of its affiliate Indiana & Michigan Electric Company (I&M) Modification No. 3 dated November 1, 1979 to the Agreement dated January 2, 1977 between Indiana & Michigan Electric Company and City of Richmond, Indiana (RP&L) designated I&M's Rate Schedule FERC No. 70.

Sections 1 and 2 of Modification No. 3 provides for an increase in the demand charge for Short Term Power from 70¢ to 85¢ per kilowatt per week and also in the transmission charge for third party Short Term transactions from 17.5¢ to 24¢ per kilowatt per week. The above schedule is proposed to become effective March 17, 1980.

Applicant states that since the use of Short Term Power Service cannot be accurately estimated, it is impossible to estimate the increase in revenues resulting from the Modification. Applicant's Exhibit I which was included with the filing of this Modification, demonstrates that the increase in revenues, which would have resulted had the modification been in effect during the twelve-month (i.e., from $37,507.20 to $39,757.20).

Copies of the filing were served upon the City of Richmond, Indiana, the Public Service Commission of Indiana and the Michigan Public Service Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory 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 petitioners or protests should be filed on or before February 19, 1980. 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.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5059 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RE80-38]

Lakeland Department of Electric & Water Utilities; Application for Exemption

January 29, 1980.

Take notice that Lakeland Department of Electric and Water Utilities (Lakeland), on January 4, 1980, filed an application for exemption from certain requirements of Part 290 of the Commission's regulations (Order 48, 44 FR 58687). Exemption is sought from the requirement to file, on or before November 1, 1980, information on the costs of providing electric service as specified in Subparts B, C, D, and E of Part 290 of the Commission's regulations issued pursuant to Section 133 of PURPA.

In its application for exemption, Lakeland states that it should not be

required to file the specified data for the following reasons:

It is our understanding that the 'extension for small utilities' was included to spare the smaller utilities, those with total sales of electric energy less than one billion kilowatt-hours in calendar years 1976, 1977 and 1978, from unnecessary data-collection expense to the maximum extent practical. Lakeland is a small utility with total sales of 918,000,000 KWHs in 1976, 986,000,000 KWHs in 1977 and 1,060,000,000 KWHs in calendar year 1978. As you can see we just barely exceeded the one billion kilowatt-hours threshold in 1978.

In addition, it is our intention to conduct joint load research studies with other Florida utilities of comparable size during the requested extension period. We have been in contact with several other utilities and have started laying the groundwork to engage in these studies. We have estimated the cost of compliance with Part 290 to be in excess of $500,00 if we are unable to engage in joint load research. This would impose a severe financial burden upon our utility.

Copies of the application for exemption are on file with the Commission and are available for public inspection. The Commission's regulations require that said utility also apply to any State regulatory authority having jurisdiction over it to have the application published in any official State publication in which electric rate change applications are usually noticed, and that a summary of the application be published in newspapers of general circulation in the affected jurisdiction.

Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before March 10, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-6450 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. SA80-68]

Louisiana General Petroleum Corp.; Application for Adjustment

January 29, 1980.

Take notice that on January 9, 1980, Louisiana General Petroleum Corporation (Louisiana General), 3000 South Post Oak Road, Suite 1390, Houston, Texas, 77056, filed with the Federal Energy Regulatory Commission (Commission) an application for an adjustment under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA). 15 U.S.C. 3301, *et seq.* Louisiana General petitions for a modification to, exemption from and/or exception to 18 CFR 273.204 of the Commission's regulations.

Specifically, Louisiana General states that Louisiana General is the operator of the Ford No. 1 well, section 13 T12N, R15W in DeSota Parish, Louisiana, and that the subject well went "on stream" on May 26, 1979. On July 16, 1979, Louisiana General filed an application for a section 102 determination with the appropriate jurisdictional agency in Louisiana. Louisiana General states further that the buyer of the gas, Southern Natural Gas Company, refuses to pay the section 102 price for the period prior to July 16, 1979, because they are authorized to make payments only as of July 16, 1979, the date Louisiana General filed the application for determination with the Louisiana jurisdictional agency. Louisiana General alleges that the operation of § 273.204 of the Commission's regulations will prevent their collecting the price differential between section 102 and section 104 between May 26, 1979, and July 16, 1979, and will result in unfair distribution of burdens and special hardship under the terms of section 502(c) of the NGPA. They conclude that relief should be granted for reasons of: (1) the tremendous logistic and conceptual problems the NGPA imposed on Louisiana General; (2) Louisiana General's inability to effectuate the intent and letter of the NGPA; (3) Louisiana General's interest in marketing the gas as soon as possible; and (4) the economic impact that the failure to collect the $12,000 differential will have on their small operations.

The procedures applicable to the conduct of this adjustment proceeding are found in § 1.41 of the Commission's Rules of Practice and Procedure, Order No. 24 issued March 22, 1979, (44 FR 18961, March 30, 1979).

Any person desiring to participate in this adjustment proceeding shall file a petition to intervene in accordance with the provisions of 18 CFR 1.41(e). All petitions to intervene must be filed on or before March 5, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5061 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. GP80-32]

Montana-Dakota Utilities Co.; Renotice of Third Party Protests [1]

February 12, 1980.

Take notice that in accordance with the procedures established by the Federal Energy Regulatory Commission (Commission) in Order No. 23—B,[2] and "Order on Rehearing of Order No. 23-B," [3] the staff of the Commission protested on December 31, 1979, the assertion by the Montana-Dakota Utilities Company (Montana-Dakota) that the contracts identified in its protest provide contractual authority for the producers to charge and collect the applicable maximum lawful price under the Natural Gas Policy Act of 1978 (NGPA).

Staff stated that the contracts contained in Appendix A do not provide authority for the producer to increase prices to the extent claimed by Montana-Dakota in its evidentiary submission.

Any person, other than the pipeline and the seller, desiring to be heard or to make any response with respect to these protests should file with the Commission, on or before February 26, 1980, a petition to intervene in accordance with 18 CFR 1.8. The seller need not file for intervention because under 18 CFR § 154.94(j)(4)(ii), the seller in the first sale is automatically joined as a party.

Appendix A

Producer	Rate schedule No. or contract date
Alpar Resources	12-1-78
Amoco Production Co	4
Do	409
Tom Brown Inc	5-31-78
Brownlie, Wallace, Armstrong and Bander	2-13-78
Chevron Oil Corp	5
Concept Resources	6-18-73
Demark Resources	1-19-79
Exeter Exploration	12-11-78
Farmers Union Central Exchange, Inc	12-18-78
Jerry A. McCutchin, Jr	9-22-78
Pacer Resources	6-18-73, 10-4-77
Pennzoil Co	45
Petroquest, Inc	3-77
Philips Petroleum Co	554, 558
Prosper Energy	12-20-77
Shell Oil Co	424, 432
Southland Royalty	7-14-75
Sun Oil Co	598
Tenneco Oil Co	12-4-78
Texaco Inc	585
Do	575
Tiger Oil Co	4-18-77
True Oil	10-20-70
Do	7-6-76
U.V. Industries Inc	12-1-78
West Gas Inc	6-18-73
W. A. Mancrief	8-1-77
Woods Petroleum	7-7-76
Energetic Inc	12-20-78

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5062 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

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[1] The term "third party protest" refers to a protest filed by a party who is not a party to the contract which is protested.

[2] "Order Adopting Final Regulations and Establishing Protest Procedure," Docket No. RM79-22, issued June 21, 1979.

[3] Docket No. RM79-22, issued August 6, 1979.

[Dockets Nos. ER80-66, ER80-67, and ER80-68]

New England Power Service; Notice of Filing

January 29, 1980.

The filing company submits the following:

Take notice that on January 14, 1980 New England Power Service (NEP) filed amendments to NEP's FERC Electric Tariff, Original Volume No. 2. This filing is in compliance with the Commission's order, issued December 31, 1979, in the above-styled proceeding.

Copies of this filing have been forwarded to the affected customers and regulatory commissions.

Any person desiring to be heard or to protest said filing should file a protest with the Federal Energy Regulatory 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 and 1.10). All such protests should be filed on or before February 19, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5063 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RE80-39]

Orange & Rockland Utilities, Inc.; Application for Exemption

January 29, 1980.

Take notice that Orange and Rockland Utilities, Inc. (Orange and Rockland), on December 18, 1979, filed an application for exemption from certain requirements of Part 290 of the Commission's regulations (Order 48, 44 FR 58687). Exemption is sought from the requirement to file, on or before November 1, 1980, information on the costs of providing electric service as specified in Sections 290.401, 290.402, 290.404, and 290.405 of Part 290 of the Commission's regulations issued pursuant to Section 133 of PURPA.

In its application for exemption, Orange and Rockland states that it should not be required to file the specified data either because it is unavailable or could be obtained by FERC in a less duplicative manner.

Copies of the application for exemption are on file with the Commission and are available for public inspection. The Commission's regulations require that said utility also apply to any State regulatory authority having jurisdiction over it to have the application published in any official State publication in which electric rate change applications are usually noticed, and that a summary of the application be published in newspapers of general circulation in the affected jurisdiction.

Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before March 10, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5065 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. RE80-40]

City of Santa Clara Municipal Electric Department Application for Exemption

January 29, 1980

Take notice that The City of Santa Clara Municipal Electric Department (Santa Clara), on January 14, 1980, filed an application for exemption from certain requirements of Part 290 of the Commission's regulations (Order 48, 44 FR 58687). Exemption is sought from the requirement to file, on or before November 1, 1980, information on the costs of providing electric service as specified in Subparts B, C, D, and E of Part 290 of the Commission's regulations issued pursuant to Section 133 of PURPA.

In its application for exemption, Santa Clara States that it should not be required to file the specified data for the following reasons:

1. The Santa Clara Electric Department has been under no past obligation to structure its accounting system to conform to the Uniform System of Accounts. It is anticipated that a significant amount of preliminary analysis and some restructuring of the accounting system may be necessary before the detail necessary to comply with PURPA can be obtained.

2. There is presently no load research program underway in the Santa Clara System.

3. The final rules for complying with Section 133 as published grant an automatic extension to those electric utilities with annual sales less than 1 billion kilowatt hours. If one were to exclude only three of its industrial customers, the City of Santa Clara Electric Utility would have been automatically granted the extension that is requested.

4. Prior to December 10, 1979, the Electric Department did not have a person on the staff who had primary responsibility for rate matters.

5. The costs of complying with the PURPA requirements appear to be significant when compared to other operating expenses of the system.

Copies of the application for exemption are on file with the Commission and are available for public inspection. The Commission's regulations require that said utility also apply to any State regulatory authority having jurisdiction over it to have the application published in any official State publication in which electric rate change applications are usually noticed, and that a summary of the application be published in newspapers of general circulation in the affected jurisdiction.

Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before March 10, 1980.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5056 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. CP80-186]

Texas Gas Transmission Corp.; Re Notice of Application

February 12, 1980.

Take notice that on January 11, 1980, Texas Gas Transmission Corporation (Applicant), 3800 Frederica Street, Owensboro, Kentucky 42301, filed in Docket No. CP80-186 an application pursuant to Section 7(c) of the Natural Gas Act and Section 284.221 of the Commission's Regulations for a certificate of public convenience and necessity for blanket authorization to transport natural gas for interstate pipeline companies, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests blanket authorization to transport gas for other interstate pipeline companies. It states that it would comply with Section 284.221(d) of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 26, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act

(18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory 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 or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 80-5066 Filed 2-15-80; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[80T-18; FRL 1415-5]

Interagency Toxic Substances Data Committee; Cancellation of Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The March meeting of the Interagency Toxic Substances Data Committee has been cancelled.

FOR FURTHER INFORMATION CONTACT: Ms. Nan Fremont, Executive Secretary, Interagency Toxic Substances Data Committee, Office of Pesticide and Toxic Substances (TS-793), Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: The regular meetings of the Interagency Toxic Substances Data Committee take place on the first Tuesday of each month at 9:30 a.m. and are open to the public. The meetings are held in: Room 2010, New Executive Office Building, 17th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20006.

The March meeting has been cancelled. The next meeting of the Interagency Toxic Substances Data Committee will take place on April 1, 1980.

Dated: February 12, 1980.

Nan Fremont,

Executive Secretary, Interagency Toxic Substances Data Committee.

[FR Doc. 80-5083 Filed 2-15-80; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 763, 75 Stat. 736, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10218; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 10, 1980. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreements Nos. 50-34 and 50-35.

Filing Party: F. Conger Fawcett, Esquire, Graham & James, One Maritime Plaza, San Francisco, California 94111.

Summary: Agreement No. 50-34 would modify the basic agreement of the Pacific Coast-Australasian Tariff Bureau by adding a new Article VII to authorize rationalization of sailings by the parties and joint advertising of services, and Agreement No. 50-35 would amend the newly added Article VII to provide that the parties may discuss, agree upon and implement reductions in the numbers of vessels and/or tonnage to be provided by one or more of them.

Notice of the filing of Agreement No. 50-34 appeared in the **Federal Register** of March 6, 1978 (43 FR 9204), and Agreement No. 50-35 appeared in the **Federal Register** of May 23, 1978 (43 FR 22072).

Proponents of these agreements submitted justification in support of approval on May 2, and July 21, 1978. The Commission will be acting on these agreements in the near future based upon this justification, previous information furnished by interested parties plus any additional information proponents and interested parties may be able to furnish.

However, due to the time which elapsed since the filing of these agreements, interested parties will be given a further opportunity to comment thereon before the Commission takes final action.

Agreement Nos. 2744-42, 7590-28, 7890-16.

Filing Party: Nathan J. Bayer, Esquire, Brauner Baron Rosenzweig Kligler Sparber & Bauman, (The Firm of Herman Goldman), Attorneys at Law, 120 Broaday, New York, New York 10005.

Summary: The amendments modify the basic agreements of the conferences (Agreement No. 2744—Atlantic and Gulf/West Coast of South America Conference; Agreement No. 7590—East Coast Colombia Conference; Agreement No. 7890—West Coast of South America Northbound Conference) to make certain minor housekeeping changes in their self-policing provisions.

Agreement No. T-3865-1

Filing Party: F. J. Di Pietro, Port Manager, Port of Redwood City, 775 Harbor Boulevard, Redwood City, California 94063.

Summary: Agreement No. T-3865-1 amends the basic agreement between Redwood City (the Port) and Sequoia Cargo Systems, Inc. (Stevedores) to elaborate the reasons for execution of the agreement (the Recitals) and the conditions under which Sequoia may add improvements to port facilities.

Dated: February 13, 1980.

By Order of the Federal Maritime Commission.

Francis C. Hurney,

Secretary.

[FR Doc. 80-5165 Filed 2-15-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL TRADE COMMISSION

Saunders Leasing System, Inc.; Early Termination of the Waiting Period of the Premerger Notification Rules

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: The Saunders Leasing System Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of the Hudgins Truck Leasing Division of Southland Corporation. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: February 6, 1980.

FOR FURTHER INFORMATION CONTACT: Joan S. Truitt, Attorney, Premerger Notification, Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202-523-3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. § 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 80-5074 Filed 2-15-80; 8:45 am]

BILLING CODE 6750-01-M

Saunders Leasing System, Inc.; Early Termination of the Waiting Period of the Premerger Notification Rules

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: The Saunders Leasing System Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to its proposed acquisition of Chem-Haulers, Inc., Alabama Bulk Carriers, Inc. and Shoals Leasing and Management Inc. from William D. Biggs. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: February 6, 1980.

FOR FURTHER INFORMATION CONTACT: Joan S. Truitt, Attorney, Premerger Notification, Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202-523-3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. § 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 80-5075 Filed 2-15-80; 8:45 am]

BILLING CODE 6750-01-M

Viacom International, Inc.; Early Termination of the Waiting Period of the Premerger Notification Rules

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Viacom International, Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to its proposed acquisition of Sonderling Broadcasting Corporation. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by both parties. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: February 6, 1980.

FOR FURTHER INFORMATION CONTACT: Joan S. Truitt, Attorney, Premerger Notification Office, Bureau of Competition, Room 303, Federal Trade Commission, Washington, D.C. 20580 (202-523-3894).

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. §18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 80-5076 Filed 2-15-80; 8:45 am]

BILLING CODE 6750-01-M

GOVERNMENT PRINTING OFFICE

Depository Library Council to the Public Printer; Meeting

The Depository Library Council to the Public Printer will meet on April 28, 29, and 30, 1980, at the Radisson St. Paul, St. Paul, Minnesota.

The purpose of this meeting is to discuss the Depository Library Program.

The meeting will be open to the public. Any member of the public who wishes to attend shall notify Mr. J. D. Livsey, Head, Library and Statutory Distribution Service, Government Printing Office, Washington, D.C. 20401 (Telephone: (703) 557-2050).

General participation by members of the public, or questioning of Council members or other participants, shall be permitted with approval of the Chairman.

Dated: February 7, 1980.

John J. Boyle,

Public Printer.

[FR Doc. 80-5152 Filed 2-15-80; 8:45 am]

BILLING CODE 1505-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Assistant Secretary for Education

Advisory Panel on Financing Elementary and Secondary Education; Meeting

AGENCY: Advisory Panel on Financing Elementary and Secondary Education.

ACTION: Notice of Meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Advisory Panel on Financing Elementary and Secondary Education. It also describes the functions of the Panel. Notice of this meeting is required under the Federal Advisory Committee Act (5 U.S.C. Appendix 1, Section 10(a)(2)). This document is intended to notify the general public of its opportunity to attend.

DATES: March 3, 1980 a.m. to 4:30 p.m.; March 4, 1980, 9:00 a.m. to 2:30 p.m.

ADDRESS: March 3: Dirksen Senate Office Building, Washington, D.C., room 4228. March 4: 400 Maryland Avenue, S.W., Washington, D.C., room 3000.

FOR FURTHER INFORMATION CONTACT: Dr. George B. Lane, Acting Executive Director, Advisory Panel on Financing Elementary and Secondary Education, Room 313–H, 200 Independence Avenue, S.W., Washington, D.C. 20202 (202–245–8220).

SUPPLEMENTARY INFORMATION: The Advisory Panel on Financing Elementary and Secondary Education is established under Section 1203, Title XII of the Education Amendments of 1978 (Pub. L. 95–561). The Panel is directed to provide the Secretary and the Congress with periodic advice and counsel concerning public policies on raising and distributing revenues to support elementary and secondary education. The views and recommendations of the Advisory Panel shall provide periodic advice to the Secretary concerning the conduct of studies authorized by Section 1203 and make interim reports to the President and the Congress in 1980, 1981, and 1982 on the results of the studies conducted. The Advisory Panel shall also provide comments on the Secretary's annual reports and such additional recommendations for legislation or other appropriate action to the Congress no later than sixty days after submission of such reports.

The meeting of the Advisory Panel will be open to the public.

The proposed agenda includes:

(1) Public hearing and presentations by invited guests who will comment on the work of the Panel and associated Study Project on March 3.

(2) Remarks by Secretary of Education Shirley M. Hufstedler on March 4.

(3) Presentations by John Jennings, Counsel, House of Representatives Subcommittee on Elementary, Secondary, and Vocational Education, and Jean Frohlicher, Counsel, Senate Subcommittee on Education, Arts, and the Humanities on March 4.

(4) Related organizational business.

Records shall be kept of all Advisory Panel proceedings and shall be available for public inspection at the Office of the Assistant Secretary for Education, 200 Independence Avenue, S.W., Room 313–H, Washington, D.C. 20202.

Signed at Washington, D.C. on February 13, 1980.

George B. Lane,

Acting Executive Director, Advisory Panel on Financing Elementary and Secondary Education.

[FR Doc. 80–5180 Filed 2–15–80; 8:45 am]

BILLING CODE 4110–89–M

Office of the Secretary

List of Education Data Acquisition Activities for School Year 1980–81; Paperwork Control Procedures

AGENCY: Department of Health, Education, and Walfare.

ACTION: List of education data acquisition activities for school year 1980–81

SUMMARY: The paperwork control requirements in Section 400A of the General Education Provisions Act added by the Education Amendments of 1978 (Pub. L. 95–561), require that certain information or data requested of educational agencies and institutions by Federal agencies be reviewed by the Secretary of HEW to eliminate excessive or burdensome requests to them. Further, the data acquisition activity is to be approved and publicly announced no later than February 15 preceding the school year in which the data are to be collected.

The following list of data collection activities for School Year 1980–81 is published as one step to meet these requirements. The list contains:

1. Data acquisition activities which have already been approved by the Office of Management and Budget under the forms clearance requirements of the Federal Reports Act and OMB Circular A–40.

2. Data acquisition activities which have been approved under procedures established by the Federal Education Data Acquisition Council (FEDAC).

3. Data acquisition activities which have not been approved by FEDAC but are under development and proposed for the coming school year.

FOR FURTHER INFORMATION CONTACT: Dr. Francis V. Corrigan, Room 3159–B, FEDAC, National Center for Education Statistics, 400 Maryland Avenue, SW., Washington, D.C. 20202, (202) 245–1022.

SUPPLEMENTARY INFORMATION: The paperwork control requirements are intended to reduce the paperwork burden imposed on educational agencies and institutions by Federal agencies. The Secretary of HEW is required to develop procedures to review and approve all data acquisition activities by any Federal agencies: (1) Whenever the respondents are primarily educational agencies or institutions, and (ii) whenever the purpose of such activities is to request information needed for the management of, or the formulation of, policy related to Federal education programs or research or evaluation studies related to the implementation of Federal education programs.

Data acquisition activities subject to this review are not subject to the Office of Management and Budget review under OMB Circular A–40 procedures. A detailed plan is required for each data activity and each data activity is to be publicly announced by February 15 preceding the school year in which the data are to be collected. There are two statutory "waiver" provisions:

(1) Under the general provisions, the Secretary may waive the February 15 due date upon determining:

- There is an urgent need for the information; or
- A very unusual cricumstance exists regarding the information (Section 400A(b)(2)(A) of the General Education Provisions Act).

(2) A limited exception authority exists for certain research and evaluation studies. Requirements may be waived for individual research or evaluation studies which are not used for individual project monitoring if the study is of a nonrecurring nature, participation by the educational agency is voluntary, the person-hours necessary to respond are not excessive and the plan has been published. (Section 400A(b)(5) of the General Education Provisions Act.)

Procedures must be approved by the Federal Education Data Acquisition Council (FEDAC). FEDAC is composed of members representing the public and the major agencies which collect and use education data, including one representative each from the Office of Management and Budget and the Office

of Federal Statistical Policy and Standards, Department of Commerce. Additionally, FEDAC must be headed by "an individual from an agency which has expertise in data collection but which undertakes no major data collection of education data."

Numerous meetings were held with other Federal agencies and representatives of educational agencies and institutions to discuss the paperwork control requirements. Interim FEDAC Review Procedures were published on August 8, 1979 (FR 46535), which are now effective. The Council is considering revisions of these procedures based on the public, Federal agency, and Congressional comments received. Revisions, as necessary, will be made and the procedures will be republished.

List of OMB/FEDAC Approved Activities for School Year 1980–81

In addition to individual summaries, I am publishing a list of known data acquisition activities planned for School Year 1980–81.

A portion of the list is made up of activities already approved by the Office of Management and Budget. Because of the amount of time required for full review of these activities under FEDAC approval procedures, and because they have already been reviewed and approved by the Office of Management and Budget under review procedures similar to those required under the Control of Paperwork Amendments of 1978, I determine that an unusual circumstance exists with respect to these activities thus permitting a waiver of the requirement in Section 400A(b)(2)(A) of the General Education Provisions Act. These activities may, therefore, be carried out in School Year 1980–81, as approved by the Office of Management and Budget. The Office of Management and Budget has carefully reviewed the data acquisition activities for burden and unnecessary information. The other activities in this list are those that have been reviewed and approved under the Interim FEDAC Review Procedures.

List of Other Activities Under Development for School Year 1980–81

The list also includes activities presently known to be under development for use in School Year 1980–81. The list is provided for information purposes. FEDAC and the Department are still considering what activities are covered by these review procedures, based on the comments received on the Interim FEDAC Review Procedures. Thus, some of the activities which are listed below may not ultimately be regarded as covered by this review (they will continue to be reviewed under OMB Circular A–40 procedures). I ask educational agencies and institutions to cooperate in the conduct of these data collection activities for School Year 1980–81.

Dated: February 12, 1980.

Domenic R. Ruscio,

Acting Assistant Secretary for Education.

BILLING CODE 4110–89–M

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Education for the Handicapped

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R 92 OE 716	Financial /Performance Reports - P.L. 94-142 Incentive Grant Program	SEAs	58	145
FEDAC No. R 123 OE 717	State Administered Program Application for Gifted and Talented Children	SEAs	57	1710
OMB 51-R1091 OE 9037-1	Financial Status and Performance Report BEH Discretionary Grant Programs	SEAs, LEAs, Coll, Others	1165	14,542
OMB 51-R0538 OE 9052	Annual Survey of Average Daily Attendance of Handicapped Children in Schools Operated or Supported by State Agencies	OSA	145	145
FEDAC No. R 6	State Plan for Part B, EHA	SEA	58	1,740
FEDAC No. R 86	Incentive Grant Application	SEA	58	348

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Education for the Handicapped

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R-1248 OE 9048	Application for Discretionary Grants Under Gifted and Talented Children's Education Program	LEAs SEAs Colleges and Universities Others	100 30 75	8,325
FEDAC No. R98 OE 9066	Program Administrative Review System	Educational Agency Staff Advocacy Groups	600 980	1,580

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R61	Application for Local Educational Agency Grants Under the Emergency School Aid Act	LEAs	700	23,800
FEDAC No. R61	Application for Grants for the Arts Under the Emergency School Aid Act	Organizations Other Than Schools or Educational Agencies	23	782
OMB 51-R-1056 OE 362	Migrant Education Application	SEAs LEAs	49 1,200	24,980
OMB 51-R-1207 OE 547	Application for Grants Under Library Training Program	Colleges and Universities	70	840
FEDAC No. R62 OE 606	Financial Status and Performance Report for: College Library Resources Program, Library Training Program and Strengthening Research Library Resources	Colleges and Universities Public junior colleges Nonpublic junior colleges Non-profit organizations Other	1,400 1,000 230 45 75	11,000
FEDAC No. R48 OE 634	State Plan for ESEA Title IV: Libraries and Learning Resources, Education, Innovation and Support	SEAs	58	3,770

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. 58 OE 681	State Plan for ESEA Title V, Part B, Strengthening State Educational Agency Management	SEAs	57	955

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R0925 OE 4524	Report on Title I, ESEA Comparability	SEAs	54	84
FEDAC No. R70 OE 686-1, -2	ESEA, Title I Financial and Performance Report	SEAs	58	51,040
FEDAC No. R57 OE 535-1	Financial Status Report - ESEA IV	SEAs	58	1,160
FEDAC No. R57 OE 535-2	Performance Report - ESEA IV	SEAs	58	3,480
FEDAC No. R59 OE 681-1	Financial Status Report - ESEA V-B	SEAs	57	1,140
FEDAC No. R59 OE 681-2	Performance Report - ESEA V-B	SEAs	57	2,280
OMB 51-R-1259 OE 580	Sharing Business Success	Schools	50	420
FEDAC No. R61 OE 116-1A	Application for State Agency Grants Under the Emergency School Aid Act	SEAs	55	1,925
FEDAC No. R61 OE 116	Application for Nonprofit Organization Grants Under the Emergency School Aid Act	Public and Private Nonprofit Agencies, Institutions, or Organizations	300	10,500

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R0771 OE 3118	Application for Grants Under College Library Resources Program Title II-A, HEA 1965, as Amended	Colleges & Universities, Nonpublic Junior Colleges, Nonprofit Organizations, Public Junior Colleges, Other : Combinations of Institutions	1,400 170 30 1,000 100	8,100

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R-1233 OE 591	Graduate and Professional Opportunities Fellowships and Institutional Grants - Application	Colleges and Universities	350	14,000
OMB 51-R-1263 OE 595	Law School Clinical Experience Program - Application	Accredited Law Schools	160	4,800
FEDAC No. R138 OE 668	Application for Federal Assistance Under Title VII of the Higher Education Act of 1965, as amended	Colleges and Universities	800	6,400
FEDAC No. R113 OE 712	Upward Bound Financial Status and Performance Report	Colleges and Universities Nonprofit organizations Public junior colleges Voc./Tech./ Career Postsecondary Institutions	358 10 12 10	1,620
FEDAC No. R-129 OE 1118	Application Summary Report for Federal Grants Under Title VII-A of the Higher Education Act	State Commissions	56	84

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R49 OE 1136-1	Equipment List for Construction, Reconstruction or Renovation Projects Authorized Under Title VII of the Higher Education Act of 1965, as amended	Colleges and Universities	150	225
FEDAC No. R124 OE 1143	Certificate of Project Costs	Colleges and Universities	400	400
FEDAC No. R45 OE 1193	Cooperative Education Program Application Form in Academic Year 1981-82	Colleges and Universities Nonpublic junior colleges public junior colleges Other	350 222 25 3	6,120
FEDAC No. R113 OE 1196	Report on Current Upward Bound Student	Colleges and Universities Nonprofit organizations Public junior colleges Voc./Tech./ Career Postsecondary Institutions	358 10 12 10	1,560

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R113 OE 1197	Report on Former Upward Bound Student	Colleges and Universities Nonprofit organizations Public junior colleges Voc./Tech./ Career Postsecondary Institutions	358 10 12 10	1,560
FEDAC No. R113 OE 1225	Report on College Retention of Former Upward Bound Students	Colleges and Universities	1,800	450
OMB 51-R-1154 OE 1251	Application for Special Programs for Students from Disadvantaged Backgrounds	IHE Others	877 123	5,000
OMB 51-R-0393 OE 1261	Procedure for Qualification Under Three Institutional CertificationMethod (as an alternative to accreditation); Transfer Letter	Colleges and Universities Nonpublic junior colleges Public junior colleges Voc./Tech./ Career Postsecondary Institutions	300	75

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R1027	Special Community Service and Continuing Education Grants	Colleges and Universities	200	10,000
FEDAC No, R 111 OE 1308	Certification as to use of Federally assisted Facilities under Title VII, HEA	Colleges and Universities	1800	900
OMB 51-R1238 OE 3092	Financial Status and Performance Report For Community Service and Continuing Education Programs	Postsecondary Education Commissions or States	55	880

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51R1123/OE 404	Public Service Education Program Application	Institutions of Higher Education	170	34000
OMB 51R1124/OE 405	Domestic Mining and Mineral and Mineral Fuel Fellowship Program Application	Institutions of Higher Education	60	12000
OMB 51R1233	Graduate and Professional Opportunities	Institutions of Higher Education	350	7000
OMB 51R1263/OE 595	Law School Clinical Experience Program Application	Institutions of Higher Education	160	3465
FEDAC-28/OE 1048	Nomination Form for Graduate Programs	Institutions of Higher Education	120	600
FEDAC-49/OE 1136	Equipment List for Higher Education Facilities Program	Institutions of Higher Education	300	450
FEDAC-45/OE1193	Cooperative Education Program Application	Institutions of Higher Education	600	6120
OMB 51R0765/OE 7628	Application for Faculty and Doctoral Dissertation Research Abroad Programs	Institutions of Higher Education/Students	170 600	4,080 9600
OMB 51R1065/OE 366	Financial Status and Performance Report	Project Directors	27	108
FEDAC No. R132 OE 269-3	Veteran Student Enrollment Verification	Institutions of higher education	1,200	1,200
OMB 51-R-1013 OE 324	Application for Grants -- Foreign Language and Area Studies Programs	Colleges and Universities Others	304	46,980
OMB 51-R-1046 OE 356	Application for Teacher Exchange Program	Teachers	2,100	1,050
OMB 51-R-1065 OE 366	Educational Opportunity Centers Financial Status and Performance Reports	Adult Education Administrators Colleges and Universities Nonprofit Organizations State Institutions Voc./Tech./ Career Postsecondary Institutions	1 16 8 1 1	108
OMB 51-R-1123 OE 404	Public Service Education Program	Colleges and Universities	170	6,800
OMB 51-R-1124 OE 405	Domestic Mining and Mineral Fuel Conservation Fellowship Program - Application	Colleges and Universities	60	2,400

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51R 1154/OE 1251	Application for Special Services for Disadvantage Students Programs	Institutions of Higher Education & private agencies	1,000	5,000
FEDAC-064/OE 1049-1	Strengthening Developing Institutions Programs Application	Institutions of Higher Education	600	27,600
FEDAC-040-OE 1049-2	Monitoring and Evaluation Schedules for Strengthening Developing Institutions Program	Institutions of Higher Education	600	5,200
OMB 51R0578/OE 1059	Application for Institutional Eligibility	Institutions of Higher Education	1,000	500
OMB 51R0393/OE 1261	Transfer Credit Letter for Accreditation	Institutions of Higher Education	300	75

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Occupational and Adult Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
51-R1262/OE 560	Adult Education Clearinghouse Project Questionnaire	Adult Education Administrators	57	200
51-R1249/OE 576-3	Vocational Education Annual Program Plan	State Vocational Education Directors	57	22,800
51-R1249/OE 576-4	Vocational Education Annual Accountability Report	State Vocational Education Directors	57	22,800
51-R1249/OE 576-5	Vocational Education State Advisory Council Evaluation Report	Other (State Advisory Councils for Vocational Education		28,500
FEDAC No. R-133 OE 669	Vocational Education Project in Sex Equity	Other (State Equity Coordinators)	57	285

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Occupational and Adult Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R 127 OE 700	Nationwide Study of the Distribution, Utilization, and Impact or Research and Development Products in Vocational Education	LEA's, Teachers Employees in Postsecondary Education	4088	1,007

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of School Improvement

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R66 OE 733	Application for Grants Under the Consumer's Education Program	LEAs IHEs Non-profit agencies	700	14,000
FEDAC No. R100 OE 349	Application for Grants Under the Ethnic Heritage Studies Program	LEAs, SEAs, public and private non-profit educational organizations, agencies, and institutions	500-600	8,400

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Student Financial Assistance

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R0993 OE 255-3	Institutional Progress Report for Basic Educational Opportunity Grants	Postsecondary Institutions	15,000	11,250
OMB 51-R0989 OE 304	Request for Payment of BEOG Award, 1980-81 Academic Year	BEOG recipients, Financial Aid Officers	24,750	6,435
FEDAC No. R 85 OE 1286	Institutional Release of Funds/Request for Additional Funds, SEOP, CWS, and NDSL Programs	Postsecondary Institutions	2,500	500

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Student Financial Assistance

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R 94 OE 255	Basic Grant Application	Postsecondary Students	1,500,000	2,250,000
FEDAC R 94 OE 255-2	Basic Grant Supplemental Form	Postsecondary Students	350,000	552,000
FEDAC R 94 OE 255-1	Basic Grant Student Eligibility Report	Financial Aid Admin.	5,000	1,250,000
OMB 51-R1005 OE 255-4	Student Validation Roster, BEOG	Postsecondary Institutions, Financial Aid Officers	5,000	25,000
OMB 51-R0990 OE 304-1	ADS Student Report	Students and IHEs	20,000	6,000
OMB 51-R1261 OE 579	ADS Student Validation Roster	IHEs	900	950
FEDAC No. R 39	Student Application for A Federal Insured Loan	Students, IHEs, Lenders	4,500,000	1,125,000
OMB 51-R1243 OE 621-2	Student Application for a Health Education Assistance Loan	Students	5,000	2,500
FEDAC No. R 121 OE 1329	Atate Student Financial Assistance Training	State Scholarship and Grant agencies	47	285

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Bureau of Student Financial Assistance

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC R-121 OE 1329-1	State Student Financial Assistant Training Program Application	State Scholarship and Grant Agencies	47	235

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Department of Justice, Law Enforcement Assistance Administration

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 43-R0443 LEEP-1	LEEP Institutional Application	Post Secondary Schools	900	900
OMB 43-R0445 LEEP-3	LEEP Student Certification and Note	Students	44,000	27,500
FEDAC #R52 LEEP-5	LEEP Summary and Certification Sheet	Post Secondary Schools	900	2,250
FEDAC #R78 LEEP-6	Statement of LEEP Account	Individuals	85,000	68,000
FEDAC #R-79 LEEP-9	LEEP Rebate Credit Form	Schools	600	180
FEDAC #R80 LEEP-10	Status Change or Verification Form	Schools	7,500	750
FEDAC #R81 LEEP-12	LEEP System Note Control Log	Schools	1,000	800
OMB 43-R0460 LEEP-13	Cancellation of Debt on Grounds of Permanent and Total Disability	Individuals	300	150

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Food and Nutrition Service, USDA

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
040-R-1535/FNS-10	Report of Child Nutrition Operations	State Education Agencies (SEA)	684	684
040-R-2470/FNS-806	School Lunch, Breakfast, and Special Milk Program Monthly Report - Part 210	Private Schools	18,700	6,250
040-R-2952/	Part 215 - Special Milk Program Regulations	SEA's and SFM's	35,441	54,441
040-R-3005/	National School Lunch Program Regulations	SEA's and School Food Managers (SFM)	11,384	38,396
040-R-3508	Part 220 - School Breakfast Program Regulations	SEA's and SFM's	36,412	9,843
040-R-3511/FNS-67, FNS-66, FNS-66-1	Application and Agreement - National School Lunch Program, School Breakfast Program, Special Milk Program	School Administrators	1,500	750
040-R-3565/FNS-360	Federal Outlay Report	SEA's	760	18,240
040-R-3591/FNS-65	Application, Claim, and Agreement Non-food Assistance	SEA's	2,500	5,750
040-R-3602/FNS-44	Monthly Report of the Child Care Food Program and Summer Food Service Program for Children	SEA's	492	1,046
040-R-3662/	Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools - Part 245	SEA's	5,177	16,393
040-R-3702/FNS-130	Monthly Report of Lunch Service Operations in Commodity Only Schools	School Administrators	120	60
040-R-3704/FNS-129	Agreement-Nonprofit Lunch Program (Commodity Only Schools)	SFM's	10	5
040-R-3708/FNS-127	Application for Donated Commodities (Commodity Only Schools)	SFM's	10	5
040-R-3787/	Procedures for Requesting Technical Assistance When Establishing, Maintaining and Expanding Food Service Facilities	SFM's	120	240
040-R-3830/FNS-47	Annual Report of Meal Service in School	SEA's	57	1,140
040-R-3899/	Regulations-Cash in Lieu of Commodities	Public and Private Schools Non-profit Private Schools	109,529 2,800	
040-R-3908/FNS-168	Administrative Review Report Schools and Institutions	SEA's	2,178	3,267
040-R-3999/FNS-80 FNS-418	Summer Food Service Program for Children	SEA's	11,788	23,318
040-R-4046/FNS-42	Nutrition Education and Training Program Regulations	SEA's	224	112

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Food and Nutrition Service, USDA

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
040-R-4058/	Part 230 Food Service Equipment Assistance Program Regulations	SEA's and SFM's	712	8,848
040-R-4059/	State Administrative Expenses Part 235 Regulations	SEA's	171	114
040-R-4086/FNS-13	Annual Report of Revenue and Cost	SEA's	56	70
040-S-79016	Nutrition Information Pilot Project Mass Media	School Children Teachers	1,000	500
040-S-79039	Study of Menu Choice, Food Production and Costs of School Feeding Program School Questionnaire	SFM's and Principals	13,080	5,937
FEDAC No. S89	Nutrition Education and Training Program Evaluation Phase I Survey	Local and State Directors	723	1,444
FEDAC No. S134	Evaluation of the Nebraska Nutrition Education and Training Program	Students, Teachers	5,016	27,966

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Fund for the Improvement of Postsecondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
ASE 0001	Application for Comprehensive Program of the Fund for the Improvement of Postsecondary Education	Postsecondary Institutions	250	
		Nonprofit organizations	50	
		Other organizations	50	
	Preapplication	Postsecondary Institutions	1,100	
		Nonprofit organizations	200	
		Other organizations	200	
				44,500
ASE 0005	Application for Dissemination Program of the Fund for the Improvement of Postsecondary Education	Colleges and Universities	35	
		Nonprofit organizations	8	
		Organizations other than Schools or Colleges	7	
				400

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Institute of Museum Services

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 051-R-1237 IMS 100	Application for Federal Assistance (Non-Construction)	Museums	3,000	25,500
OMB 051-R-1260 IMS 102 & 103	IMS Program Application	Museums	5,800	91,500

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency National Center For Education Statistics

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB No. 51-R1191 NCES 2379	Fast Response Survey System (FRSS)	SEA	57	23.5
		LEA	600	300
		Pub. e/s sch.	1000	500
		Priv. e/s sch.	800	400
		Inst. of Hi. ed	500	250
		non-col. ps. schools with occupational programs	750	375
			3707	1,853.5 1/

1/ Only 4 FRSS are planned per year.

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency National Center for Education Statistics

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
051-R-0560 NCES 2300-1	Institutional Characteristics of Colleges and Universities	IHE	3,300	1,650
051-R-0566 NCES 2300-4	Financial Statistics of Institutions of Higher Education for Fiscal Year 1978	IHE	3,100	6,200
051-R-1022 NCES 2300-3	Salaries, Tenure, and Fringe Benefits of Full-Time Instructional Faculty 1978-79	IHE	3,100	24,800
051-R-1191 NCES 2379	Fast Response Survey System	LEA	2,701	1,350
051-R-1221 NCES 2405	Postsecondary Network Surveys System	IHE	456	456
051-R-1247 NCES 2413	Application for Federal Assistance (Non-Construction) Capacity Building for Statistical Activities in SEAs	SEA		

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency National Center for Education Statistics

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51-R1247 NCES Form 2413	Application for Grants under the Capacity Building Program for Statistical Activities in State Educational Agencies	State Agencies	100	4,000
NCES 2405	Surveys of Postsecondary Communication Network	State Postsecondary Education Executives	57	456

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency National Institute of Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. S68 NIE 2371 series	National Assessment of Educational Progress	Students	108,174	21,341
FEDAC No. S110	Project PUSH Excellence - National Evaluation	Students Parents Teachers	1,520	1,110

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency NATIONAL SCIENCE FOUNDATION

OMB/FEDAC Approval Number/Agency Form. Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
99-R0013, NSF 98A	Final Project Report	Awardee Institutions	10,000	5,000
99-RO274, NSF 672	Special Foreigh Currency Expenditure and Financial Report	Awardee Institutions	10	10
99-RO265	Higher Education Panel	Institutions of Higher Education	100=760 (300 Average)	100
99-RO295, NSF 811, 812	Survey of Graduate Science Student and Post-doctorals, Fall 1980	PhD Granting Institutions	320	1,760
99-RO290	Survey of Earned Doctorates Adwarded in the United States		31,000	

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Office of Bilingual Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FEDAC No. R-96 OE 4561	Bilingual Education Program Application for Grants	LEAs, Institutions of Higher Education Non-Profit Orgns	750	30,000

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Veterans Administration

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
076-R-0041	Statement of Wages Paid to Trainee (Receiving Educational Benefits) (22-1917)	Employer-Trainer	3,600	1,800
076-R-0050	Authorization and Certification of Entrance and Reentrance into Training (Vocational Rehabilitation) (22-1905)	Trainer	11,250	2,813
076-R-0181	Trainee Request for Leave (Vocational Rehabilitation) (22-1905h)	Trainer or Authorized School Official	40,000	10,000
076-R-0267	School Attendance Report (21-674b)	Claimant and School Official	42,000	3,500
076-R-285	Request for Training Supplies (22-1905m)	Veteran and Trainer	2,000	2,000
076-R-289	Annual Farm and Home Plan for Institutional on-Farm Course of Training (ch. 31) (22-1905p)	Veteran and Instructor	200	600
076-R-290	Farm Survey and Overall Farm and Home Plan-Self-Proprietor ch. 31, Title 38, U.S.C. (22-1905n)	Veteran and Instructor	100	200
076-R-327	Enrollment Certification (Under Chapter 34 or 35, Title 38, U.S.C.) (22-1999, 22-1999-1)	Certifying School Official	1,200,000	240,000
076-R-0423	Vocational Placement Follow-up (10-2895)	VA Hospital Representative and Employment Agency Rep.	1,200	300
076-R-0439	Transfer of (Scholastic) Credit (Schools) (FL 22-315)	Certifying School Official	2,000	334

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Veterans Administration

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
076-R-0546	Notice of Change in Student Status - Institutional Course Only (22-1999b)	Certifying School Official	250,000	20,833
076-R-0563	Monthly Certification of Flight Training (22-6553c)	Student and Certifying School Official	240,000	60,000
076-R-0566	Application for Educational Assistance by a Spouse of Surviving Spouse (22-5490w)	Applicant and Certifying School Official	6,000	2,000
076-R-0581	Application and Enrollment Certification Individualized Tutorial Assistance (22-1990t)	Applicant, Tutor and Certifying School Official	30,000	15,000
076-R-0592	Monthly Report of Training and Wages under Chapter 31, Title 38, U.S.C. (22-1905c)	Trainee and Trainer	25,000	12,500
076-R-0594	Monthly Certification of Training under Chapter 34, Title 38, U.S.C. (22-6553d)	Trainee and Training Establishment's Certifying Official	1,080,000	180,000
076-R-0600	Compliance Report of Proprietary Institutions Apprenticeship Programs and On-the-Job Training Programs (27-4274)	Certifying Official of Institution or Training Establishment	10,000	2,500

Annual Listing of Education-Related Data Collection Activities for School Year 1980-81 Already Approved by OMB/FEDAC

Name of Agency Veterans Administration

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
076-R-0666	State Veterans Home Project Planning Report (10-1493)	State Construction Official	50	100
076-R-0667	Application for a Medical School Grant (10-1494)	Institution Official and Program Director	90	1,800
076-R-0688	Occupational Graduate Employment Questionnaire (22-8722, 22-8723, 22-8724)	Graduate and School Official	375,000	650,000
076-R-0689	Application for Education Loan (22-8725)	Student and Certifying School Official	150,000	100,000
076-R-0729	Designation of Certifying Official (22-8794)	Certifying School Official(s) and Designating Official	36,000	3,000

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Education for the Handicapped

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 775	An Impact Survey of the Handicapped	LEAs, SEAs, Coll & Univ, Nonprofit Orgns, Hospitals	350	700
OE 9037	Application for Grants under Education for the Handicapped Program	Coll & Univ, LEAs, Nonprofit Orgns, SEAs, Other	1,714	69,449
OE 9039	Financial Status and Performance Report for Part B of the Education of the Handicapped Act	SEAs	58	464
OE 9047	Application for Grants - Handicapped Personnel Preparation	Coll & Univ, Pvt Nonprofit Orgns	1,548	33,696

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Education for the Handicapped

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 766	Survey of Exemplary Policies and Practices in the Implementation of P.L. 94-142	State agencies LEAs	175 425	300
OE 714	Study of the Effectiveness of Procedures Undertaken to Prevent Erroneous Classification of Handicapped Children			
OE 715	Survey of Special Education Services	Special Education Administrators, District Administrators, Directors of Other Agencies; Related Service Supervisors; Related Service Personnel; Principals of Special Day Schools for Handicapped; Teachers	4,575	2,400 approx.
OE 609	Technical Assistance Needs Assessment for Handicapped Children's Early Education Prog.	SEA LEA NPO COLL	25 30 45 50	37.5 45.0 67.5 75.0

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 116-2	Financial Status and Performance Report for the ESAA and Title IV of the Civil Rights Act	LEAs, SEAs, Coll & Univ, Others	825	12,966
OE 355, 355-1	Preapplication and Application for Federal Assistance, P.L. 81-815	LEAs	50	840
OE 362-1	Financial Status and Performance Report - Migrant Program	SEAs	49	980
OE 376	Financial Status and Performance Report - Follow Through Program	LEAs, Coll & Univ, SEAs, Other	214	6,420
OE 423	Application for Disaster Assistance Under P.L. 81-874	LEAs	150	150
OE 592	Application for Strengthening Research Library Resources Program	Coll & Univ, Pub Libraries, State Library Agencies, Non-profit Orgns	100	1,600
OE 686-3	ESEA Title I Financial Status and Performance Report	SEAs	58	464
OE 774	Annual Report for the Library Services and Construction Act	State Library Agencies	57	1,710
OE 4019	Application for School Assistance in Federally Affected Areas	LEAs	5,000	60,000
OE 4038, 4039-1	Annual Report of A Contract Awarded and Minimum Requirements for School Construction	LEAs, SEAs	350	350

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 4376, 4376-1	Annual Survey of Neglected and Delinquent Children living in Institutions	SEAs	52	50
OE 4563	Application under the Library Services and Construction Act	State Library	57	1,710

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Elementary and Secondary Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 778	Administrative Analysis of the Current Status of State Educational Agency Responsibilities and Services for School Library Media Programs	SEA (Media resource personnel)	55	55
OE 779	Research Needs of the 1980s: A Review for Libraries and Information Centers			
OE 780	Citizens Information Needs; Networking Effectiveness as Fulfilling Consumer's Needs Phase II			

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 269	Application for Veterans Cost of Instruction Payments	IHEs	1,200	1,200
OE 269-1, -2	Financial Status and Performance Report - Veterans Cost of Instruction Payments Program	IHEs	1,200	1,800
OE 404-1, 404-2	Fellowship Financial Status Report and Institutional Grant Financial Status Report	Coll & Univ	350	1,750
OE 411	Cooperative Education Program, Financial Status and Performance Report	Coll & Univ, Postsecondary Institutions	286	1,430
OE 610	Educational Information Centers Program - Application	SEAs	57	855
OE 675	Citizen Education for Cultural Under-	Coll & Univ, LEAs, Other	420	2,410
OE 738	Standard Format for State Plans under Title VII-A, HEA	SEAs	56	112
OE 1049-2	Monitoring and Evaluation Report for Strengthening Developing Institutions Programs	Coll & Univ	400	4,800
OE 1049-3	Request for Designation as a Developing Institution	Coll & Univ	1,000	4,250
OE 1059	Request for Institutional Eligibility under HEA	Coll & Univ;	1,000	1,000
OE 1231	Special Programs for the Disadvantaged, - Financial Status and Performance Report	Postsecondary Institutions	527	322

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 1275	Report of the Treasurer: Land Grant and Morrill-Nelson Funds	Land Grant Coll & Univ	72	576
OE 1279	Comprehensive Planning Grants, Program and State Administration, Application	SEAs	57	741
OE 1294	Financial Status and Performance Report - Instructional Programs in International Studies	Coll & Univ	210	5,250
OE 1329-1	State Student Financial Assistance Training Program, Financial Status and Performance Report	State Scholarship agencies	57	228
OE 7614	Terminal Report for Holders of Foreign Language and Area Studies Graduate Fellowships	Students	1,000	500
OE 7627-2	Certificate of Proficience in English	Federal agencies & Foreign educators	60	180
OE 7628, -1, -2, -3	Institutional and Individual Application for Doctoral Dissertation Abroad	Students and Faculty	600	13,680
OE 7632	Foreign Language and Area Studies Fellowships, Institutional List of Principal/Alternate Candidates	Financial Aid Officers	100	100

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Higher and Continuing Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OMB 51R1018/ OE 1279	Application for State Planning Commissions	State Planning Commissions	57	13
OMB 51R1027/ OE 1280	Community Service and Continuing Education Program Application	Institutions of Higher Education	300	50
OMB 51R1013/ OE 324	Program Application for Foreign Language and Area Studies, Foreign Curriculum Consultants, and Group Projects Abroad	Institutions of Higher Education	800	12
OMB 51R1046/ OE 356	Teacher Exchange Program Application	Teachers/ educators	7,000	1/2 hr.

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Occupational and Adult Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 360	Financial Status and Performance Report for Vocational Educational Discretionary Grants	Coll & Univ, Others	70	560
OE 365, 365-1	Financial Status and Performance Report - Adult Education State Grant Programs	Adult Ed. Admin	57	4,560
OE 575-1, -2	Financial Status and Performance Report for the Special Adult Education Program for Indo-China Refugees	Adult Ed. Admin, LEAs	70	560
OE 689-1, -2, -3	Needs Assessment Survey for Serving Handicapped Populations	Voc. Ed. Teachers, Teached Educators, Admin.	2,000	1,000
OE 750-1 thru -5	Management Evaluation Review for Quality - Adult Education	Adult Ed Admin.	1,707	1,024
OE 752	Factors Affecting Job Placement	Postsecondary Institutions	6,436	1,609
OE 754	Development of Entrepreneurship Training Concepts for Vocational Education	Students Teachers	888	5,280
OE 755	Development of Competency Measures for Vocational Skill Areas	Students	278	2,025
OE 772	Field Test of Materials to Assist Teachers in Developing Student Basic Skills through Vocational Education	Teachers, Admin	270	200
OE 772	State Advisory Council for Vocational Education Application	State Boards	114	228
OE 3176	Application for Vocational Education Programs	Coll & Univ, LEAs, Others	200	4,000

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Occupational and Adult Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 664	(a) Choosing Courses and Careers (b) Follow-up Study Form	(a) secondary students (b) school personnel	(a) 3,300 (b) 90	(a) 1,650 (b) 360
OE 590	State-administered Vocational Education Program Improvement Contracts: Abstracts	Other (State Research Coordinating Unit Directors	57	228

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of School Improvement

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 295	Application and Instructions for Federal Assistance - Basic Skills Improvement Program	LEA State agencies Private non-profit agencies		175 15 10 100
OE 781	Law-related Education: An Exploratory Study			
OE 782	Basic Skills Improvement Performance Report	LEAs, nonpublic junior colleges, nonprofit organizations, non-profit-non-public elementary/secondary schools, non-public, proprietary elementary/secondary schools Organizations other than schools or education agencies, Public elementary/secondary schools, Public junior colleges, Public libraries, librarians, School administrators and supervisors, State Boards/Commissions, SEAs, State library agencies, State institutions, Voc/Tech/career postsecondary institutions	309	4,944

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of School Improvement

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 783	Part B - State Basic Skills Improvement Program Performance and Financial Reports - Section 222 and Section 224	SEAs	57	912

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Bureau of Student Financial Assistance

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 553	Referral/Assignment of Defaulted Notes	Coll & Univ	3,300	1,650
OE 574	NDSL Semi-Annual Default Loan Report	Coll & Univ	2,600	13,000
E 623	Validation Form, BEOG Program	Students Financial Aid Officers	206,000	266,000
OE 646	Fiscal Operations Report/Application to Participate in NDSL, SEOG, CWS	Postsecondary Institutions	4,500	112,500
OE 766	Borriwer Status Form (HEAL)	Students	1,200	400
OE 765	Quality Control Surveys of Student Financial Aid Programs	Financial Aid Officers, Lending Institutions	40	220
OE 768	Nonstudent Borrower Application (HEAL)	Students Financial institutions	600	200
OE 777	Request for Deferment, Postponement or Partial Cancellation of Loan	Students	300	30
OE 1072	Student Confirmation Report, GSL Program	Postsecondary Institutions	7,500	7,500
OE 1132	Request for Deferment of Cuban Loan	Students	50	7.5
OE 1188	Request for Deferment of Repayment because of Armed Forces, Peace Corps, or VISTA Status	Students	57,500	8,232
OE 1269, 01	Summaru Data Sheet, NDSL	SEAs	57	153.9
OE 1288, 1288-1	Application and Financial Status and Performance Report, State Student Incentive Program	SEAS	57	131
	Pre and Post Tests on Title IV student financial aid programs for Counselors, Financial Aid Administrators, and Fiscal Officers	Counselors, financial aid administrators, fiscal officers		
OE 756	Borrower Status Form for the Health Education Assistance Loan Program (HEAL)	Health Professions Students	4,000	1,000
OE 769	Disclosure of Finance Charges Form for the Health Education Assistance Loan (HEAL) Program	Commercial Banks	4,000	2,000
OE 628	PHASE ONE: BEOG Quality Control System	Institutions, students, parents of dependent student, parents of independent student	10,500	10,087
OE 633	Application for Certification to Participate in Programs Under Title IV of the Higher Education Act of 1965, as amended	Postsecondary Institutions	2,500	5,000

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Center for Disease Control, U.S. Public Health Service

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
CDC 001	Evaluation of School Health Education Program	Students Teachers Parents Others	25,000 500 2,000 600	53,100

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Food and Nutrition Service, US Department of Agriculture

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
FNS 42	Revision of Nutrition Education and Training Program - Quarterly Performance Report	SEAs	51	255
FNS 44	The Monthly Report of the Child Care Food Program (CCFD) and Summer Food Service Program for Children (SFSP)	State agencies	12	648
FNS 379	Food Preference Report	LEAs, Other organizations	15,000 55	7,665
FNS 1106	Conduct A National Evaluation of School Nutrition Programs	SEAs Teachers (E/S) Principals School Admin. Parents Students, Public Students, Non-public LEAs	51 680 1,600 3,200 3,200 9,500 500 3,000	26,758
FNS 418	Reinstitution of the Summer Data Information Form for the Summer Food Services Program for Children	States/ROs	56	448
FNS 1108	Mass Media Project Field Test	Parents Students Other	3,970	9,730

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency National Center for Education Statistics

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
NCES 2300-2.1	Degrees and Other Formal Awards Conferred Between July 1, 1979 and June 30, 1980	Universities and Colleges (1979-80)	3,100	
		Universities and Colleges (1980-81)	3,100	
				16,430
NCES 2325-2	Survey of Private Elementary and Secondary Schools, 1980-81	Nonpublic Nonprofit Elementary/ Secondary Schools	20,000	6,666
NCES 2350 series	1980-81 Common Core of Data (CCD)	SEAs	57	54,454
		LEAs	16,000	
		Schools	90,000	
NCES 2385-1	1981 Survey of 1979-80 College Graduates	Colleges and Universities	365	1,439
		Individuals	2,150	
NCES 2389	1981 Survey of Characteristics of Noncollegiate Postsecondary Students	Postsecondary Students	6,000	1,400
		Postsecondary Institutions	600	
NCES 2397	1980-81 Teachers Language Skills Survey (TLSS)	Public el/sec teachers	13,800	3,840
		Public el/sec teachers	200	
		Administrators/ supervisors	2,000	
NCES 2404 series NCES 2404A series	Vocational Education Data System (VEDS)	State Board for vocational education	57	
		Former students	448,000	
		Employers	112,500	
				206,595
NCES 2404-10	A National Assessment of State Methodology and Data Quality in Reporting Vocational Education Data Mandated by P.L. 94-482	State Boards for Voc. Ed.	25	
		State Boards for Voc. Ed.	57	
		State Boards for Voc. Ed.	57	
		Local reporting units	75	
				10,700
NCES 2408	Field Test for First Follow-up of High School Students Who as Sophomores Participated in the National Longitudinal Study High School and Beyond	Students	1,584	1,584
NCES 2428	State Level Personnel Exchange	SEAs	32	32
NCES 2429	National Survey of Elementary and Secondary School Finance	SEAs	52	5,200

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency National Institute of Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
NIE 200C	Career Information Systems in Secondary Schools: A Comparative Assessment of Alternate Years	Students Students	1,200 144	972
NIE 193E	The Coordination of Vocational Education and CETA Programs	LEAs Non-profit organizations Others	195 130	1,695

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency National Institute of Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
NIE 220	Financing of Special Education (Only in Phase II)			
NIE 235	Special Education			
NIE 218	Design for an Evaluation of R&D Exchange			
NIE 208	Study of Computer Assisted Instruction (reported earlier but activity may slip into new school year			
NIE 237	State Data Bases (Maybe in Phase II)			
NIE 233	Management of Decline			
NIE 221	School Size Study			

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency National Institute of Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
NIE 236	"National Survey of Federal Education Aid Issues and Options"	Federal and State legislators and ed. officials, LEA reps., nonpublic reps., & reps. of major special interest groups	sample	
	"National Survey of Education Finance"	SEAs and other State agencies	universe	
	"Case Studies of the Impact of School Finance Reforms"	SEA and LEA officials	sample	
	"A Survey of LEA Facilities and Capital Costs"	LEA officials	sample	
	"Field Survey of LEA and School Resource Allocations	LEA and school personnel	sample	
	"Case Studies of Changes in Financing and Educational Governance and Decisionmaking"	Federal, SEA, and LEA officials	sample	
	"Case Studies of Effects of Federal and Related State Program Requirements and Service Mandates"	Federal, SEA, and LEA officials	sample	
	"Case Studies of the Enforcement of Federal and State Education Requirements"	Federal, SEA, LEA, and non-public school officials	sample	
	"Survey of Private Schools"	Private school officials	sample	
	"Field Survey of Private School Programs and Resource Allocation"	Private school officials	sample	
	"Survey of School Enrollment Choices"	Families having school-aged children enrolled in public and private schools	sample	
	"Case Studies of Intergovernmental Relationships in Education"	Federal, SEA, LEA, and school officials	sample	
	"Case Studies Relating to Federal Policy Options"	SEA, LEA, and nonpublic school officials	sample	
	"Survey of Recent Developments in Federal, State, and Local School Finance	SEA and LEA officials	sample	
	"Survey of LEA Participation in Federal Programs"	LEA officials	sample	

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency National Science Foundation

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
NSF 0007	Survey of Academic-Industrial Relationships for 14th National Science Board Report	Faculty and Administrators	3,000	3,000
NSF 0008	Survey of All Doctoral Granting Departments to Improve Previous Work on Rating of Departments	Faculty and Chairman	20,000	20,000
NSF 0009	Survey of Sample of Research Departments Across Fields of Science to Determine Effects of Inflation Upon the Cost of Research	Administrators	3,000	3,000
E0006	Instrumentation Indicators Feasibility Study			
NSF 724S	Survey of Scientific and Engineering Personnel Employed at Universities and Colleges, January 1981	Institutions of Higher Education, R & D Centers	320 18	1,352

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Office of Bilingual Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 751, 751-1	Evaluation of the Classroom Instruction Component of the ESEA Title VII Bilingual Education Program	School Admin, Parents Others	575	2,670
OE 770	Basic Program Profile for Bilingual Education	LEAs	552	276

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Office of Career Education

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 692	Application for Federal Assistance - Career Education Incentive Act, Discretionary Programs	SEAs	150	6,000
OE 703	Financial Status and Performance Report - Career Education Program	SEAs	15	480
OE 704	Career Education State Allorment Program, Financial Status and Performance Report	SEAs	56	2,240

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Office for Civil Rights

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OCR 101	Fall 1978 - School District Summary Report	Public School Districts	6,100 estimate	9,150
OCR 102	Fall 1978 - Individual School Report	Schools in above districts	53,277 estimate	133,192
OS 1-80	Maintenance and Retention of Records Pertaining to Elementary and Secondary School Discipline Procedures and Actions	LEAs	16,000	234,590

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Office of Evaluation and Dissemination

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 511	Sixth Annual Data Collection in Response to Section 406a of GEPA	SEAs, State Library Agencies	81	5,500
OE 677	Analysis of Alternative Comparability Measures	SEAs, LEAs, Principals	138	790
OE 758	Program Objectives of SAFA Construction	LEAs, SEAs, Others	107	100
OE 759	An Assessment of Inservice Training of Regular Classroom Teachers	Teachers	1,650	2,156
OE 760	Assessment of EAES Title I Programs for the Handicapped	SEAs	698	1,858
OE 761	An Impact Evaluation of Programs and Projects Funded under the Indian Education Act	Students, Parents Others	9,750	12,025
OE 762	Study of ESAA Special Project Awards	Ind, Non-Education Orgns, LEAs	758	314,814
OE 763	Study of Multi-Ethnic Desegregation	Students	1,060	710
OE 764	Site Visit Phase, Financial Conditions	Business Officer, Other Admin	120	210
OE 771	Financial Status and Performance Report -National Diffusion Network	LEAs	135	2,700

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Office of Evaluation and Dissemination

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
OE 642-9, -10, -11, -12, -13, -14	Validation Parent Involvement Models in Four Federal Education Programs. (A Follow-up to an earlier data activity entitled - Survey of Parent Involvement Activities in Federal Education Programs: Title I, ESAA, Bilingual, and Follow Through.)	Schools and School Administrators	24	6,000

Annual Listing of Proposed Education-Related Data Collection Activities for School Year 1980-81

Name of Agency Teacher Corps Program

OMB/FEDAC Approval Number/Agency Form Number	Title	Type of Respondents	Number of Respondents	Response Burden (Total Annual Manhours)
051-R-0980/OE 298	Application for Federal Assistance (Non-Construction Programs) - Instructions for Teacher Corps Program	LEAs, IHEs, SEAs	268	8,040
051-R-0964/OE 7210	Teacher Corps Intern Application	Individuals	500	500

[FR Doc. 80-5008 Filed 2-13-80; 8:45 am]

BILLING CODE 4110-89-C

Data Acquisition Activities Involving Educational Agencies and Institutions

AGENCY: Office of the Assistant Secretary for Education, Department of Health, Education, and Welfare.

ACTION: Notice of Data Acquisition Activities Involving Educational Agencies and Institutions.

SUMMARY: The paperwork control requirements in Section 400A of the General Education Provisions Act, added by P.L. 95–561, require public announcement of certain data requests that Federal agencies address to educational agencies and institutions. Federal agencies propose to collect the data described below from educational agencies or institutions during School Year 1980–81. The data acquisition activities that are covered by this Act are subject to review and approval by the Secretary through the Federal Education Data Acquisition Council (FEDAC).

FOR FURTHER INFORMATION CONTACT: Mrs. Elizabeth M. Proctor, FEDAC Staff, 400 Maryland Avenue, SW., Washington, D.C. 20202 Phone (202) 245–1022. The contact persons listed in conjunction with the individual summaries are the ones to whom specific comments or questions concerning a data acquisition activity should be directed.

SUPPLEMENTARY INFORMATION: Under the Paperwork Control Amendments of 1978, section 400A of the General Education Provisions Act, the Secretary of Health, Education, and Welfare is responsible for reviewing and approving collection of information and data acquisition activities of all Federal agencies—

(1) whenever the respondents are primarily educational agencies or institutions; and

(2) whenever the purpose of the activities is to request information needed for the management of, or the formulation of, policy related to Federal education programs or research or evaluation studies related to the implementation of Federal education programs. The Secretary has delegated authority to the Assistant Secretary for Education.

We published interim FEDAC review procedures on August 8, 1979 (44 FR 46535), which are now effective. The Council is considering revisions to these procedures based on the public, Federal agency, and Congressional comments received. Revisions, as necessary, will be made and the procedures will be republished. One requirement is that "no information or data will be requested of any educational agency or institution unless that request has been approved and publicly announced by the February 15 immediately preceding the beginning of the new school year, unless there is an urgent need for this information or a very unusual circumstance exists regarding it."

Data activity plan summaries of proposed data acquisition activities for School Year 1980–81 are being published for comment. Each agency or institution subject to the request for data, its representative oragnizations, or any member of the public, may comment on the proposed data acquisition activity. Comments should be addressed to the project sponsor listed in item (r) of each of the data activity plan summaries. Comments should refer to the specific sponsoring agency and form number and they must be received on or before March 20, 1980. After the public comment period ends, each project sponsor must submit copies of the comments and a summary of them to the FEDAC staff for review. In addition to these specific summaries, a composite listing of known data acquisition activities planned for school year 1980–81 will be published by February 15, 1980.

Dated: February 12, 1980.

Domenic R. Ruscio

Acting Assistant Secretary for Education.

Data Activity Plan Summary

(a) Title of Proposed Activity: Application for Dissemination Program of the Fund for the Improvement of Postsecondary Education.

(b) Agency/Bureau/Office: Fund for the Improvement of Postsecondary Education.

(c) Agency Form Number: ASE 0005.

(d) Justification: The Comprehensive Program is an annual grant competition designed to solicit applications from postsecondary education institutions which propose to improve educational practice. The information requested is necessary to make decisions about which applications will receive grant awards.

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: N/A.

(g) Time Schedule for Data Collection and Publication: N/A.

(h) Consultations Outside the Agency: This is a new competition. The Fund consulted with project directors, the Fund Board of Advisors (15-member Secretarially-appointed board), and experts in dissemination in developing this competition.

(i) Estimation of Respondent Reporting Burden.

Respondent type	Number	Estimate of average person-hours
Colleges and universities	35	8
Nonprofit organizations	8	8
Organizations other than schools or colleges	7	8

(j) Sensitive Questions: None.

(k) Estimate of Costs to Federal Government: $15,000 (in contracts, and salaries and expenditures).

(l) Justification of How Information Once Collected Will Be Used: The applications submitted are used to determine how grants will be awarded.

(m) Methods of Analysis: Applications will be reviewed by several external readers and by staff.

(n) Legislative Authority Specifically Requiring or Allowing This Data Collection: P.L. 92–318, Sec. 301(a)(2) 20 USC 1221d [Subject to the provisions of subsection (b), the Secretary is authorized to make grants and contracts with, institutions of postsecondary education (including combinations of such institutions) and other public and private educational institutions and agencies (except that no grant shall be made to an educational institution or agency other than a nonprofit institution or agency) to improve postsecondary educational opportunities by providing assistance to such educational institutions and agencies for . . .]

(o) Timetable for Dissemination of the Collected Data: No dissemination of the data. Grant awards made in May.

(p) Estimate of Total Person-Hours and Costs Required to Complete the Request: 400 Person-Hours. Cost: $6,000.

(q) Evidence of any Urgent Need or Very Unusual Circumstance Requiring the Data: None.

(r) Copy of Exact Data Instrument: May be obtained from: Russell Y. Garth, Room 3123, FIPSE, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications with Respondent Populations: See item (h).

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: A "Notice of Closing" will be published in the **Federal Register** and application materials will be available at least sixty days in advance of the closing date.

(u) Specific Justification For a Multi-Year Approval: The same competition, using forms and materials essentially unchanged, will be conducted each year.

Data Activity Plan Summary

(a) Title of Proposed Activity: Revision of Nutrition Education and Training Program Quarterly, Performance Report Form FNS–42.

(b) Name of the Sponsoring Agency/ Bureau/Office: U.S. Department of Agriculture, Food and Nutrition Service, Nutrition and Technical Services Division, Nutrition Education Branch, Program Administration Section.

(c) Agency Form Number: FNS 42.

(d) Justification: (1) Section 19 of the Child Nutrition Act of 1966 authorized the Department to formulate and carry out a nutrition education and information program through a system of grants to State educational agencies. Federal funds are made available to States on a formula grant and on the basis of an annual State plan.

(2) States are required to submit quarterly performance reports (OMB approved Form–40–R4046) in accordance with 7 CFR Part 227.30(f)(3) to measure and evaluate the State's progress toward completion of project activities cited in the State plan. This is consistent with the monitoring requirements prescribed by OMB Circular No. A–102, Attachment I.

(3) There is no similar data already available in the subject field that can be used for these purposes. This information is not available from the National Center for Educational Statistics.

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: Descriptive statistics and cross tabulations will be used to measure quarterly activity against the State plan, as well as the rate of program expenditures or obligations as reflected on Financial Status Reports (Form-269). Data analysis will be used as basis for internal reports, but there are no plans to publish this information.

(g) Time Schedule for Data Collection and Publication: Data will be collected five times for each fiscal year. Thirty days after the end of each quarter and a close-out report due 90 days after the end of the fiscal year.

(h) Consultations Outside of Agency: Consultation and approval was obtained from the Committee on Evaluation and Information Systems (CEIS) on all recordkeeping and reporting requirements for the Nutrition Education and Training Program. This organization represents the Chief State School Officers. The revised Form FNS–42 will also be submitted to them for clearance.

(i) Estimation of Respondent Reporting Burden: Respondent type; State education agencies; Number 51; Estimate of average person-hours, 1.

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: N/A.

(l) Detailed Justification of How Information Once Collected Will Be Used: Program Management: Information will be used to monitor the performance of grant supported activities, assess program effectiveness, identify problems and provide technical assistance to those states whose performance indicates they are unable to meet their program objectives.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "State educational agencies shall provide reports on expenditures of Federal funds, program participation, program costs and related matters, in such form and at such times as the Secretary prescribes." (Sec. 19(g)(2) of the Child Nutrition Act, as amended).

(o) Timetable for Dissemination of Collected Data: N/A.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: 255 person hours annually; Costs: $2,550.

(q) Evidence of any Urgent Need or Very Unusual Circumstances Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: The exact data instrument is not yet available. We will publish a second notice when it is available and indicate when the public comment period will end.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: State educational agencies are currently using the quarterly report Form FNS–42 to report participation data. However, this data is insufficient for effectively monitoring and evaluating the performance of a State agency's activities.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: Use of the revised FNS–42 quarterly report Form is planned to begin with quarter (October-December) of fiscal year 1981.

(u) Specific Justification for a Multi-Year Approval: Multi-year approval is requested for the revised FNS–42 quarterly report Form on the basis of legislative authority Section 19(g)(2) of the Child Nutrition Act of 1966, as amended and its use as a routine administrative form.

(a) Title of the Proposed Activity: The Monthly Report of the Child Care Food Program (CCFP), and Summer Food Service Program for Children (SFSP).

(b) Name of the sponsoring Agency/ Bureau/Office: United States Department of Agriculture, Food and Nutrition Service, Child Care and Summer Programs Division.

(c) Agency Form Number: FNS–44.

(d) Justification: The FNS–44 is used to determine on a monthly basis, the maximum projected level of payment of claims submitted by states in both the Child Care and Summer Food Service Program for Children as an ongoing and cumulative process. Moreover, the FNS–44 becomes the sole data base for the non-fiscal Accounts and Reports Division's monthly and quarterly nonfiscal program summary reports.

(e) Description of Survey Plan: The report will be submitted by State Agencies and FNS Regional Offices participating in the CCFP and for the SFSP on a monthly basis.

(f) Tabulation and Publication Plans: Data will be tabulated on a monthly and yearly basis for program analysis and administration purposes. Data will not be published.

(g) Time Schedule for Data Collection and Publication: The SFSP became effective on January 7, 1976. Legislation expires for the SFSP on September 30, 1980. The CCFP was reinstated by P.L. 95–627 on November 10, 1979, and became effective on January 22, 1980. The first utilization of this revised FNS–44 should occur upon the FY 80 regulation implementation on May 1, 1980.

(h) Consultations Outside the Agency: The form has been reviewed and commented upon by the Committee on Evaluation and Information Systems (CEIS).

(i) Estimation of Respondent Report Burden: Type of respondents; State agencies; Number: 54; Average person-hours per Respondent, 12.

(j) Sensitive Questions: None.

(k) Estimate of Cost to the Federal Government: $8,610.

(l) Detailed Justification of How Information Once Collected, Will Be Used: These reports are used by management to assess directions in program growth by state, region, and nation; delineate meal-types provided by program sponsors; tabulate state by state data regarding the number of meals (by type) served under the three reimbursement levels; and identify the number of sponsors electing one of the three "tiering" reimbursement levels as prescribed by the legislation Pub. L. 95–627. Moreover, it is the only reporting system that reflects the scope of Food Service Equipment Assistance (FSEA) provided to each state by number of participating instituions. In addition, the impact of FSEA can be assessed by the collection of the quarterly reported average daily attendance of institutions using FSEA funds.

(m) Method of Analysis: The Accounts and Reports Division produces monthly computer compilations of all descriptive data as well as dollar projections based upon this data.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Pub. L. 95–627, Section 17(r) and Pub. L. 95–166, Section 13(p). Federal Rules and Regulations, Child Care Food Program, Section 226.8(d), "Reports". Federal Rules and Regulations, Summer Food Service program for Children, Section 225.5(k), "Records and Reports".

(o) Timetable for Dissemination of Collected Data: N/A (see "f", above).

(p) Estimate of the Total Person-hours and Costs Required to Complete the Request: 861 hours. Approximately a maximum $8,610 for costs, (based upon a high estimate of $10 per hour for employee labor).

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: It is minimal program data needed to monitor the regulatory characteristics of the Child Care Food Program and Summer Food Service Program for Children.

(r) Copy of the Exact Data Instrument: Obtainable from: Jordan Benderly, Director, Child Care and Summer Programs Division, Food and Nutrition Service, 500 12th Street, SW., Washington, D.C. 20250.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: State Educational Agency's Committee on Evaluations and Informational Systems has reviewed and commented upon initial draft of form. Their criticism primarily dealt with form and style. Additional clarifications were added to the forms instructions. In addition, comments were received from FNS Regional Office personnel who must submit this report for States that have a Federally administered Child Care and/or Summer Food Program.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: This has been an on-going report for many years. It is being revised to reflect changes in program characteristics mandated by Pub. L. 95–627 and current Child Care Food Program regulations. Implementation of this form on May 1, 1980 is based upon the prescribed implementation date in the current regulations.

(u) Specific Justification for a Multi-Year Approval: Pub. L. 95–627 Section 17(r)—on-going authorization.

(a) Title of Proposed Activity: Reinstitution of the Summer Data Information Form for the Summer Food Service Program for Children.

(b) Name of Sponsoring Agency: Child Care and Summer Food Service Program for Children, Food and Nutrition Service, U.S. Department of Agriculture.

(c) Agency Form Number: FNS–418.

(d) Justification: Data is not available elsewhere. The basic monitoring form, the FNS–44, *Monthly Report of the Child Care and Summer Food Service Program for Children*, provides rudimentary, quantitative and non-fiscal description of the Summer Food Service Program for Children (SFSP). Information is accumulated only as Statewide grand totals. No provision for the profiles of Summer Program sponsor types, site types, or meal types has been made on any data collection instrument other than this FNS–418, *The Summer Data Information Form.*

(e) Description of Survey Plan: The report will be submitted annually by the administering agency (States or Regional Offices, if applicable) of the SFSP. There are 56 States or American territories and 56 reports to be submitted annually.

(f) Tabulation and Publication Plans: Data will be tabulated yearly for program analysis and administrative purposes. Data will not be published.

(g) Time Schedule for Data Collection and Publications: The SFSP runs from May through September of each year. Previous data collection was based upon sponsor application information and provided inaccurate inflated program participation and meal preparation figures. To correct this situation, the form will be based upon *actual* participation data, and as such, must be collected in December when actual (not projected) SFSP data is available.

(h) Consultations Outside the Agency: The form has been reviewed and commented upon favorably by the Committee on Evaluations and Information Systems (CEIS).

(i) Estimate of Respondent Burden: 448 hours = (8 hours × 56 States/RO's).

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: $9.00 × 8 hours = $72; $72 × 56 States/RO's = $4,032 for Federal Cost.

(l) Detailed Justification of How Information, Once Collected, will be Used: Without this information there are no other reliable statistics for such legislatively mandated functions as outreach to the unserved eligible population. Such SFSP program information leads to basic revisions in program reimbursement incentives and potential restrictions on food service management companies (e.g., vendors). By standardizing operational definitions for sponsor types, site types, and meal types, comparisons between and among States, Regions, and the nation will be possible. As a management tool to accommodate the needs of vastly different geographic and demographic areas, the Summer Data Information form has no current substitute.

(m) Method of Analysis: the Accounts and Reports Division compiles state data and will provide a nationwide summation by state, region, and nation of each data element requested on the form.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: The form bases its authorization under Public Law 95–166, Section 2 which amends Section 13(m) of the National School Lunch Act and Section 225.5(k)(2) of the 1980 SFSP regulations.

(o) Timetable of Dissemination of Collected Information: Not Applicable (see "f", above).

(p) Estimate of Total Person-hours and Costs Required to Complete the Request: $4032 and 448 hours.

(q) Evidence of any Urgent Need or very Unusual Circumstances Requiring the Data: Program maintenance and growth.

(r) Copy of the Exact Data Instrument: Obtainable from: Jordan Benderly, Director, Child Care and Summer Programs Division, Food and Nutrition Service, 500 12th Street, S.W., Washington, D.C. 20250.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: The CEIS committee (see "h" above) and each Regional Office was allowed to comment upon the form. All responses were favorable.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: This is a reinstitution of a one-year-old format. The States and regions all have submitted these forms for 1979 and are prepared to report these very basic program characteristic tabulations for the upcoming year.

(u) Specific Justification for a Multi-Year Approval: Pending legislation to be implemented in FY 81 proposes on-going authorization for the SFSP.

Data Activity Plan Summary

(a) Title of the Proposed Activity: 1981 Survey of 1979–80 College Graduates.

(b) Name of the Sponsoring Agency/Bureau/Office: National Center for Education Statistics.

(c) Agency Form Number: NCES Form 2385–1.

(d) Justification: This is a survey of the occupation and education experience of recent college graduates. A major emphasis of the study will be on graduates prepared to teach in order to

assess teacher supply and demand. This survey will provide data on the supply of beginning teachers and on the numbers of those who obtain teaching jobs (demand). It is the third in a series of surveys whose data are being used to fulfill the Education Amendments of 1976 (Pub. L. 94–482) which requires NCES to "conduct a continuing survey * * * to determine the demand for, and the availability of, qualified teachers * * *" Since persons newly qualified to teach come from the pool of new college graduates, this study is necessary to collect data needed for the mandate.

(e) Description of Survey Plan: In order to draw a sample of 1979–80 college graduates it will be necessary to collect lists of the graduates from institutions of higher education. Two probability samples of institutions of higher education will be needed. A sample of 10–15 institutions for a pilot study and a sample of about 350 institutions for the main survey will be drawn.

The confidentiality of information provided, whether by institutions or individual respondents will be assured. At no point during the survey will the respondents names be connected with the data, either on the questionnaire itself or in the computer file; respondents will be identified solely by a number. All identifying information, as well as the original lists provided by the institutions, will be kept under lock and key and in coded computer files. NCES will adhere to all requirements of the Privacy Act and the Buckley Amendment to the Freedom of Information Act.

The survey program will consist of a pilot survey on graduates newly qualified to teach, a study of the validity of measures of other key variables (e.g., salary, grade point average, reason a graduate took a job not requiring a degree, relation of occupation to major field) followed by the main survey in 1981. The sample of the main survey will consist of approximately 12,000 graduates (10,000 BA's and 2,000 MA's from July 1, 1979 through June 30, 1980). The survey will be conducted by a contractor to be selected to collect and process the data.

(f) Tabulation and Publication Plans: NCES plans to publish in December 1981 two management bulletins, one on the employment status of recent college graduates and another one on persons newly qualified to teach and the number of vacant teaching positions. Two analytic reports on those topics are planned for release in August 1982. A teacher supply-demand report to Congress, is planned to be released in June 1982. The reports will include tabulations of the data as described below as well as comparison of the data with that of previous surveys. In general, the tabulations arising out of this study will give information on the labor force and education status of recent college graduates. Particular attention will be given to graduates who, by virtue of their recent degree work, represent additions to the national supply of elementary and secondary teachers.

(g) Time Schedule for Data Collection and Publication: 1. Gather lists of 1979–80 college graduates from institutions of higher education for the pilot study—June 1980.

2. Pilot study mail out to graduates—July 1980.

3. Begin telephone follow-up—August 1980.

4. Gather lists of 1979–80 college graduates for the major survey—September 1980–February 1981.

5. First mailing to graduates—February 1981.

6. Telephone and other field follow-up—April–June 1981.

7. Management Bulletins—December 1981.

8. Data tapes for dissemination—January 1982.

9. Report to Congress—June 1982.

10. Analytic Reports—August 1982.

(h) Consultations Outside the Agency: Consultations and coordination (outside of NCES) were made with a number of representatives of government and private organizations. There was general agreement that the objectives of the study were reasonable and that the questionnaire was appropriate.

List of individuals consulted in this and earlier surveys in the series:

Rachael Keely—Data Collection, Analyses, and Reporting Committee of the American Association of Collegiate Registrars and Admissions Officers'

David Imig—American Association for Colleges of Teacher Education

Jean Kessler—College Placement Council

Harris Olson—American Association of Collegiate Registrars and Admissions Officers

Robert Andringa—U.S. House of Representatives: Committee on Education and Labor

Bob Stump—National Institute of Education

Neal Rosenthal—Bureau of Labor Statistics

James Brown—National Science Foundation

Herman Saettler—USOE, Bureau of Education for the Handicapped

Norma Garcia—USOE, Office of Planning, Budget and Evaluation

William Graybeal—National Education Association

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours
1. Colleges and Universities	365	2
2. Individuals	12,150	⅓ (20 min.)

(j) Sensitive Questions: Not applicable.

(k) Estimate of Cost to Federal Government: Not yet available.

(l) Detailed Justification of How Information Once Collected Will Be Used: The Education Amendments of 1976 (Pub. L. 94–482; 20 USC 1221e–1) requires NCES to "conduct a continuing survey * * * to determine the demand for, and the availability of qualified teachers * * *" The final data tape, tabulations and publications will be available to the Congress and to the public for any research or study of the supply of persons newly qualified to teach. The survey will also provide the employment and enrollment status of all college graduates during the year following their graduation by major field. It will allow for the conduct of trend analyses with the previous two surveys.

This data will contribute to the provision of "full and complete statistics on the condition of education in the U.S." Up-to-date information on the current problem of the employment status of college graduates will be available. Articles based on data from this survey series have been published in the *Condition of Education Report.*

Uses by other Federal Agencies: 1. Department of Agriculture—Outlook for agricultural personnel.

2. Department of Labor, Bureau of Labor Statistics for occupational outlook studies.

3. U.S. Office of Education, Bureau of Education for the Handicapped for planning personnel training programs.

4. U.S. Office of Education, Bureau of Student Financial Assistance for planning student loan programs.

Various users that are non-Federal organizations, such as: 1. Southern Regional Education Board.

2. Council of Graduate Schools.

3. State Departments of Education.

4. State Education Associations.

5. College and Universities.

(m) Methods of Analysis: 1. Data Aggregation—National.

2. 100 complex tables, each run for bachelor's—males, females and total; and master's—males, females and total.

3. Merging with data from the previous two surveys in this series.

4. Tests of significance of difference of means.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Section 406(b)(5) (The Center shall) "Conduct a continuing survey of institutions of higher education to determine the demand for, and the availability of qualified teachers" (Pub. L. 93–380 as amended by Pub. L. 94–482; 20 USC 1221e–1).

(o) Timetable for Dissemination of Collected Data: See (g) above.

(p) Estimate of the Total Person-Hours and Costs Required To Complete the Request: 1. Colleges and Universities—730 person-hours; $7,300.

2. Individual—4,050 person-hours; $24,300.

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: Not applicable.

(r) Copy of the Exact Data Instrument: Copies of the draft instruments may be obtained from: Stafford Metz—Population Surveys Branch, National Center for Education Statistics, 400 Maryland Ave., S.W., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: None.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: Colleges and Universities have lists of graduates on file. A letter to the registar, with copies to the alumni office and to the president of the institution will be sent about a month before the lists are due. Graduates will answer the questionnaire from memory.

(u) Specific Justification for a Multi-Year Approval: Not applicable.

Data Activity Plan Summary

(a) Title of Proposed Activity: A National Assessment of State Methodology and Data Quality in Reporting Vocational Education Data Mandated by P.L. 94–482

(b) Agency/Bureau/Office: National Center for Education Statistics/Office of Research and Analysis

(c) Agency Form Numbers: NCES 2404–10 and NCES 2404–11

(d) Justification: Review of the legislative history of PL 94–482 makes clear that the statutory authority granted to NCES by Sec. 161(a) of the law to develop, implement, and operate the vocational education data system includes the responsibility to assure the quality of the data provided by the States, and their adherence to the specific requirements and standard definitions which constitute the system. In accordance with regulations 45 CFR 104.141, each State participating in funding under the Vocational Education Act of 1963 as amended provided assurances of compliance with the VEDS requirements. In order to ascertain the quality of State-provided data, and the States' adherence to standard definitions and data elements, in accordance with such assurances, NCES intends to conduct the subject assessment. This NCES assessment will provide a basis for the Commissioner's determination that each State has established procedures "to insure that the assurances of the general application will be carried out" in accordance with the requirements of regulation 45 CFR 104.262.

(e) Description of Survey Plan: Each designated sole State Board for Vocational Education shall annually submit comprehensive information by institutional level (secondary and postsecondary) on vocational—

1) students (including information on their race and sex); 2) programs; 3) program completers and leavers; 4) staff; 5) expenditures.

Section 161(a) of PL–94–482, the Educational Amendments of 1976, mandates the development and implementation of the Vocational Education Data System (VEDS). The specific reporting requirements, data elements, and uniform definitions for this system have been issued by the National Center for Education Statistics in accordance with its statutory authority and repsonsibility. This data stystem requires that the sole State Board for Vocational Education report data from Local Educational Agencies and Postsecondary Institutions on Students, Staff, Programs, Completer/Leavers, Facilities and Expenditures, as well as follow up data on former students and their employers. The Act also requires implementation of uniform definitions and standard data elements by the States, and an analysis of data provided by the States for the Commissioner's Annual Accountability Report to Congress.

In order to assess, in part, the States' compliance with the mandate, it is necessary to determine if States are, in fact, utilizing uniform data elements and standard definitions in their data acquisition and reporting activities. In order to fully analyze the data as mandated, it is necessary to examine the collection process in each State to determine the quality of the data provided.

The data assessment will be completed in three phases: (1) State representatives will complete self-reports of VEDS collection methods and problems they encountered for the 1978–79 school year; (2) State representatives will complete self-reports on VEDS collection methods and problems they encountered for the 1979–80 will also supply school year and student and employer data for students who completed or left a program in the 1978–79 school year; and (3) Government representatives will conduct on-site visits to selected States to verify the accuracy of their self-reports as a component of the compliance monitoring process.

Phase 1: NCES will mail the approved instrument (NCES Form 2404–10) to the State representatives. This instrument will assess the 1978–79 acquisition process for VEDS data reported on NCES 2404, 2404–1 and 2404–2 (enrollment, staff and fiscal). State representatives will be required to supply a description of the collection procedures utilized, specific instruments they used to collect VEDS data, and an estimate of the accuracy of the data. The VEDS data will be assessed by institutional level for each set of data items found on the NCES report form and areas where the data were edited or adjusted will be documented. NCES will compare the prescribed definitions and data elements to those utilized by the States. This analysis will provide useful information on each State's compliance status. This information will be used by the Office of Education for the annual Commissioner's Report to Congress. Further, the data from Phase 1 will be used in testimony to the Congress for the reauthorization hearings scheduled for Summer 1980.

Phase 2: For the 1979–80 VEDS data collection (due December 1, 1980), parallel assessment data will be requested for State data acquisition and reporting processes used for NCES forms 2404, 2404–1, 2404–2, 2404–5, 2404–6, 2404–7, 2404–8, 2404A and 2404A–1. The instrument to be used in NCES Form 2404–11. The assessment data will be used for the same purposes as discussed in Phase 1.

Phase 3: It is to be expected that additional clarification will be needed in some cases to fully understand the specific procedures used and problems encountered by some States. Based upon the results of the two self-report collections, on-site visits will be used to verify the information found in the self-reports and to obtain additional information on the problems encountered by the States. The Government representative will conduct a detailed examination of the acquisition process and will discuss the problems encountered. These discussions will help NCES determine the nature of problems encountered and

their probable impact on the quality of VEDS data.

(f) Tabulation and Publication Plans: The analysis process will result in the categorization of items from the VEDS data collection forms into a number of classes based upon the sources, type, level of accuracy, and problem characteristics of the data. State-by-state and national summary tabulations with analytical reports will be prepared for each of the classes.

(g) Time Schedule for Data Collection and Publication:

March 1, 1980: Self-reporting instruments will be mailed to the States for the assessment of the 1978–79 VEDS data collection process.

April 15, 1980: Self-reporting instruments will be returned to NCES by the States.

May 15, 1980: Preliminary data analyses completed.

June 15, 1980: Interim report on the preliminary analysis will be published and mailed to the States as information. A copy of the interim report will be sent to the Bureau of Occupational and Adult Education of the Office of Education for inclusion in the Commissioner's annual accountability report on vocational education.

September 15, 1980: Final reports (including the Congressional staff report) on the assessment of State methodology and data quality in reporting vocational education data for 1978–79 will be published (completion of Phase 1). The reports will be made available to the public.

October 15, 1980: Self-reporting instruments will be mailed to the States for the assessment of the 1979–80 VEDS data collection process (including the 1978–79 follow-up data). (First activity of Phase 2)

December 1, 1980: Self-reporting instruments will be returned to NCES by the States.

February 1, 1981: Begin site visits to selected States to verify and clarify the self-reports.

March 1, 1981: Final report on the self-assessment of State methodology and data quality in reporting vocational education data for 1979–80 (including the results of the site visits) will be published. This report will contain both State summaries and a National synthesis. (Completion of Phase 3)

(h) Consultations Outside the Agency: The development of the data elements and definitions, as well as the Federal forms and record keeping requirements, has involved over 500 persons and organizations to date including: (1) American Vocational Information Association (J. B. Morton, President); (2) American Vocational Association (Gene Bottoms, Executive Director); (3) Council of Chief State School Officers (Barbara Thompson, Executive Officer); (4) National Advisory Council on Vocational and Technical Education (Reginal Petty, Executive Director); (5) Office for Civil Rights (Paul Kretchmar, Division Director); (6) Office of Evaluation and Dissemination (Ed Rattner, Project Office); (7) Bureau of Labor Statistics (Richard Dempsey, Coordination, Manpower Needs Studies), (8) Bureau of Education for the Handicapped (William Halloran, State Plan Officer); (9) Employment and Training Administration (Leo Gershenson, Acting Chief, ADP Operations); (10) National Institute of Education (Henry David, Project Director); (11) National Occupational Information Coordinating Committee (Ralph Allyn, Acting Director); (12) Committee on Evaluation and Information Systems (Charles Lloyd, Chairman); (13) Veterans Administration (Fred Brenan, Assistant Director, Research and Biometric); (14) National Association of State Directors of Vocational Education (Gene Lehrman, President); (15) Postsecondary Education Policy Committee on Information (Jane Ryland, Project Officer); (16) American Association of Community and Junior Colleges (Roger Yarrington, Vice President); and (17) Bureau of Occupational and Adult Education (Kent Bennion, Division Chief). In summary, most Federal Agencies with educational interests and all States have been directly involved in the develoment of VEDS.

The concept of a data assessment study was a recurring issue throughout the development of VEDS. While a specific instrument was not available at that time, NCES representatives clearly indicated to the State representatives their intention to conduct such a study.

(i) Estimation of Repondent Reporting Burden:

Respondent type	Number		Estimate of average person-hours, per response
Phase 1	State Boards for Vocational Education.	57 Boards	40
Phase 2	State Boards for Vocational Education.	57 Boards	60
Phase 3	State Boards for Vocational Education and Local Reporting Units.	Up to 25 Boards. Up to 75 Units.	100 33

The report due (NCES–2404–10) on the data reported on school year 1978–79 will require approximately 40 person-hours to complete per State. The report (NCES 2404–11) due on the collection of 1979–80 school year data and follow-up data for the 1979–80 school year students will require approximately 60 person-hours per state. The on-site visits to selected States will require from 100 to 300 hours per respondent (including local agency and institutional officials) depending on the number of items of data which were found to be in question. It is estimated that 25 States will exhibit sufficient difficulties that site visits will be required.

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to Federal Government: The estimated cost to the Federal government is not yet available.

(l) Detailed Justification of How Information Once Collected Will Be Used: Information collected will be used, in part, to assess compliance with provisions of law and regulations, as previously discussed. Information collected will be used to prepare the Commissioner's Annual Report to Congress on the status of vocational education. This information will significantly enhance the decision capacity of Congress with respect to the establishment of vocational education policies. With respect to the reauthorization hearings, the results of the quality assessment study are probably as valuable to Congress as the first-year VEDS data. These data will enhance decisions made within the Office of Education's Bureau of Occupational and Adult Education on setting priorities and program management. In conjunction with the results from Phases 1 and 2 of the assessment, the on-site visits (Phase 3) will provide the State with expert assistance and could possibly lead to future assistance. Finally, these data will aid the Administrator of NCES in making budget and planning decisions for assistance to States.

(m) Methods of analysis: The analysis of the VEDS assessment data will be used as part of the compliance determination process. In this regard, the degree to which compatible definitions were used, data were provided, and data adjustments yielded statistics of acceptable quality will be determined on an individual basis. The report will then serve as supporting documentation to the compliance finding and will be the basis for caveats and documentation of the limitations of VEDS data tapes which will be available to the public.

For the national summary data, the analysis will be more quantitative. For each section of data, the number of States with similar responses for such items as data adjustments and quality will be summarized and presented. In addition, overall estimates of the bias

and variance of national totals will be developed by making certain assumptions about the underlying distributions of the data.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Section 161(a) of P.O. 94–482 states that the "* * * National Center for Education Statistics shall design, implement, and operate this information system. This system shall include information resulting from the evaluation required to be conducted by Section 112(b) and other information on vocational (A) students (including information on their race and sex), (B) programs, (C) program completers and leavers, (D) staff, (E) facilities, and (F) expenditures." Additional specific citations are presented in section (e) of this announcement.

(o) Timetable for Dissemination of Collected Data: The data obtained by the study will be disseminated on the following schedule:

June 15, 1980: Interim report on Phase 1 data (1978–79) will be mailed to the States.

September 15, 1980: Final report on Phase 1 national self-assessment data (1978–79) will be distributed to Congressional staff, the Bureau of Occupations and Adult Education, and the public.

February 1, 1981: Interim report on Phase 2 data (1979–80) will be mailed to the States.

March 1, 1981: Final report on Phase 2 national self-assessment data (1979–80) will be distributed to Congressional staff, OE, and the public.

June 1, 1981: Final comprehensive report on Phase 3 national assessment of State methodology and data quality in reporting 1979–80 vocational educational data (including site visit data) will be distributed to the Congressional staff, OE, and the public. (This report will contain both State summaries and a National synthesis.)

(p) Estimate of Total Person-Hours and Costs Required to Complete the Request: The estimated total response-hours is 10,700. The estimated cost to respondents is approximately $100,000 (incremental).

(q) Evidence of Any Urgent or Very Unusual Circumstance Requiring The Data: The legislative history of Section 161(a) of P.L. 94–482 points very clearly to Congress' urgent need for this type of information, in time for the 1980 reauthorization hearings.

(r) Copy of the Exact Data Instrument: A copy of the full plan and the data instruments may be obtained from: Dr. Rolf Wulfsberg, ASE/NCES/ORA, 400 Maryland Avenue, S.W., FOB No. 6, Room 3153–F, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: NCES has made every possible effort to involve and communicate with the respondent population and/or their representative organizations. The first public meeting on the revised VEDS forms was held in Washington, D.C., May 1978 at the State Directors of Vocational Education conference. The second public meeting occurred at the American Vocational Information Association on May 23–25, 1978, in Oklahoma City. Forty-one States were represented at the meeting with over 100 participants.

Based on both the House report and State input, NCES, as part of the technical assistance to States, began a series of four 5-day regional workshops, which reached 52 states and territories beginning in October, ending just prior to final OMB clearance in December 1978. Both lecture and demonstration were utilized to assure that personnel from each State fully understood the reporting requirements of the data system.

On March 1, 1979, the final cleared forms for collecting 1978–79 school data were sent to all workshop participants, State Directors of Vocational Education, Chief State School Officer and Executive Officers of the State Board for Vocational Education.

Along with these forms, a copy of all questions and answers from the workshops were sent to workshop participants, detailing NCES positions on all recurring questions raised in the sessions.

Throughout the remainder of 1979, numerous meetings were held with the State Directors of Vocational Education, the Big City Directors of Vocational Education, Committee on Evaluation and Information Systems and representatives of postsecondary institutions.

The concept of a data assessment study was a recurring issue throughout the development at VEDS. At each meeting, NCES representatives indicated NCES' intention to conduct a data quality audit although a proposed instrument was not available at the time.

(t) Assurance that Respondents Will Have Sufficient Lead Time to Comply With Request: For the first phase of the study, NCES will initiate the data collection process on or about March 1, 1980. NCES estimates that the States will have approximately five weeks to respond. Although the first phase of this study requires intensive effort on the part of State Board personnel, VEDS data shall have already been collected from LEAs and reported on VEDS forms and, therefore, the information will be readily available at the State level. It should not be necessary for States to contact the LEAs.

(u) Specific Justification For Multi-Year Approval: N/A.

Data Activity Plan Summary

(a) Title of The Proposed Activity: Institutional Progress Report for Basic Educational Opportunity Grants.

(b) Name of the Sponsoring Agency/Bureau/Office: Office of Education/Bureau of Student Financial Assistance/Basic Educational Opportunity Grant Program.

(c) Agency Form Number: OE Form 255–3.

(d) Justification: The Progress Report is the vehicle through which necessary adjustments to the authorization of BEOG funds are made, based on the actual demand for funds as reflected by the number of eligible BEOG recipients at the institution. The Progress Report is also intended to monitor the allocation of Basic Educational Opportunity Grant funds for a given funding period and to report the payment of these funds by institutions to student recipients.

(e) Description of Survey Plan: The current approved Progress Report for 1979–80 will be used throughout the remainder of the academic year. It is anticipated that some changes will be made for the 1980–81 academic year.

(f) Tabulation and Publication Plans: Not Applicable.

(g) Time Schedule for Data Collection and Publication: Reports will be collected three (3) times annually, October, February, and June for the 1980–81 academic year. This information is not published but is used in-house for funding-level purposes.

(h) Consultations Outside the Agency: Not Applicable.

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours
Postsecondary Educational Institutions	5,000	¾

Three (3) reports per year (see g).

(j) Sensitive Questions: Not Applicable.

(k) Estimate of Cost to Federal Government: Not Applicable.

(l) Detailed Justification of How Information Once Collected Will Be Used: Reports will be used to measure institutions' progress in attaining objectives approved in their applications and to monitor their compliance with program regulations. Reported expenditures and expected expenditures for additional BEOG recipients will be used for evaluating institutional requests for additional funds.

(m) Methods of Analysis: The evaluation formula is an averaging concept that changes with the report submission (October, February, and June).

The formula will reject the Progress Report for the following reasons:

(a)1—Amount for present recipients is out of range. Exceeds the average set for that type/control institution.

(b)2—Amount for additional recipients out of range. Exceeds the average set for this value by institution type and control. This is a factor of present recipients which varies with Progress Report submission.

(c)3—Estimated total expenditures out of range. Exceeds value set for the average of present and additional recipients combined. By institution type/control.

(d)4—Average for additional recipients more than 10% of reported average.

(e)5—Missing prior year June Progress Report. By October, all institutions should have had a June report processed. The year-end adjustments are considered during staff review.

Those reports rejected by the processing formula are reviewed by staff. Adjustments are made consistent with past performance and performance of similar institutions of that type and control.

If Progress Report data is substantially out of line or indicated cut in request is large, institution contact is required for explanation and resolution.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "The institution shall submit such reports and information as the Commissioner may reasonably require in connection with the funds advanced to it in accordance with 190.74 and shall comply with such procedures as the Commissioner may find necessary to insure the correctness of such reports." (45 CFR 190.84) (20 U.S.C. 1070a).

(o) Timetable for Dissemination of Collected Data: Not Applicable.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: 11,250 person hours, $112,500. (Calculation used: 5,000 respondents × .75 hours × 3 times per year = 11,250 person-hours; @ $10 per hour = $112,500.)

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: Not Applicable.

(r) Copy of the Exact Data Instrument: The data instrument is available at: U.S. Office of Education, 400 Maryland Avenue, S.W., Basic Grant Program, Room 4718, ROB–3, Washingon, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: Not Applicable.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: For the past academic years, reports have been mailed to institutions in July. These reports are due the end of October.

(u) Specific Justification for Multi-Year Approval: The BEOG Progress Report is the document utilized by the Basic Grant Program and completed by the institutions to report expenditures and for requesting additional funds. The Basic Grant Program requires that the institution submit these reports three (3) times per academic year, October, February, and June. The Progress Report has been utilized since the inception of the Program which began in 1973.

The legislative authority states that the institution shall submit such reports and information as the Commissioner may reasonably require in connection with the funds advanced to it in accordance with 190.74 and shall comply with such procedures as the Commissioner may find necessary to insure the correctness of such reports (45 CFR 190.84) (20 U.S.C. 1070a). The program is also funded for a 2-year period, i.e., 1979–80.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Preapplication for Federal Assistance (Construction) Public Law 81–815. Application for Federal Assistance (Construction) Public Law 81–815.

(b) Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education/Bureau of Elementary and Secondary Education.

(c) Agency Form Number: OE 355, OE 355–1.

(d) Justification: To be considered for assistance an LEA must file a preapplication. An Applicant whose preapplication is determined to be eligible for funding must file an application.

(e) Description of Survey Plans: N/A.

(f) Tabulation and Publication Plans: Priorities are calculated for all eligible pre-application received before the cutoff date. Entitlements are included in the annual report.

(g) Time Schedule for Data Collection and Publication: A priority list of eligible application is updated each year in November or December. The annual report is published in January of each year.

(h) Consultations Outside the Agency: Local educational agencies and State educational agencies are consulted throughout the applicaton process.

(i) Estimation of Respondent Reporting Burden: (1) Type: Local educational agency. (2) Number: 200—approximately 20 pre-applications per year. (3) Estimate of average person-hours: 16.

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: $10,000.

(l) Detailed Justification of How Information Once Collected Will Be Used: Program management: Data is used to determine an applicant's eligibility and entitlement.

(m) Methods of Analysis: This program is a formula grant. The percentage of federally connected membership in the local educational agency and the percentage of membership in excess of the rated capacity of the local agency's facilities yields a priority.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "No payment may be made to any local educational agency under this ACT except upon application therefore. . ." (P.L. 81–815, Sec. 6(a)) (20 U.S.C. 636)

(o) Timetable for Dissemination of Collected Data: Annual report containing grants made during the year is published in January. Applicants who have timely filed a preapplication (cutoff dates are normally in August) are informed of eligibility in September or October.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: Person-Hours: 3,200; Costs: $32,000.

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: Application forms are required by law.

(r) Copy of the Exact Data Instrument: William W. Chase, Room 2069, FOB–6, 400 Maryland Avenue, S.W. Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: This program has been in operation since 1950. Contact with State Educational agencies and local educational agencies is well established and has operated reasonably smoothly over the years. Initial contact with new applicants typically involves them calling us for information.

(t) Assurance That Respondents will Have Sufficient Lead Time to Comply With Request: A new cutoff date for the receipt of applications will be published in the Federal Register in the spring. Cutoff dates usually are in August. Most applicants have filed for assistance previously and have an ongoing relationship with this program.

(u) Specific Justification for a Multi-Year Approval: This is a routine application form required by law as the basis for a grant.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Standard Application (Nonconstruction) for Migrant Education Program, Title I, ESEA.

(b) Agency/Bureau/Office: U.S. Office of Education/Bureau of Elementary and Secondary Education/Compensatory Educational Programs/Division of Migrant Education.

(c) Agency Form Number: OE Form 362

(d) Justification: "Sec. 141. (a) Entitlement.—A State educational agency or a combination of such agencies shall, upon application, be entitled to receive a grant for any fiscal year under this part to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers or of migratory fishermen which meet the requirements of section 142."

"Sec. 142. (a) Requirements for Approval of Application.—The Commissioner may approve an application submitted under section 141(a) . . . (20 U.S.C. 2761–2763, P.L. 93–380 as amended by P.L. 95–561.)

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: N/A.

(g) Time Schedule for Data Collection and Publication: N/A.

(h) Consultants Outside the Agency: N/A.

(i) Estimation of Respodent Reporting Burden:

Respondent type	Number	Estimate of average man-hours per respondent
State Education Agencies	49	20
Local Education Agencies	1200	20

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to Federal Government: N/A.

(l) Detailed Justification of How Information Once Collected Will Be Used: This information will be used to determine grant eligibility and compliance with applicable regulations.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection:

(1) Legislative Authority—see item (d). (Sec. 141(a) of the Elementary and Secondary Education Act, as amended by P.L. 95–561, 20 U.S.C. 2761–2763)

(2) Regulatory Authority—"To receive a grant, an SEA shall submit to the Commissioner an application . . . (45 CFR 116d.3 ESEA, Title I, Migrant Education Program Regulations, November 13, 1978)

(o) Timetable for Dissemination of Collected Data: Date of Availability: October 1, 1980. Method of Dissemination: (1) Each State education agency will conduct a 30 day comment period on State application prior to submittal to the U.S. Office of Education. (2) Completed OE Form 362's will be available for perusal upon requests. Data to be disseminated: All respondents will be required to provide information requested on the standard non-constructive application for Federal assistance, including the standard face page SF–424. Part IV, the Program Narrative incorporates requests for information based on statutory and regulatory needs.

(p) Estimate of Total Person-Hours and Costs Required To Complete the Request:

Respondent	Person-hours	Cost
State Education Agency	980	$18,240
Local Education Agency	24,000	$285,000

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Copies may be obtained by contacting: Mr. Vidal A. Rivera, Jr., Acting Director, Division of Migrant Education, 400 Maryland Avenue, SW., FOB–6–2031, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communication With Respondent Populations: N/A.

(t) Assurance That Respondents Will Have Sufficent Lead Time To Comply With Request: A Notice of Closing Date is expected to be published in January 1980 in the **Federal Register** indicating that State application should be received by the Division of Migrant Education on or before April 15, 1980 for migrant education programs beginning in July or October 1980. An applicant may request a waiver of the closing date with a written justification for the change.

(u) Specific Justification for a Multi-Year Approval: N/A.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Standard Financial Status Report for Migrant Education Program, Title I, ESEA.

(b) Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education/Bureau of Elementary and Secondary Education/Compensatory Educational Programs/Division of Migrant Education.

(c) Agency Form Number: OE Form 362–1.

(d) Justification: "Sec. 172. Each State educational agency shall make to the Commissioner (1) periodic reports . . . evaluating the effectiveness of payments under this title. . ., and (2) such other reports as may be reasonably necessary to enable the Commissioner to perform his duties under this title . . . ."

(20 U.S.C. 2822 P.L. 93–380 as amended by P.L. 95–561)

Sec. 100b.403(a) "State agencies shall use the standard Financial Status Report prescribed by attachment H of OMB circular No. A–102 to report the status of funds for all non-construction grant programs."

(38 FR 30689)

(e) Description of Survey: N/A.

(f) Tabulation and Publication Plan: N/A.

(g) Time Schedule For Data Collection and Publication: N/A.

(h) Consultations Outside The Agency: N/A.

(i) Estimation of Respondent Reporting Burden: Respondent: State education agencies; Number: 49; Estimate of average person-hours: 20.

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to the Federal Government: N/A.

(l) Detailed Justification of How Information Once Collected Will be Used: Financial Status Reports must be received by the Office of Education before migrant education program can be made to State education agencies. Financial Status Reports are primarily used to: (1) evaluate SEA expenditures; (2) to report SEA carryover funds; and (3) to complete close-out reports.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collected—

(1) Legislative Authority—See item (d). (Sec. 172 of P.L. 93–380 as amended by P.L. 95–561, 20 U.S.C. 2822).

(2) Regulatory Authority—See item (d). (Sec. 100b.403(a) of the General Provisions for Programs Regulations) (38 Fr 30689).

(o) Timetable For Dissemination of Collected Data: Date of Availability: Jan. 31, 1980.

Method of Data Dissemination: Copies of completed Financial Status Reports will be made available for review upon request. Data to be Disseminated: Respondents must answer all questions on the Financial Status Report with the exception of items in rows a–f, h, and i.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the

Request: Respondent: State education agencies; Person hours: 980; Costs: $9,800.

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Copies may be obtained by contacting: Mr. Vidal A. Rivera, Jr., Acting Director, Division of Migrant Education, FOB #6–2031, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communication With Respondent Populations: A copy of migrant education program directive, INST P304.3, was mailed Nov. 2, 1979, which clarifies the previously existing annual requirements for submitting the Financial Status Reports.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request—

(1) "When (reports) are required on an annual basis, they shall be due ninety days after the end of the grant year."

(2) (See also item(s), above.)

(u) Specific Justification for a Multi-Year Approval: N/A..

Data Activity Plan Summary

(a) Title of Proposed Activity: Performance Report for Graduate Training Programs.

(b) Agency/Bureau/Office: Office of Education/Bureau of Higher and Continuing Education.

(c) Agency form Number: OE 404–1—Fellowship Financial Status Report; OE 404–2—Institutional Grant Financial Status Report.

(d) Justification: Financial Information on SF 269 (OE 404–1) and a printout verifying fellowship data provided the institutions are required of institutions receiving fellowships. Financial Information on SF 269 (OE 404–2) and a 5-page narrative report are required for institutional grants.

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: This information will be used in the Commissioner's Report to Congress on Title IX Programs which is due approximately January 31 each year.

(g) Time Schedule for Data Collection and Publication: Fall 1980. Annually thereafter. Disseminate in early spring.

(h) Consultations Outside the Agency: None.

(i) Estimation of Respondent Reporting Burden: Respondent type: Colleges and Universities; Number: 350 "Universe of institutions with programs"; Average person-hours: 5.

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to Federal Government: $3,000.

(l) Justification of How Information Once Collected Will be Used: this information will be used in program management to determine whether the institutional outcomes have been fulfilled as stated in their original goals and objectives. It will be used to assess the overall effectiveness of the fellowships and institutional grants in meeting the legislative intent of the Federal programs in graduate training. In addition to assessing program effectiveness, the data collected will also be used to account for funds expended.

(m) Methods of Analysis: Descriptive.

(n) Legislative Authority for this Activity: "The Commissioner is authorized to require reports containing such information in such form and to file at such times as he determines necessary from any person awarded a fellowship under the provisions of this part." (Sec. 925(b) of P.L. 92–318, as amended by P.L. 94–482) "Within one hundred and twenty days after the end of each fiscal year during which grants or fellowships are awarded under the provisions of this title the Commissioner shall prepare and submit to the Congress a report . . . which examines the extent to which grants and fellowships awarded under this title made substantial progress toward achieving the purpose of the various parts of this title under which they were awarded." (Part E, Sec. 971(a) of P.L. 92–318, as amended by P.L. 94–482).

(o) Timetable for Dissemination of Collected Data—Spring Annually.

(p) Estimate of Total Person-Hours and Costs Required to Complete the Request: Total person-hours: 1750; Costs: 350 @ $600=$210,000.

(q) Evidence of Urgent Need: N/A.

(r) Copy of the Exact Data instrument available from: Heather Dillinger, OE/BHCE/DTF/GTB 400 Maryland Ave., S.W., Washington, DC 20202.

(s) Account of Early Involvement and Communications with Respondent Populations: N/A.

(t) Assurance That Respondents Will Have Sufficient Lead time to Comply: Request for the data will be mailed to institutions at the end of each fiscal year. 30–60 days are allowed for responding.

(u) Specific Justification for a Multi-year Approval: It is a routine administrative form which has been successfully used in the past. The annual acquisition of this data is authorized in the legislation.

Data Activity Plan Summary

(a) Title of the proposed Activity: Financial Status and Performance Reporting Form for Developer/Demonstrator and Facilitator Grantees under the National Diffusion Network Program.

(b) Name of the sponsoring Agency/Bureau/Office: U.S. Office of Education, Office of Evaluation and Dissemination, Division of Educational Replication.

(c) Agency Form Number: OE–771.

(d) Justification: This is a form used semiannually to monitor National Diffusion Network grantees. Data collected are necessary to provide evidence of effectiveness of individual project adoptions, program effectiveness, and to adjust National program policies and priorities in response to field concerns. All grantees (approximately 135) are requested to submit summary data of their activities funded through grant awards. Data necessary to complete the form are collected as an integral and essential part of day to day grantee project operations. Respondents are not asked to submit raw data but rather to provide it in aggregate, or descriptive form.

(e) Description of Survey Plan: NA/management report.

(f) Tabulation and Publication Plans: NA/management report.

(g) Time Schedule for Data Collection and Publication: Due 30 days after grant mid-point and 60 days after the end of the grant period. Data summary will be available 30 days after receipt.

(h) Consultations Outside the Agency: Draft copies of the proposed form have been shared with developer/demonstrator and facilitator grantees. The proposed form was reviewed by the grantees and their suggestions for modifications discussed with DER personnel. The input from current grantees, regarding the availability and reportability of data, has been considered in preparing the final draft of the form.

(i) Estimation of Respondent Reporting Burden: Approximately 20 person-hours are required to complete the form. Data are collected as part of ongoing grant activities and must be synthesized.

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: The cost to the Federal Government will be for personnel to review and synthesize information/data collected and to distribute a summary report. Approximately 135 person hours will be required to complete these tasks at a cost of approximately $20,000.

(l) Detailed Justification of How Information Once Collected Will Be Used: The information will be used to monitor the compliance of grantees with NDN regulations and to determine the overall effectiveness of ongoing projects. It will also be used to monitor and

recycle the DER management plan, particularly in the area of providing technical assistance to grantees.

(m) Methods of Analysis: Descriptive and tabular display and aggregation.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "The Commissioner shall allocate at least 5 percent of the funds available for purposes of Section 303 to collect, analyze, and disseminate information derived from activities carried out under this title and under part C of Title IV, including information as to which of those activities have been successful in improving the achievement of students in the basic skills." (Sec. 376 of the Elementary and Secondary Education Act, as amended by P.L. 95–561, 20 USC 3041).

(o) Timetable for Dissemination of Collected Data: The data will become available to users approximately 1 month after DER is in receipt of it. The data will include descriptive information related to program adoptions, adoption evaluation processes, adoption effectiveness and anecdotal data. The data will be disseminated through various types of publications (e.g., reports, brochures) and by DER staff (e.g., technical assistance, presentations).

(p) Estimate of the total Person-Hours and Costs Required to Complete the Request: A total of 135 projects will be involved. Each will require approximately 20 person-hours per report at an average personnel cost of $10.00 per hour. Total person-hours: 2700; Costs: $27,000.

(q) Evidence of any Urgent Need or Very Unusual Circumstance Requiring the Data: None.

(r) Copy of the Exact Data Instrument: The instrument, which is currently being developed, will be submitted as soon as possible and will be reannounced for comment. The instrument will be used twice per annum. The instrument will be used to collect four types of descriptive information: (1) related to adoptions, (2) related to the evaluation process, (3) related to adoption effectiveness, and (4) ancedotal data.

The instrument, when available, may be obtained from: Andrew M. Lebby, Division of Educational Replication (EEEY2), Washington, D.C. 20202 (202) 245–9582.

(s) Brief Account of Early Involvement and Communications with Respondent Populations: Current developer/demonstrator and facilitator grantees were given the opportunity to review and comment upon the initial draft copy of the form. The feedback was obtained from those grantees through national and regional meetings, telephone conversations, and written responses to the request for suggestions regarding the instrument.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply With Request: The form will be used semiannually. Respondents will have 6 months lead time prior to the submission of the mid-year report and 1 month following mid-year in which to submit the form. They will also have 6 months lead time before the final report is due and 2 months in which to submit it following the conclusion of the 12 month grant award period.

(u) Specific Justification for a Multi-Year Approval: A multi-year approval is being requested on the following bases:

The instrument is a routine administrative form;

It is a financial status and performance reporting form;

It is a reporting form; and

It can be completed with minimal difficulty on the part of the respondent.

Data Activity Plan Summary

(a) Title of the Proposed Activity: State Advisory Council for Vocational Education Application.

(b) Sponsoring Agency/Bureau/Office: U.S.Office of Education, Bureau of Occupational and Adult Education, Division of State Vocational Program Operations.

(c) Agency Form Number: OE Form 773.

(d) Justification: (1) Section 106(a)(3) of the vocational Education Act requires the States to assure that they will comply with any requests of the Commissioner for making any reports as the Commissioner may reasonably require to carry out his functions under the Act. Further, Section 105 of the Act requires that any State desiring to participate in programs under the Act establish a State advisory council and that the State certify the establishment of, and membership of, the State advisory council to the Commissioner not less than ninety days prior to the beginning of the fiscal year. Section 104.93(h) of the Regulations requires that the advisory council prepare an annual budget and submit it to the Commissioner within sixty calendar days after the Commissioner's acceptance of the certification of establishment and membership.

(2) The information will be used by DSVPO staff to insure compliance with the provisions of the Vocational Education Act.

(3) No similar data is available.

(e) Description of Survey Plan: Na.

(f) Tabulation and Publication Plans: Na.

(g) Time Schedule for Data Collection and Publication: A certification form and membership qualifications statement must be received by July 1 of each year. These forms with a cover letter should be mailed to the appointing authorities no later than April 1. The budget forms must be received no more than 60 days after acceptance of the certification and membership. This form will be mailed to the councils by June 1.

(h) Consultations Outside the Agency: Na.

(i) Estimation of Responent Reporting Burden:

Respondent type	Number	Estimate of average person-hours
State boards	14	2
Other (governors)	43	2
Other (State advisory councils)	57	2

(j) *Sensitive questions:* Respondents are asked to provide a qualifications statement for each appointee to support the appointee's eligibility to represent a particular category. In addition, respondents are asked to provide a summary of representation which gives a breakdown by sex, minority group, geographic region of the State and educator/noneducator classification. These data are necessary to assure that respondents have met the requirements under Section 105(a) for persons meeting specific categorical requirements as well as "appropriate representation of both sexes, racial and minority groups, and the various geographic regions of the State." Category 17 requires "one or more persons who are members of minority groups." There are no sensitive questions on the budget form. This information is for in-house use only and is not retrievable by name.

(k) Estimate of Cost To Federal Government: Na.

(l) Detailed Justification of How information Collected Will Be Used: *Program management:* The membership information will be reviewed to determine whether each State has a legally constituted State advisory council, which is prerequisite to the issuance of a grant for the State advisory council and to approval of the State's Annual Plan for Vocational Education. The budget will be used as the basis for the issuance of the grant award to the State advisory council.

(m) Methods of Analysis: Na.

(n) Legislative Authority: "Any State which desires to participate in programs under this Act for any fiscal year shall establish a State advisory council, which shall be appointed by the

governor or, in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. . . . Each State advisory council shall have as a majority of its members persons who are not educators or administrators in the field of education and shall include as members one or more individuals who—

(1) represent, and are familiar with, the vocational needs and problems of management in the State;

(2) represent, and are familiar with, the vocational needs and problems of labor in the State;

(3) represent, and are familiar with, the vocational needs and problems of agriculture in the State;

(4) represent State industrial and economic development agencies;

(5) represent community and junior colleges;

(6) represent other institutions of higher education, area vocational schools, technical institutes, and postsecondary agencies or institutions which provide programs of vocational or technical education and training;

(7) have special knowledge, experience, or qualifications with respect to vocational education but are not involved in the administration of State or local vocational education programs;

(8) represent, and are familiar with, public programs of vocational education in comprehensive secondary schools;

(9) represent, and are familiar with, nonprofit private schools;

(10) represent, and are familiar with, vocational guidance and counseling services;

(11) represent State correctional institutions;

(12) are vocational education teachers presently teaching in local educational agencies;

(13) are currently serving as superintendents or other administrators of the local educational agencies;

(14) are currently serving on local school boards;

(15) represent the State Manpower Services Council established pursuant to section 107 of the Comprehensive Training Act of 1973;

(16) represent school systems with large concentrations of persons who have special academic, social, economic, and cultural needs and persons who have limited English-speaking ability;

(17) are women with backgrounds and experiences in employment and training programs, and who are knowledgeable with respect to the special experiences and problems of sex discrimination in job training and employment, and of sex stereotyping in vocational education, including one or more persons who are members of minority groups having special knowledge of the problems of discrimination in job training and employment against women in minority groups;

(18) have special knowledge, experience, or qualifications with respect to the special education needs of physically or mentally handicapped persons;

(19) represent the general public, including at least one person representing and knowledgeable about the poor and disadvantaged; and

(20) are vocational education students who are not qualified for membership under any of the preceding clauses of this sentence.

Members of the State advisory council may not represent more than one of the above-specified categories. In appointing the State advisory council, the Governor or the State board of education, as the case may be, shall insure that there is appropriate representation of both sexes, racial and ethnic minorities, and the various geographic regions of the State. (Section 105(a) of the vocational Educaion Act of 1963, as amended by P.O. 94–482, 20 USC 2305.) "Not less than ninety days prior to the beginning of any fiscal year in which a State desires to receive a grant under this Act, the State shall certify the establishment of, and membership of, its State advisory council to the Commisioner." (Section 105(b) of the Vocational Education Act of 1963, as amended by P.L. 94–482, 20 USC 2305.)

"The State advisory council shall: . . . (h) Prepare and submit to the Commissioner within 60 calendar days after the Commisioner's acceptance of certification of establishment and membership, submitted pursuant to 104.91(c), an annual budget covering the proposed expenditures of the State advisory council for the following fiscal year; . . . (Section 104.93(h) of 45 CFR part 104, State Vocational Education programs.)

(o) Timetable For Dissemination of Collected Data: Summary data will be compiled for in-house use in November. Copies of the summary will be mailed to the respondents and to the National Advisory Council for Vocational Education at that time.

(p) Estimate of Total Person-Hours and Costs Required to Complete the Request: Person-hours: 228; Costs: $1,824.

(q) Evidence of any Urgent Need Or Unusual Circumstance Requiring the Data: Na.

(r) Copy of the Exact Data Instruments Attached: The forms may be obtained from Dr. LeRoy A. Cornelsen, Director, Divsion or State Vocational Program Operations, BOAE, U.S. Office of Education, Room 5652, ROB #3, 400 Maryland Ave., S.W. Washington, D.C. 20202.

(s) Brief Account of Early Involvement with Respondents: Telephone contact is maintained with executive directors of the Advisory councils through the year. All Policy Memoranda are shared with the Councils and They have been invited to participate in annual workshops for State staffs.

(t) Assurance That Respondents Will Have Sufficient Lead Time To comply With Request: Not Applicable.

(u) Specifc Justification For A Multi-Year Approval: These are routine requests, representing a minimal burden, and are required by legislation.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Request for Deferment, Postponement or Partial Cancellation of Loan—National Defense/Direct Student Loan Program.

(b) Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education, Bureau of Student Financial Assistance, Division of Program Operations, Services and Collections Section.

(c) Agency Form Number: OE 777.

(d) Justification: The form is currently used by institutions participating in the National Defense/Direct Student Loan Program to obtain certification of a borrower's status to apply the appropriate benefit. This form or something similar thereto is needed by OE to effectively administer collection efforts on accounts that are assigned and/or referred to the Office of Education.

(e) Description of Survey Plan: Submission by the borrower is required to properly document the status of the account.

(f) Tabulation and Publication Plans: Information will be aggregated by type and control of institutional, State and National totals, to indicate deferment of partial cancellation amounts of principal, interest and outstanding balance of an individual's account.

(g) Time Schedule for Data Collection and Publication: Varies in accordance with option applied for: (1) deferment status—at time payment is due; (2) postponement—at time service begins or partial cancellation, or at completion of each year's service.

(h) Consultation Outside of the Agency: Institutions of higher education and the National Association of Colleges and University Business Officers.

(i) Estimation of Respondent Reporting Burden.

Respondent time	Number	Estimate of average person-hour [1]
(1) Student	100	.20
(2) Principals, employers	100	.05
(3) Colleges and Universities	100	.05

[1] Per response.

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to Government: The total direct cost to the Federal Government (including processing costs and staff personnel) is estimated to be $50 per year excluding OFMIS accounting and reimbursement requirements.

(l) How Information Collected Will be Used: This form is used to determine the borrower's eligibility for the benefits requested to maintain his or her loan account at current status. Payments are not required during eligible periods of deferment or postponement and partial cancellation benefits applied replace a cash due payment. Borrower accounts may be paid in whole or part through appropriate service. Forms must be maintained in borrower's file to substantiate proper program administration as determined by audits and program reviews. Information aggregated for program management purposes.

(m) Method of Analysis: Level of data aggregation will be regional, State, national and institutional type and control.

(n) Legislative Authority For This Activity: "No repayment of principal of, or interest on, any loan from at student loan fund assisted under this part shall be rquired during any period in which the borrower—

(i) is carrying at least one-half the normal full-time academic workload at an institution of higher education or at a comparable institution outside the United States which is approved for this purpose by the Commissioner;

(ii) is a member of the Armed Forces of the United States;

(iii) is in service as a volunteer under the Peace Corps Act; or

(iv) is in service as a volunteer under the Domestic Volunteer Act of 1973. . . . (c) In the case of a loan made before July 1, 1971, under Title II of the National Defense Education Act of 1958 not to exceed 50 per centum of such loan (1) shall be canceled for service by the borrower as a full-time teacher in a public or other nonprofit elementary or secondary school in a State, in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States at the rate of 10 per centum of the total amount of such loan for each complete academic year of such service, except that (A) such rate shall be 15 per centum for each complete academic year of service as a full time teacher in a public or other nonprofit elementary or secondary school which is in a school district of a local educational agency which is eligible in such year for assistance pursuant to 1965, as amended, . . . (B) such rate shall be 15 per centum for each complete academic year of service as a full-time teacher of handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, or other health impaired children who by reason thereof require special education) in a public or other nonprofit elementary or secondary school system, . . . and (2) shall be cancelled for service by the borrower after June 30, 1970, as a member of the Armed Forces of the United States at the rate of 12½ per centum of the total amount of such loan for each year of consecutive service, but only if such loan was made after April 13, 1970. (d)(1) Upon enactment of this Act, the program authorized by Part E of Title IV of the Higher Education Act of 1965, as added by subsection (b) is, and shall be deemed to be a continuation of the program authorized by Title II of the National Defense Education Act of 1958. . . . Cancellation of Loans for Certain Public Service—Sec. 465. (a)(1) The per centum specified in paragraph (3) of this subsection of the total amount of any loan made after June 30, 1972, from a student loan fund assisted under this part shall be canceled for each complete year of service after such date by the borrower under circumstances described in paragraph (2). (2) Loans shall be canceled under paragraph (1) for service—(a) as a full-time teacher for service in an academic year in a public or other nonprofit private elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to Title I of the Elementary and Secondary Education Act of 1965, and which for the purpose of this paragraph and for that year has been determined by the Commissioner . . . (b) as a full-time staff member in a preschool program carried on under Section 222(a) of the Economic Opportunity Act of 1964 which is operated for a period which is comparable to a full school year in the locality: Provide, that the salary of such staff member is not more than the salary of a comparable employee of the local educational agency, or (C) as a full-time teacher of handicapped children in a public or other nonprofit elementary or secondary school system; or (D) as a member of the Armed Forces of the United States, for service that qualifies for special pay under Section 310 of Title 37, United States Code, as a area of hostilities. . . ." (Sec. 465(a) Higher Education Act of 1965, as amended by P.L. 92–318)

(o) Timetable For Dissemination of Collected Data: Data will be dissiminated to appropriate institutions of higher education on a quarterly basis.

(p) Estimate of the Total Person-Hours and Cost Required To Complete the Request: Total person-hours is estimated at 30. Dollar cost unknown.

(q) Evidence of Any Urgent Need for Very Unusual Circumstances Requiring the Data: N/A.

(r) Copy of The Exact Data Instrument Available From: Florence V. Taylor, Chief, Services and Collections Section, Campus and State Grants Branch, DPO/BSFA, Room 4621—ROB #3, U.S. Office of Education, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: Same as (h).

(t) Assurance That Respondents Will Have Sufficient Lead Time To Comply With Request: Same as (g) Borrowers informed of their responsibilities prior to receipt of loan and upon departure from school, by institution.

(u) Specific Justification for Multi-Year Approval: This is a routine administrative form which is used each year and it represents minimal burden to the respondent in light of the benefit realized by respondent.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Monitoring and Evaluation Report for Strengthening Developing Institutions Program.

(b) Name of the sponsoring Agency/Bureau/Office: Office of Education/Bureau of Higher and Continuing Education/Division of Institutional Development.

(c) Agency Form Number: OE–1049–2.

(d) Justification: The Division will use the information to determine that adequate progress is being made toward achieving the goals of the grants.

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: N/A.

(g) Time Schedule For Data Collection and Publication Collection: Report 1, winter and summer, Report 2, summer, Report 3, as needed, Report 4, winter and summer.

(h) Consultations Outside the Agency: None.

(i) Estimation of Respondent Reporting Burden.

Respondent type	Number	Estimate of average person-hours
Colleges and Universities	350–400	12

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: $50,000.

(l) Detailed Justification of How Information Once Collected Will be Used:

Report 1—Activity Monitoring Report, tracks performance in accordance with an estimated timetable in order to insure that time schedules are being met; and provides for explanations of deviations from the timetable.

Report 2—Activity Evaluation Report, indicates performance based on quantitative and qualitative measures for assessing achievement of the activity objectives.

Report 3—Supplemental Monitoring and Evaluation Information, provides a form for grantees to use to state reasons why established goals were not met and any other pertinent information.

Report 4—SF 269 Financial Status Report indicates how grant money is being spent by individual activity accompanying the technical report.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "Grantee shall submit a performance report . . . (c) Performance reports shall include to the extent appropriate to the particular grant or contract, a brief presentation of the following for each function or activity involved: (1) a comparison of actual accomplishments to the goals established for the period . . . (2) Reasons for slippage in those cases where established goals were not met . . . (3) Other pertinent information . . ." (45 CFR 100a.432) Section 304(c)(1) "An application for assistance . . . shall be approved only if it . . . (c) sets forth policies and procedures for the evaluation of the effectiveness of the project or activity in accomplishing its purpose. . . . (e) Provides for making such reports, in such form and containing such information, as the Commissioner may require to carry out his functions under this title . . ." (20 U.S.C. 1054) P.L. 92–318.

(o) Timetable for Dissemination of Collected Data: N/A.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: Person-Hours: 4,800. $48,000 (12 person hours × 400 respondents × $10. per hour).

(q) Evidence of any Urgent Need or Very Unusual Circumstance Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Available from: Division of Institutional Development, Bureau of Higher and Continuing Education, 400 Maryland Avenue, SW., Washington, DC. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: None.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply with Request: Participating institutions are notified of their reporting responsibilities when they receive their grant award notice.

(u) Specific Justification for a Multi-Year Approval: This form is expected to be used annually.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Request for Designation as a Developing Institution under Strengthening Developing Institutions Program, Title III, HEA, 1965, as amended.

(b) Name of the sponsoring Agency/Bureau/Office: Office of Education/Bureau of Higher and Continuing Education/Division of Institutional Development.

(c) Agency Form Number: OE–1049–3.

(d) Justification: The Division will use the information in order to determine which institutions of higher education qualify as developing institutions for the purposes of Title III of the Higher Education of 1965, as amended, for the Strengthening Developing Institutions Program.

(e) Description of Survey Plan: Approximately 1000 colleges and universities.

(f) Tabulation and Publication Plans: Frequency: Annually. Method of Collection: Mail.

(g) Time Schedule for Data Collection and Publication: September 1980 and annually thereafter.

(h) Consultations Outside the Agency: None.

(i) Estimation of Respondent Reporting Burden.

Respondent type	Number	Estimate of average person-hours
Colleges and Universities	1,000	4.25

(j) Sensitive Questions: None.

(k) Estimate of Cost to Federal Government: N/A.

(l) Detailed Justification of How Information Once Collected Will be Used: Part I, Institutional Data, provides information required in the law and regulations, including the following: Institutional eligibility status; whether it is requesting a waiver of several legal requirements and certain financial and enrollment data. Part II, Institutional Narrative, describes the institution's mission and goals; efforts during the past 3 years to strengthen its instructional and administrative staffs and its student services; explain certain indicators of potential problems, if any; and justifies the request for a waiver, if applicable.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "An institution desiring special assistance under the provisions of this title shall submit an application for eligibility to the Commissioner at such time, in such form, and containing such information, as may be necessary to enable the Commissioner to evaluate the need of the applicant for such assistance to determine its eligibility to be a developing institution for the purposes of this title" (P.L. 92318 Section 302(b) 20 U.S.C. 1052).

(o) Timetable for Dissemination of Collected Data: N/A.

(p) Estimate of the total Person-Hours and Costs Required to Complete the Request: 4,250 Person-Hours. $42,500 (4.25 person-hours x 1000 respondents x $10 per hour).

(q) Evidence of any Urgent Need or Very Unusual Circumstance Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Available from: Division of Institutional Development, Bureau of Higher and Continuing Education, 400 Maryland Avenue, SW., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: Technical Assistance Workshops in Spring 1980; Technical Assistance available from Title III staff.

(t) Assurance that Respondents Will Have Sufficient Lead Time to Comply with Request: Time of Collection: Summer.

(u) Specific Justification for a Multi-Year Approval: Expected to be used annually.

Data Activity Plan Summary

(a) Title of Proposed Activity: Student Confirmation Report for Guaranteed Student Loan Program.

(b) Agency/Bureau/Office: Office of Education, Bureau of Student Financial Assistance, Division of Program Operations, Guaranteed Student Loan Branch.

(c) Agency Form Numbers: OE–1072.

(d) Justification: This form has been used since 1968 in the Guaranteed Student Loan Program with no substantive changes. It is the form used by schools to report student status information to the Office of Education who in turn reports such status changes to the student borrower's lender. The form clearance expires on January 31, 1980.

(e) Description of Survey Plan: This form is not used in any survey plan.

(f) Tabulation and Publication Plans: This form is not used for tabulation or publication plans.

(g) Time Schedule for Data Collection and Publication: This form is used twice each year. It is sent to schools in March and October. This form has no relation to time schedules or publications.

(h) Consultations Outside the Agency: The original form was developed after consultation with schools and state and non-profit guarantee agencies.

(i) Estimation of Respondent Reporting Burden: Respondent type: School; Number: 7,500; Estimate of Average Person-Hours per response: 1 hour per document, 20 entries.

(j) Sensitive Questions: There are no sensitive questions.

(k) Estimate of Cost to Federal Government: Not applicable.

(l) Detailed Justification of How Information Once Collected Will Be Used: The Office of Education via this form notified schools that a Guaranteed Student Loan is on record. The school indicates in the last two columns any change of status and the data of such change. This information is returned to OE, who notifies the student borrower's lender of such status change. Upon receipt of this information from OE, the lender establishes a repayment agreement with the borrower after the statutory grace period expires.

(m) Methods of Analysis: Not subject to analysis.

(n) Legislation Authority Specifically Requiring or Allowing the Data Collection: Sec. 432. (a) "In the performance of, and with respect to, the functions, powers, and duties vested in him by this part, the Commissioner may—(1) prescribe such regulations as may be necessary to carry out the purposes of this part; . . ." (20 U.S.C. 1082) Pub. L. 89–329.

(o) Timetable for Dissemination of Collected Data: This report is mailed to schools in March and October. Status changes are returned within 60 days and lenders are notified 30 days after receipt of data from the schools.

(p) Estimate of Total Person-Hours and Costs Required To Complete the Request: Estimated time for the school to complete one document is one hour. This varies with the quality of recordkeeping at each school. 7,500 person hours @ $4.00 hr = $30,000.

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: Because of poor communications between schools and lenders in the Guaranteed Student Loan Program, this report comprises the only central source of student status change information for thousands of lenders. This change information is essential to the lender in order to establish and maintain repayment of loans in an efficient manner.

(r) Copy of the Exact Data Instrument: A copy of the form and its usage in the program can be obtained from: Maurice Tansey, U.S. Office of Education, Room 4642, ROB–3, 400 Maryland Ave., SW., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: N/A.

(t) Assurance That Respondents Will Have Sufficient Lead Time To Comply With Request: Data is collected twice yearly . . . March and October. School respondents have 60 days lead time to respond.

(u) Specific Justification for a Multi-Year Approval: Multi-year approval is essential since this form has been used for over ten years and the Guarantee Student Loan Program is growing at a faster rate than ever before. Even if the program were terminated, the service provided by this confirmation system would be required for years to come.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Mass Media Project Field Test.

(b) Name of the Sponsoring Agency/Bureau/Office: Food and Nutrition Service, Office of Policy, Planning, and Evaluation, U.S. Department of Agriculture.

(c) Agency Form Number: FNS 1108.

(d) Justification: A contract to carry out this project was awarded on February 7, 1979, to the American Institute for Research in the Behavioral Sciences (AIR) of Cambridge, Massachusetts. AIR has subcontracted with the advertising agency of Needham, Harper and Steers of New York City. The purpose of this pilot project is to develop and test a new model of nutrition education, one that combines mass media strategies and school/community interventions to effect behavioral changes in elementary school children's dietary practices. The project consists of two phases. Phase One, which included a survey of 500 target-age children and their mothers, investigated the motivational variables influencing children's snacking attitudes and practices. Clearance to carry out this project and survey was obtained through OMB on August 10, 1979. Data were collected in October, 1979. Based on the results of that survey, the contractor is currently developing television spots, newspaper copy, and school and community-based supplementary materials. These materials, which will be copy-tested, will attempt to motivate parents and children to change their snacking behaviors.

Phase Two of this pilot project is a Field Test to evaluate the effectiveness of the materials and strategies developed in Phase One on changing childrens' snacking behavior. It is Phase Two activities of the Mass Media Pilot Project for which FEDAC approval is requested. Phase Two includes the selection of two experimental communities and two control communities for the Field Test, final production of materials, and the actual implementation and evaluation of the Field Test. Phase Two has a twenty-one month time frame, with an intervention of six months. It is anticipated that baseline data collection will occur in May, 1980. The Field Test is comprised of three components of intervention: (1) media component (television and newspaper); (2) school component (activities coordinated with the media materials); and (3) store component (materials on display in food stores).

(e) Description of Survey Plan: The Field Test will be conducted in two communities, with two additional communities serving as control sites. Final selection of the sites will be completed by March, 1980. The treatment groups will be constructed as follows:

Community A—A–1 Media/School/Store; A–2 Media/Store.
Community B—B–1 Media/School/Store; B–2 Media/Store.
Community C and D—No Intervention.

The sample in each experimental community will consist of four elementary schools with one classroom at each of Grades 1–6 in each school. The sample in each control community will consist of two elementary classrooms at each of Grades 1–6 in each school. A total of 650 students will be sampled in each experimental community; and 325 students in each control community.

(f) Tabulation and Publication Plans: A final report of the contract's activities, including the results of the Field Test, will be available for distribution by August, 1981. No additional publication is anticipated at this time.

(g) Time Schedule for Data Collection and Publication: Fall 1980.

(h) Consultations Outside the Agency: In addition to the contractors' staffs, members of the National Advisory Panel were consulted on all materials. The National Advisory Panel was organized by the contractor to act as advisors throughout this contract. The Panel is comprised of experts in nutrition, communications, education, consumer behavior, food retailing and marketing. They will be called upon as resources throughout the Field Test, and will review all materials developed under this contract.

Several Technical Advisors from other organizations and Government agencies have assisted FNS staff during the course of this contract: Dr. George Brosseau, National Science Foundation; Dr. Luise Light, Human Nutrition Center, USDA; Dr. Anthony Meyer, AID, Department of State; Mr. Hal Taylor, Office of Government and Public Affairs, USDA; Dr. Evelyn Johnson, Extension Service, USDA.

In addition, potential field test communities will be consulted during February and March, 1980. Once field test sites are selected, they will be consulted frequently.

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours
Teachers	50	0.5
Parents	1,950	0.5
Students	1,950	0.5
Merchants	20	0.5

(j) Sensitive Questions: Respondents will not be identified by social security number. Any identifying information will be coded when the data are analyzed.

(k) Estimate of Cost to Federal Government: The total Phase Two budget for the Mass Media Pilot Project, which includes the Field Test, is $1.5 million.

(l) Detailed Justification of How Information Once Collected Will Be Used: The overall purpose of this Project is to test the feasibility and effectiveness of a mass media and community intervention aimed at changing dietary practices of children. The data collected throughout the Field Test will be used to assess the extent to which the Field Test has been successful. In addition, the information would be used to develop future projects of this type.

(m) Methods of Analysis: A specific analysis plan has not been developed at this time. Given the volume and complexity of the data to be gathered, numerous types of analyses could be performed. Both qualitative and quantitative analyses will be conducted to determine the success of the field test. The data will also permit cross-sectional and longitudinal analyses of both a descriptive and comparative nature.

Baseline data will be analyzed during the summer of 1980. These analyses will provide a profile of pre-intervention knowledge, attitudes and behavior. During the baseline analyses, methods for quantifying the criterion measures will be finalized. Scaling procedures (e.g. Guttman, multidimensional scaling, etc.) will be explored and evaluated, along with simpler measures of goal attainment on the outcome variables. Analysis of the monthly evaluation data will be performed continuously. Time-series analyses will chart the changes in the outcome measures over time, and will illuminate the dynamics of the changes that occur. Pre/post comparisons will be developed for experimental versul control sites and for classroom with and without the school component. In addition, comparative profiles will be prepared for children in different grades as well as for children with different background characteristics. The degree to which results are replicate in the two experimental communities will also be examined. A complete analysis plan will be submitted to FNS in April, 1980.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Child Nutrition Act of 1966: Pub. L. 94–105, 89 Section 18; Pub. L. 95–166, 89 Section 15.

(o) Timetable for Dissemination of Collected Data: The Final Report of all contract activities including the results of the field test data collection will be available August, 1981.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: Person-Hours: 9,730; Costs: $27,300.

(q) Evidence of any Urgent Need or Very Unusual Circumstance Requiring the Data: This project has been on-going since February, 1979. An original clearance submission was made to OMB in the summer, 1979. It was anticipated that the Field Test data collection would also be cleared through OMB as an addition to the original submission. The baseline data must be collected in the Spring of 1980 in order to begin the Field Test at the start of school in September, 1980.

(r) Copy of the Exact Data Instrument: Available from: Rosemary Driscoll, OPPE, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(s) Brief Account of Early Involvement and Communications with Respondent Populations: No contact has been made with respondent populations at this time. Field Test sites will be selected in March, 1980. Extensive communication will begin at that time.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply with Request: Baseline data collection is scheduled to occur in May and June, 1980. The Field Test is scheduled to begin in October, 1980, and run for six months. Data will be collected during that time. Field Test communities will be contacted during March, 1980, and plans will be made for data collection at that time.

(u) Specific Justification for a Multi-Year Approval: No multi-year approval is requested.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Request for Deferment of Repayment of Loan, Cuban Student Loan.

(b) Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education, Bureau of Student Financial Assistance, Division of Program Operations, Campus and State Grants Branch, Services and Collections Section.

(c) Agency Form Number: OE Form 1132.

(d) Justification: This is a routine administrative form for documentation and certification of borrower's status to authorize a deferment of payment due.

(e) Description of Survey Plan: N/A.

(f) Tabulation and Publication Plans: Information is tabulated upon receipt of form to facilitate proper program administration. Publication is via aggregate status reports.

(g) Time schedule for Data Collection and Publication: Form submitted upon determination of determent status. Administrative reports generated monthly.

(h) Consultations Outside the Agency: None.

(i) Estimate of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours per response
(1) Student (former borrowers)	50	0.10
(2) Certifying Official	50	0.05

(j) Sensitive Questions: NA.

(k) Estimate of Cost to Federal Government: The total Direct Cost to the

Federal Government (including processing costs and staff personnel) is estimated to be $25 per year excluding cost of printing form.

(l) Detailed Justification of How Information Once Collected Will Be Used: *Program Management* Information is used to document borrower's status and to adjust the schedule of repayments due.

(m) Methods of Analysis: N/A.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Pub. L. 87–510, 20usc 2601—Administratively directed to comply with the provision governing the National Defense/Direct Student Loan Program. (Sec. 464 of the Higher Educaiton Act of 1965, as amended P.L. 94–482:

"No repayment of principal of, or interest on, any loan from a student loan fund assisted under this part shall be required during any period in which the borrower—

(i) is carrying at least one-half the normal full-time academic workload at an institution of higher education or at a comparable institution outside the United States which is approved for this purpose by the Commissioner.

(ii) is a member of the Armed Forces of the United States;

(iii) is in service as a volunteer under the Peace Corps Act; or

(iv) is in service as a volunteer under the Domestic Volunteer Act of 1973.

The period during which repayment may be deferred by reason of clause (ii), (iii) or (iv) shall not exceed three years.

(B) Any period during which repayment is deferred under subparagraph (A) shall not be included in computing the ten-year maximum period provided for in clause (A) of paragraph (1).

(3) The Commissioner is authorized, when good cause is shown, to extend, in accordance with regulations, the ten-year maximum repayment period provided for in clause (A) of paragraph (1) with respect to individual loans."

(o) Timetable for Dissemination of Collected Data: Same as (g).

(p) Estimate of the Total Person-Hours and Costs Required To Complete the Request: Person-Hours: 7½; Costs: $40.

(q) Evidence of any Urgent Need or Very Unusual Circumstances Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Available from: Florence V. Taylor, Chief, Services and Collections Section, Campus and State Grants Branch, DPO, Bureau of Student Financial Assistance, Rm. 4621—ROB #3, Office of Education, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: None.

(t) Assurance That Respondents Will Have Sufficient Lead Time To Comply With Request: N/A.

(u) Specific Justification for a Multi-Year Approval: Routine administrative form.

Data Activity Plan Summary

(a) Title of Proposed Activity: Request for Deferment of Repayment because of Armed Forces, Student, Peace Corps, or Vista Status.

(b) Agency/Bureau/Office: Office of Education, Bureau of Student Financial Assistance, Division of Program Operations, Guaranteed Student Loan Branch.

(c) Agency Form Numbers: OE–1188

(d) Justification: This form has been used since 1971 in the Guaranteed Student Loan Program with no substantive changes. It is the form used by student borrowers to obtain a deferment of repayment of their loans while they are in one of the statutory categories of deferment. The form clearance expired in 1979.

(e) Description of Survey Plan: This form is not used in any survey plan.

(f) Tabulation and Publication Plans: This form is not used for tabulation or publication plans.

(g) Time Schedule For Data Collection and Publication: This form is used daily in on going programs and has no relation to time schedules or publications.

(h) Consultations Outside the Agency: The original form was developed in consultation with lenders, schools, and guarantee agencies (state and non-profit).

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person hours per response
Student	[1] 50,000	5 minutes per document.
School	7,500	5 minutes per document.

[1] Estimated annually.

(j) Sensitive Questions: There are no sensitive questions.

(k) Estimate of Cost to Federal Government: The cost to the Federal Government is printing and distribution only. This cost would not exceed 2¢ per form.

(l) Detailed Justification of How Information Once Collected Will Be Used: Once the student borrower obtains certification from the school, military service organization, Peace Corps or Vista agency, it is submitted to the lender. The lender makes this form a permanent part of the borrower's file in order to meet documentation requirements of the Guaranteed Student Loan Program. It excuses or defers the obligation of the student borrower to either begin or continue to make repayment on this Guaranteed Student Loan.

(m) Methods of Analysis: Not subject to analysis.

(n) Legislative Authority Specifically Requiring or Allowing The Data Collection: The Higher Education Act of 1965 (as amended), Section 427(a)(2)(C) "provides that periodic installments . . . (i) during which the borrower is pursuing a full-time course of study . . . (ii) not in excess of three years during which the borrower is a member of the Armed Forces . . ." (20 USC 1077), P.L. 89–320.

(o) Timetable for Dissemination of Collected Data: There is no timetable for this form dissemination.

(p) Estimate of Total Person-Hours and Costs Required to Complete the Request: 8,232 hours, $25,000 for school personnel

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring The Data: This form provides the borrower's entitlement to deferment of repayment. Such proof of entitlement is of urgent need only to the borrower.

(r) Copy of The Exact Data Instrument: A copy of the form and its usage in the program can be obtained from: Maurice Tansey, OE/BSFA/DPO/GSLB, 400 Maryland Ave. S.W., ROB–3 Room 4642, Washington, D.C. 20202.

(s) Brief Account of Early Involvment and Communications with Respondent Populations: N/A.

(t) Assurance That Respondents Will Have Sufficient Lead Time to Comply with Request: N/A.

(u) Specific Justification For a Multi-Year Approval: Multi-year approval is essential and justified since millions of student borrowers continue to use the Guaranteed Student Loan for the Principal Federal student financial aid. Present consideration is taking place in Congress to broaden the deferment provisions of the Guaranteed Student Loan Program. This form will be required for many years to come.

Data Activity Plan Summary

a. Title of Proposed Activity: Application for Special Programs for Students from Disadvantaged Backgrounds, Higher Education Act, as amended.

b. Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education/Bureau of Higher and Continuing Education/Division of Student Services and Veterans Programs

c. Agency Form Number: OE Form 1251

d. Justification: The form is needed to obtain programmatic and budgetary information from eligible applicants who submit applications for support from the three Federal Special Programs for Students from Disadvantaged Backgrounds (Talent Search, Upward Bound and Special Services for Disadvantaged Students).

e. Description of Survey Plan: Standard Form 424

Number of students/clients proposed to be served

Narrative: information called for in the program regulations: need for the proposed project, its design, and the resources and organization available or planned to carry out the project.

Budget Summary: Personnel, Travel, Equipment, Room and Board, Stipends, Services, Indirect Costs

f. Tabulation and Publication Plans: Not applicable.

g. Time Schedule for Data Collection and Publication: Winter of 1980 or Spring of 1981.

h. Consulations Outside the Agency: None.

i. Estimate of Respondent Reporting Burden:

Repondent type	Number	Estimate of average person-ourhrs
Institutions of higher education	877	5
Public and private agencies, organizations, and secondary schools	123	5

j. Sensitive Questions: There are no sensitive questions

k. Estimate of Cost to Federal Government: Not applicable.

l. Detailed Justifications of How Information Once Collected Will Be Used: The form requests programmatic and budgetary information from eligible applicants so that the Office of Education program officers and non-Federal reviewers will have adequate, relevant information with which to make funding decisions. The collected information will also be used to determine complinace with the published funding criteria.

m. Methods of Analysis: Not applicable

n. Legislative Authority Specifically Requiring or Allowing the Data Collection: "Section 417A. (a) The Commissioner shall, in accordance with the provisions of this subpart, carry out a program designed to identify qualified students from low-income families, to prepare them for a program of postsecondary education, and to provide special services for such students who are pursuing programs of postsecondary education."(20 U.S.C. 1070d)

"Section 417B. (a) The Commissioner is authorized to make grants . . ." (20 U.S.C. 1070d–1)

o. Timetable For Dissemination of Collected Data: Not applicable.

p. Estimate of the Total Person-Hours and Costs Required to Complete The Request: Person-hours: 5,000. Total Cost: $50,000.

Evidence Of Any Urgent Need Of Very Unusual Circumstance Requiring The Data: Not applicable.

r. Copy Of The Exact Date Instrument. Office From Which Copies Of The Data Instrument May Be Obtained: Available, Winter of 1980 or Spring of 1981, from: Division of Student Services and Veterans Programs, Information Systems and Program Support Branch, U.S. Office of Education, (Room No. 3514, Regional Office Building No. 3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

s. Brief Account Of Early Involvement and Communications With Respondent Populations: In the past, contact was made with representatives from institutions of higher education and from non-profit and private agencies. Currenly contact was made by telephone, mail and by application workshops.

t. Assurance that Respondents Will Have Sufficient Lead Time To Comply With Request: All respondents are given from forty-five (45) to sixty (60) days to prepare and to submit the application.

u. Specific Justification For a Multi-Year Approval: It represents continuity for the respondent. It's cost effective to both the government and the respondent. It represents a small or minimal burden to the respondent. It represents better services to those affected.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Summary Data Sheet/Listing Form for National Defense/Direct Student Loan Cancellation Benefits.

(b) Name of the sponsoring Agency/Bureau/Office: U.S. Office of Education, Bureau of Student Financial Assistance, Division of Program Operations, Campus and State Grants Branch, Services and Collections Section.

(c) Agency Form Number: OE Form 1269, 1269–1.

(d) Justification: This form was designed to provide pertinent information to the USOE for compliance and statory provisions governing both the National Defense/Direct Student Loan Program.

(e) Description of Survey Plan: State educational departments submit the forms for review and acceptance by the Office of Education.

(f) Tablulation and Publication Plans: Data will be keyed into our computer data base to generate listing of eligible institutions which will than be published in the **Federal Register.**

(g) Time schedule for Data Collection and Publication: Data collection occurs during the Fall for publication and distribution to participating NDSL institutions during the preceding summer.

(h) Consultations Outside the Agency: Consultation is made with State Departments of Educations.

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours per response
(1) State Educational Agencies (1269)	57	1.0–5.0
(2) State Educational Agencies (1269–1)	57	.20

(j) Sensitive Questions: N/A.

(k) Estimate of Cost to Federal Government: The total direct cost to the Federal government (including processing costs and staff personnel) is estimated to be $20,000 per year excluding cost of **Federal Register** publication and distribution.

(l) Detailed Justification of How Information Once Collected Will Be Used: The primary use of these forms will be by the Office of Education in its review of school's percentages for accuracy in complying with the rules, regulations, statutory provisions governing both programs.

(m) Methods of Analysis: Record keeping requirements to comply with item (e)

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: Note: Secs. 137 (C) and (d) of P.L. 92–318 provide as follows:

(c) In the case of a loan made before July 1, 1972, under title II of the National Defense Education Act of 1958 not to exceed 50 per centum of such loan (l) shall be canceled for service by the borrow as a full-time teacher in a public or other nonprofit elementary or secondary school in an institution of higher education, or in an elementary or secondary school overseas of the Armed Forces of the United States at the rate of 10 per centum of the total amount of such loan for each complete academic year of such service, except that (A) such rate shall be 15 per centum for each complete academic year of service as a full-time teacher in a public or other nonprofit elementary or secondary school which is in the school district of a

local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, as amended, and which for purposes of this paragraph and for that year has been determined by the Commissioner pursuant to regulations and after consultation with the State educational agency of the State in which the school is located to be a school in which there is a high concentration of students from low-income families, except that (unless all of the schools so determined are schools in which the enrollment of children described in clause (A), (B), or (C) of section 103(a)(2) of such title (using a low-income factor of $3,000) exceeds 50 percentum of the total enrollment of the school) the Commissioner shall not make such determination with respect to more than 25 per centum of the total of the public and other nonprofit elementary and secondary schools in any one State for any one year.

(d)(1) Upon enactment of this Act, the program authorized by part E of title IV of the Higher Education Act of 1965, as added by subsection (b) is, and shall be deemed to be, a continuation of the program authorized by title II of the National Defense Education Act of 1958. In accordance with regulations of the Commissioner, except as provided in subsection (c), all rights, privileges, duties, functions, and obligations under such title II prior to the enactment of this Act shall be deemed to be vested, as the Commissioner determines to be appropriate, under such part E. Any student loan fund established under an agreement under such title II, shall in accordance with regulations, be deemed to have been established under such part E, and any assets of such student loan fund of any institution shall be deemed to be the assets of a student loan fund established under an agreement of that institution with the Commissioner under such part E.

Sec. 465. (a)(1) The per centum specified in paragraph (3) of this subsection of the total amount of any loan made after June 30, 1972, from a student loan fund assisted under this part shall be cancelled for each complete year of service after such date by the borrower under circumstances described in paragraph (2).

(2) Loan shall be cancelled under paragraph (1) for service—(A) as a full-time teacher for service in an academic year in a public or other nonprofit private elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, and which for purposes of this paragraph and for that year has been determined by the Commissioner (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children described in clause (A), (B), or (C) of section 103(a)(2) of title I of the Elementary and Secondary Education Act of 1965 (using a low-income factor of $3,000) exceeds 30 per centum of the total enrollment of that school and such determination shall not be made with respect to more than 50 per centum of the total number of schools in the State receiving assistance under such title I.

(o) Timetable for Dissemination of Collected Data: Current plans call for reports and/or data collection after the State education departments have assembled data after the 4th Friday (4th Friday Report). Data is furnished to the U.S. Office of Education for input into data base from which low-income school list is generated.

(p) Estimate of the total Person-hours and Costs Required to Complete the Request: Estimate of total person-hours is 153.9. The total cost per respondent is $1,539.

(q) Evidence of any Urgent Need or Very Unusual Circumstances Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: Florence V. Taylor, Chief, Service and Collections Section, Campus and State Grants Branch, DPO, Bureau of Student Financial Assistance, Rm. 4621, ROB #3, Office of Education, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications with Respondent Populations: Contact is established with each State Department of Education.

(t) Assurance that Respondents Will Have Sufficient Lead Time to Comply with Request: Forms are submitted to the State Departments of Education during Fall of each academic year.

(u) Specific Justification for a Multi-Year Approval: The legislative authority is open until there is a legislative change.

Data Activity Plan Summary

(a.) Title of Proposed Activity: Institutional Release of Funds/Request for Additional Funds under the Supplemental Educational Opportunity Grants, College Work-Study, and/or National Direct Student Loan Programs.

(b.) Agency/Bureau/Office: Office of Education/Bureau of Student Financial Assistance/Division of Program Operations.

(c.) Agency Form Number: OE Form 1286.

(d.) Justification: Under Title IV of the Higher Education Act, as amended, the Commissioner of Education is assigned the task of allotting unused SEOG, CWS, and NDSL program funds within each State. In addition the Joint Resolution making further continuing appropriations for the Fiscal Year 1978, and for other purposes (Public Law 95–205), and the Labor-HEW Appropriations Bill (Public Law 95–480) dated October 18, 1978, provided the authority for the reallocation of Fiscal Years 1978 and 1979 CWS and Fiscal Year 1979 SEOG and NDSL funds. Therefore in order to maximize the utilization of funds available for the current award period, and to assist as many needy students as possible, the Office of Education conducts a reallocation process.

The form for which we are requesting clearance is a vehicle to identify those institutions that are unable to utilize all of their Federal funds in either the SEOG, NDSL and/or CWS Programs during the Award Period, and the amounts, if any, that they are willing to release. In the SEOG and NDSL Programs, funds released in this manner are, for the most part, the only funds available for reallocation to other institutions within each State.

This form will also be a means to identify those institutions with additional need for funds in either or all three Programs.

(e.) Description of Survey Plan: N/A.

(f.) Tabulation and Publication Plans: N/A.

(g.) Time Schedule For Data Collection and Publication: The data will be collected annually in the fall. Institutions will submit the data on the OE Form 1286 by mail.

(h.) Consultation Outside The Agency: No. The respondent institutions have used this type of form with no difficulty in the previous years.

(i.) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours per response
Institution of higher education	2500	.2

(j.) Sensitive Questions: N/A.

(k.) Estimate of Cost to Government: The total direct cost to the Federal government (including processing cost and staffing personnel) is estimated to be $5,000 per year.

(l.) How Information Collected Will Be Used: The information will be used to identify those institutions that are unable to utilize all of their Federal funds in either the Supplemental Educational Opportunity Grants, College Work-Study, and/or National Direct Student Loan Programs during the award period, and the amounts, if any, that they are willing to release. The information will also be used to identify those institutions with additional need for funds in either or both programs.

(m.) Method of Analysis: N/A.

(n.) Legislative Authority for This Activity: The Supplemental Educational Opportunity Grants statute states that, funds allocated to an institution for initial grants which the institution anticipates will not be used by the end of the period for which such funds were made available may be reallocated on an equitable basis to other institutions in that State. P.L. 95–205 (20 U.S.C. 1070b–3), CFR Section 176.4(b).

The College Work-Study statute states that funds allocated to an institution which the institution anticipates will not be used by the end of the period for which the funds were made available may be reallocated on an equitable basis to other institutions in that State. P.L. 95–205 (42 U.S.C. 2756), CFR Section 175.4(b).

The National Direct Student Loan statute states that "if an institution . . . projects it will not use a portion of its allocation by the end of the period for which those funds were made available, the amount . . . will be restored as part of the State apportionment. When the aggregate of funds restored to a State's apportionment becomes sufficient to increase significantly the amount of Federal capital contributions that can be awarded to other institutions within the State, those funds will be awarded to other institutions in that State—" P.L. 95–480 (20 U.S.C. 1087bb), CFR Section 144.4(b).

(o) Timetable for Dissemination of Collected Data: N/A

(p) Estimate of the Total Person-Hours and Cost Required to Complete the Request: Person-hours—500, Cost $5,000.

(q) Evidence of any Urgent Need or Very Unusual Circumstances Requiring the Data: N/A.

(r) Copy of the Exact Data Instrument: A copy of the full plan and the data instrument may be obtained from: Robert R. Coates, OE BSFA DPO CSGB, 400 Maryland Ave., S.W., ROB #3, Room 4621, Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications with Respondent Populations: Plans for conducting reallocation process are published in the BSFA Bulletin.

(t) Assurance that Respondents Will Have Sufficient Lead Time to Comply with Request: Data Collection is planned for November, 1980. The forms are mailed to institutions approximately three weeks prior to the deadline for submission of data.

(u) Specific Justification For a Multi-year Approval: The reallocation process is conducted annually, with legislative authorization. The OE 1286 is a simple form and it is a vehicle which presents a minimal burden on the respondents. It has been used successfully in previous years and it provides for minimal of effort to process.

Data Activity Plan Summary

(a) Title of the Proposed Activity: Financial Status and Performance Reporting for International Studies Programs at Institutions of Higher Education.

(b) Name of the Sponsoring Agency/Bureau/Office: U.S. Office of Education/Bureau of Higher and Continuing Education/Division of International Education/International Studies Branch.

(c) Agency Form Number: OE Form 1294.

(d) Justification: (1) The General Provisions covering U.S. Office of Education discretionary grant programs require as a minimum annual financial status and performance reports from grantees. Form 1294 is designed to meet this minimum requirement.

(2) The information in the performance report is used primarily to assess whether grantee has complied with grant terms. The data in the "Degree/Career Report Form" is collected and analyzed for two out of five of these programs in order to have some indications of overall program impact.

(3) No other similar data about international studies programs in American institutions of higher education is available.

(e) Description of Survey Plan: The report is required of all OE-funded international studies programs (currently 85 centers, 25 undergraduate and 13 graduate international studies programs, 35 Group Projects Abroad, and 15 Foreign Curriculum Consultant Programs) at U.S. colleges and universities.

(f) Tabulation and Publication Plans: Data collected from some grantees' final reports are tabulated within a year of the submission of the reports. The data will show the career choices of BA, MA, and Ph D recipients with some training in international studies (but not necessarily as a major field), in addition to other reports of a related nature.

(g) Time Schedule for Data Collection and Publication: Late fall of each year.

(h) Consultations Outside the Agency: (1) Discussions took place in 1973 or 1974 with staff members for the National Center for Education Statistics and it was agreed that the data to be collected in the grantee final reports is needed and unavailable elsewhere.

(2) The data collected in these reports is not available or even collected by any other group.

(i) Estimation of Respondent Reporting Burden:

Respondent type	Number	Estimate of average person-hours
Colleges and universities	210	25

(1) The "Estimate of Average person-hours" is based on informal consultation with a few respondents.

(2) The estimate may be low; some respondents seem to find the data collection easier than other. Ten hours were added to the base figure to allow for clerical preparation.

(3) The range may vary from 15 to 100 hours, depending on the complexity of the program and whether the university's computer program can readily produce the needed statistical data. While a few respondents have complained about the problems of compiling the data, all agree that the data are important and should be collected.

(j) Sensitive Questions: N.A.

(k) Estimate of Cost to Federal Government: The data collection in final grantee reports is primarily to serve a management, or monitoring, project oriented function but also has a broader program management function. The incremental cost of work needed to make the statistical data usable may be as much as 150 person-hours per year, or $1,200.

(l) Detailed Justification of How Information Once Collected Will Be Used: Because the objectives of section 102 (b)(c) of the Mutual Educational and Cultural Exchange Act of 1961 and of Title VI of the National Defense Education Act are training of people in language and area and international studies, it is very important to have some tangible indicators of program effectiveness, applicable to the individual grantee and to more general program management. To be very specific, we are keeping close track of the areas in which employment opportunities seem to be steady or increasing and we make this information available to grantees to help develop

program directions with better employment potential. The data are important to the grantees themselves, to the government and others involved in educational policy-making, and to the Congress in deciding on appropriations. Information on changes in career choice tendencies over time are very important for all these users in estimating needs and appropriate uses for Federal assistance.

(m) Methods of Analysis: The data compiled are limited to tabulations of descriptive data, aggregated for the national level.

(n) Legislative Authority Specifically Requiring or Allowing the Data Collection: "(a) The Secretary is authorized to make grants to . . . institutions of higher education . . . for the teaching of any modern foreign language, for instruction in other fields needed to provide a full understanding of the areas, regions, or countries in which such language is commonly used, or . . . in international studies and the international aspects of professional and other fields of study. Any such grant . . . shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this section."

"(b) The Secretary is also authorized to pay stipends to individuals undergoing advanced training in any center or under any program receiving Federal financial assistance under this title . . . but only upon reasonable assurance that the recipients of such stipends will, on completion of their training, be available for teaching service . . . or such other service of a public nature as may be permitted in the regulations of the Secretary."

"The President is authorized . . . to provide . . . for . . . promoting modern foreign language training and area studies . . . by supporting visits and study in foreign countries by teachers and prospective teachers in such schools, colleges, and universities for the purpose of improvimg their skill in languages and their knowledge of the culture of the people of these countries, and by financing visits by teachers from those countries to the United States for the purpose of participating foreign language training and area studies in United States schools, colleges, and universities . . ." (Section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 as amended, 22 USC 2452(b)).

Discretionary grant programs for Foreign Language and Area Studies—Fellowships; Undergraduate and Graduate Centers; Foreign Language Research and Facility Research Abroad; Foreign Curriculum Consultants; and Group Projects Abroad are covered by the general provisions of the Office of Education, whose requirements for financial and performance reporting are found in sections 100a.403 and 100a.432.

(o) Timetable for Dissemination of Collected Data: Data may be expected to be available within a year after the termination of the applicable grant.

(p) Estimate of the Total Person-Hours and Costs Required to Complete the Request: 5,250 person-hours may be involved, costing roughly $45,000.

(q) Evidence of Any Urgent Need or Very Unusual Circumstance Requiring the Data: N.A.

(r) Copy of the Exact Data Instrument: May be obtained from: Richard T. Thompson, OE/BHCE/DIE, Room 3923, ROB #3, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

(s) Brief Account of Early Involvement and Communications With Respondent Populations: The data, in various formulations, has been collected continuously since the beginning of the program in 1959. Respondents expect to prepare reports and to provide the required data; for comparison purposes, they look for it from others in the field.

(t) Assurance That Respondents Will Have Sufficient Lead Time To Comply With Request: Data collection, when required, takes place regularly within 90 days of the end of each grantee's budget year. Many grantees have been funded for several years. The reporting instructions are mailed at least three months before the report is due.

(u) Specific Justification for a Multi-Year Approval: As noted above, the reporting requirement has been in effect for many years. With the exception of the degree/career choice data, the reporting requirements follow the instructions in the General Provisions, and are therefore standard.

[FR Doc. 80-5015 Filed 2-15-80; 8:45 am]
BILLING CODE 4110-89-M

Food and Drug Administration

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by James C. Simmons, District Director, Cincinnati District Office, Cincinnati, OH.

DATE: The meeting will be held at 1:30 p.m., Tuesday, March 11, 1980.

ADDRESS: The meeting will be held at the Federal Building, Rm. 418, 234 Summit St., Toledo, OH 43604.

FOR FURTHER INFORMATION CONTACT: Ruth E. Weisheit, Consumer Affairs Officer, Food and Drug Administration, Department of Health, Educaton, and Welfare, 601 Rockwell Ave., Rm. 463, Cleveland, OH 44114, 216–522–4844.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's Cincinnati District Office, and to contribute to the agency's policymaking decisions on vital issues.

Dated: February 12, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-5043 Filed 2-15-80; 8:45 am]
BILLING CODE 4110-03-M

Office of Education

Community Education Program

AGENCY: Office of Education, HEW.

ACTION: Closing date information for submission of applications for fiscal year 1980.

SUMMARY: On August 23, 1979, a notice of closing date for submission of applications for the Community Education Program was published in the **Federal Register** (44 FR 49612). The closing date was listed as March 10, 1980.

The March 10, 1980 closing date for submission of applications is extended. A later closing date will be published in the **Federal Register** with publication of the final regulations for the Community Schools and Comprehensive Community Education Act. Applications must be based on the final regulations.

Further Information

For further information, contact Ron Castaldi, Director, Community Education Program, U.S. Office of Education, (Room 5622, ROB 3), 7th and D Street, S.W., Washington, D.C. 20202, Telephone: (202) 245–0691,

(20 U.S.C. 3281)

(Catalog of Federal Domestic Assistance Number 13.563; Community Education Program)

Dated: February 11, 1980.

William L. Smith,

U.S. Commissioner of Education.

[FR Doc. 80-5009 Filed 2-15-80; 8:45 am]
BILLING CODE 4110-02-M

Public Health Service

Office of the Assistant Secretary for Health; Filing of Annual Reports of Federal Advisory Committees

Notice is hereby given that pursuant to section 13 of Pub. L. 92–643, the annual reports for the following Public Health Service Federal Advisory Committees have been filed with the Library of Congress:

Health Services Research Study Section.
Health Services Development Grants Study Section.
Health Care Technology Study Section.
Health Services Research and Developmental Grants Review Committee.

Copies are available to the public for inspection at the Library of Congress, Special Forms Reading Room, Main Building, on weekdays between 9:00 a.m. and 4:30 p.m. and the Department of Health, Education, and Welfare, Department Library, North Building, Room 1436, 330 Independence Avenue, S.W., Washington, D.C. 20201, Telephone (202) 245–6791. Copies may be obtained from Mr. Wayne C. Richey, Jr., Associate Director for Program Support, Office of Health Research, Statistics, and Technology, Room 17A–40, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone (301) 443–2075.

Dated: February 12, 1980.

Wayne C. Richey, Jr.,

Associate Director for Program Support, OHRST.

[FR Doc. 80–5042 Filed 2–15–80; 8:45 am]

BILLING CODE 4110–85–M

Health Resources Administration

Graduate Medical Education National Advisory Committee; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following National Advisory body scheduled to meet during the month of March 1980:

Name: Graduate Medical Education National Advisory Committee

Date and Time: March 17–21, 1980, 8:30 a.m.–5:00 p.m.

Place: Room 525–A, Hubert H. Humphrey Building, 200 Independence Avenue, SW, Washington, D.C. 20201. Open for entire meeting.

Purpose: The Graduate Medical Education National Advisory Committee is responsible for advising and making recommendations with respect to: (1) Present and future supply and requirements of physicians by specialty and geographic location; (2) ranges and types of numbers of graduate training opportunities needed to approach a more desirable distribution of physician services; (3) the impact of various activities which influence specialty distribution and the availability of training opportunities including systems of reimbursements and the financing of graduate medical education.

Agenda: A discussion of GMENAC Modeling work on a specialty-specific basis and a continuing review of educational environment, geographic, nonphysician and financing issues.

Due to limited seating, attendance by the public will be provided on a first-come, first-serve basis.

Anyone wishing to obtain a roster of members, minutes of meeting, or other relevant information, should write to or contact MS. EDNA SIMON, Office of Graduate Medical Education, Health Resources Administration, Room 10–30, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782, Telephone (301) 436–6430.

Agenda items are subject to change as priorities dictate.

Dated: February 12, 1980.

James A. Walsh,

Associate Administrator for Operations and Management.

[FR Doc. 80–5082 Filed 2–15–80; 8:45 am]

BILLING CODE 4110–83–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection

[Docket No. N–80–975]

Mobile Home Standards Division; Presentations of Views by Centurion Homes Corp. of Arizona and the State of Arizona

AGENCY: Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection, HUD.

ACTION: Notice of written and oral Presentation of Views.

SUMMARY: The Secretary is inviting a written and an oral Presentation of Views in this proceeding. The proceeding involves a dispute between Centurion Homes Corporation of Arizona (Centurion) and the State of Arizona, acting as a Production Inspection Primary Inspection Agency (I.P.I.A.) with regard to inspections of homes manufactured by Centurion.

For Further Information Contact: Jeffrey Hammond, Consumer Protection Branch, Office of the General Counsel, Department of Housing and Urban Development, Room 10278, 451 Seventh Street, S.W., Washington, D.C. 20410, telephone (202) 755–7055.

SUPPLEMENTARY INFORMATION: Centurion Homes Corporation of America has requested extraordinary interim relief and a Presentation of Views as provided for in Mobile Homes Procedural and Enforcement Regulations 24 CFR Part 3282.154. No extraordinary cause was shown and the Department did not grant extraordinary interim relief. However, the Secretary has concluded that an oral presentation would be in the public interest and written and oral Presentation of Views have been scheduled in accordance with 24 CFR Parts 3238.151 and 3238.152. The written Presentation of Views will be held pursuant to the Notice given in a letter sent by Patricia M. Worthy, Deputy Assistant Secretary for Regulatory Programs, Department of Housing and Urban Development, to Mr. R. G. "Rick" Davis, Vice President of Operations, Centurion Homes Corporation of Arizona, Inc., P.O. Box 6399, Phoenix, Arizona 85005, by Certified Mail, Return Receipt Requested on January 17, 1980. A copy of the letter was sent in the same manner and on the same date to Mr. Richard Wolfe, Director, Division of Mobile and Manufactured Housing Standards, 1645 West Jefferson, Phoenix, Arizona 85007. The contents of this Notice are hereinafter set out.

In determining whether the requirements of Part 3282.152(f)—(Presentation of Views) or Part 3282.152(g)—(Hearings) shall apply, the Secretary has considered the following:

(1) the necessity for expeditious action;

(2) the risk of injury to affected members of the public;

(3) the economic consequences of the decisions to be rendered, and;

(4) such other factors as the Secretary has deemed appropriate.

Having determined that the requirements of paragraph (f)—(Presentation of Views) shall apply, the Secretary hereby gives Notice that an oral Presentation of Views in the above-noted matter will be held at 1:00 p.m. on February 21, 1980. The presiding officer for this Presentation of Views is Aubrey Edwards, Special Assistant to the Deputy Assistant for Regulatory Functions. His address is Room 4204, United States Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410, telephone (202) 755–5597.

This matter involves a complaint by Centurion Homes, manufacturers of mobile homes which are inspected by agents of the State of Arizona acting as the Production Inspection Primary Inspection Agency (I.P.I.A.) in accordance with 24 CFR 3282.202. The

reason for the inspection is to help assure that mobile homes will conform to Federal standards. Centurion alleges that it has been subjected to an intense and unjust barrage of costly inspections and harassment; that its manufacturing facility was placed on an increased surveillance status on November 13, 1979 and on a 100% surveillance status the following morning. It further alleges that production has been reduced and cash flow has become nonexistent. There appears to be a disagreement between Centurion Homes and the State of Arizona, the exclusive I.P.I.A. in that area, as to when Arizona should commence reinspection of the mobile homes.

The Notice of written Presentation of Views sent to the parties by registered mail on January 17, 1980 and referred to hereinabove directs that Centurion deliver to the above-named presiding officer, so that it is received by him no later than 11 days after Centurion received the Notice of Presentation of Views, a written statement which sets forth the facts of the case, Centurion's position and supporting arguments and information.

The written statement should be no longer than 30 pages in length and a copy must be delivered to Richard Wolfe, Director, Division of Mobile and Manufactured Housing Standards, 1645 West Jefferson, Phoenix, Arizona 85007 when the original is delivered to the presiding officer. Any relevant documents or other exhibits which Centurion submits with its written statement will not be counted in determining the length of the statement. The State of Arizona will have an opportunity to respond with a written statement which must meet the same requirements except that it must be delivered to the presiding officer so that it is received no later than 11 days after Arizona receives a copy of Centurion's statement and except that a copy of Arizona's statement must be delivered to Centurion when the original is delivered to the presiding officer.

If Centurion files a written statement which meets the requirements set forth above, it will have an opportunity to make an oral presentation which may include witnesses. The oral presentation is scheduled for 1:00 p.m. on February 21, 1980 in Room 10140 at the address set forth above for the presiding officer. Centurion's oral presentation will be limited to one hour in length unless the presiding officer determines that more time is necessary. Immediately following Centurion's oral presentation, Arizona will have an opportunity to respond with a similar presentation. Since this is not an adversary proceeding, neither Centurion nor Arizona will be given the opportunity to cross-examine any witnesses.

Centurion or Arizona may request that longer periods of time be permitted for the submission of written statments and that the oral presentations be rescheduled. Requests which are concurred in by both Centurion and Arizona will be viewed most favorably. Such requests and all further communications concerning this matter shall be directed to the presiding officer.

Issued at Washington, D.C., February 11, 1980.

Patricia M. Worthy,

Deputy Assistant Secretary for Regulatory Programs.

[FR Doc. 80-5069 Filed 2-15-80; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

School Construction Priorities List—Fiscal Year 1981

February 7, 1980.

This notice is published in exercise of authority delegated by the Secretary of Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

The school construction priority list has been revised for Fiscal Year 1981 as required by P.L. 95-561; 92 Stat. 2319. Section 1125(c) requires that: "At the time any budget request for school construction is presented, the Secretary shall publish in the **Federal Register** and submit with the budget request the current list of all school construction priorities".

This notice provides a list of the proposed construction projects for Bureau-operated schools and schools operated under contracts with Tribes through the Bureau.

Construction of these projects is subject to the availability of funds and/or the status of currently committed construction projects approved by Congress. These proposed projects are also subject to further review in terms of either replacement or rehabilitation.

BIA and Contract School Construction Ranking—Fiscal Year 1981

Ranking	School name	State
1	Hopi Junior/Senior High	AZ
2	Navajo Mountain	UT
3	Choctaw Middle School	MS
4	Moencopi	AZ
5	Nenahnezad	NM
6	San Simon	AZ
7	Wingate Elementary	NM
8	Taos	NM
9	Kinlichee	AZ

BIA and Contract School Construction Ranking—Fiscal Year 1981—Continued

Ranking	School name	State
10	Laguna	NM
11	Stewart	NV
12	Low Mountain	AZ
13	Pinon	AZ
14	Alamo	NM
15	Albuquerque Indian School	NM
16	San Juan	NM
17	Santa Clara	NM
18	Standing Pine	MS
19	Ahfachkee	FL
20	Tucker	MS
21	Canoncito	NM
22	Tuba City	AZ
23	Red Lake	AZ
24	Lake Valley	AZ
25	Huerfano Dorm	NM
26	Wahpeton	ND
27	Cove	AZ
28	Rocky Ridge	AZ
29	Kayenta	AZ
30	Fort Thompson	SD
31	Many Farms High School	AZ

Tribally Controlled School Construction Ranking—Fiscal Year 1981

Ranking	School name	State
1	Ft. Hall Indian School	ID
2	Bug-O-Nay-Ge-Shig	MN
3	Rough Rock Middle School	AZ
4	Coeur-d' Alene Tribal School	ID
5	Paschal Sherman Indian School.	SD
6	Marty Indian High School	SD
7	Ojibway Indian School	ND
8	Wyoming Indian High School.	WY
9	Ramah Navajo School	NM
10	St. Francis Indian School	SD

This current list of school construction projects applies to FY 1981. A revised list will be prepared and published for each succeeding fiscal year.

Further information regarding this list or the ranking process may be obtained from the Chief, School Facilities Staff, Bureau of Indian Affairs, P.O. Box 2147, Albuquerque, NM 87103, Telephone: (505) 76-2985.

Rick Lavis,

Assistant Secretary—Indian Affairs.

[FR Doc. 80-5041 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

Alabama; Requesting Comments of Intent To Rank Tracts and Call for Filing Surface Owner Consents in the Southern Appalachian Federal Coal Production Region

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Intent.

SUMMARY: This notice is to advise the public that the regional coal team for the Southern Appalachian Federal Coal Production Region, Alabama Subregion, will meet to (1) discuss the team's recommendation on the Federal coal

leasing target for the subregion, (2) to review and discuss the tract profile data for each of the identified potential lease tracts, (3) to discuss the issues that may be addressed in the regional lease sale environmental impact statement (EIS), (4) to review and discuss the comments on the potential lease tracts and on the ranking factors, and (5) to rank the potential lease tracts.

Comments on the tracts that have been identified and factors that may be considered by the regional coal team in the tract ranking process are requested. In addition, the Bureau of Land Management (BLM) is issuing a call for submission to the BLM of surface owner consents from qualified surface owners that would permit surface mining of Federal coal on the identified tracts where the Federal coal is overlain by privately owned surface.

DATES: Comments on the tracts and the ranking factors must be received by the regional coal team chairperson by close of business, March 17, 1980. The regional coal team will meet on March 20 and 21, 1980, at 9:00 a.m. Final surface owner consents or refusals to consent must be submitted by April 30, 1981. Pre-existing surface owner consents must be submitted by December 8, 1980.

ADDRESSES: Comments on the potential lease tracts and the ranking factors should be addressed to H. Robert Moore, Chairperson, Regional Coal Team, Bureau of Land Management (141), 18th and C Streets, N.W., Washington, D.C. 20240. Surface owner consent filings or refusals to consent should be addressed to Roger L. Hildebeidel, Director, Eastern States Office, Bureau of Land Management, 350 South Pickett Street, Alexandria, Virginia 22304. The regional coal team meeting will be held at the Holiday Inn South, Bear Bryant Room, I–59 and McFarland Boulevard, Tuscaloosa, Alabama.

FOR FURTHER INFORMATION CONTACT: H. Robert Moore, Regional Coal Team Chairperson, (202) 343–4636, concerning the regional coal team meeting; or Roger Hildebeidel, Director, Eastern States Office, (703) 235–2833, concerning the surface owner consent filings.

SUPPLEMENTARY INFORMATION: *Leasing Target and EIS Scoping.* On January 30, 1980, a notice appeared in the **Federal Register** (45 FR 6647) requesting comments on the tentative Federal coal leasing target and on the issues that could be addressed in the regional lease sale EIS for the Southern Appalachian Federal Coal Production Region, Alabama Subregion. Pursuant to its responsibilities under 43 CFR 3400.4(b) (44 FR 42612, July 19, 1979), the regional coal team will review the comments received on both of these aspects of the Federal coal leasing system. The team will discuss its recommendation to the Secretary of the Interior on a Federal coal leasing target for the subregion and will discuss the range of issues ("scoping") that may be addressed in the regional lease sale EIS. The Secretary will establish the final leasing target which will be used by the regional coal team when it makes a final selection of possible tracts to be evaluated in the regional lease sale EIS.

Tract Ranking. Twenty-five potential lease tracts have been identified in the Alabama Subregion of the Southern Appalachian Federal Coal Production Region. The potential lease tracts identified below have been delineated, are being analyzed on a site-specific basis, and will be ranked and considered for possible lease sale in mid-1981. All acreages and tonnages are preliminary and are subject to change. The acreages represent only the area where Federal coal is located within the tracts. The tract descriptions are general in nature; a more complete description of, and other material on, the potential lease tracts are available for public review at the Tuscaloosa Office, Bureau of Land Management, 1315 McFarland Boulevard East, Tuscaloosa, Alabama 35401.

Potential lease tract and general location	Approximate Federal acreage	Estimated Federal recoverable reserves (million tons)
Underground:		
Windham Springs, 14 miles north of Tuscaloosa; T. 18 S., R. 9 and 10 W., Huntsville P.M.	7,920	16.02
Rock Springs, Church, 22 miles north of Tuscaloosa; T. 17 S., R. 9 W., Huntsville P.M.	3,520	8.42
North River, 20 miles north of Tuscaloosa; T. 17 S., R. 9 and 10 W., Huntsville P.M.	760	6.5
Jess Creek, 2 miles southeast of Carbon Hill; T. 14 S., R. 9 W., Huntsville P.M.	1,960	3.7
Upper North River, 2 miles south of Berry; T. 16 S., R. 10 W., Huntsville P.M.	40	.17
Surface:		
Pendley No. 1, 6 miles northeast of Berry; T. 15 S., R. 10 W., Huntsville P.M.	880	.42
Dividing Range, 8 miles east of Berry; T. 16 S., R. 9 W., Huntsville P.M.	680	.9
Bagwell Road, 8 miles southeast of Berry; T. 17 S., R. 9 W., Huntsville P.M.	480	.7
Goodwin Creek, 6 miles northwest of Carbon Hill; T. 12 S., R. 10 W., Huntsville P.M.	280	.4
Flatwoods, 5 miles east of Berry; T. 16 S., R. 9 W., Huntsville P.M.	560	.7
Wolf Creek, 2 miles south of Carbon Hill; T. 14 S., R. 9 and 10 W., Huntsville P.M.	1,280	1.04
Poplar Hollow, 5 miles southeast of Berry; T. 16 and 17 S., R. 9 W., Huntsville P.M.	1,400	2.23
Little Tyro Creek, 4 miles southeast of Berry; T. 16 S., R. 9 and 10 W., T. 17 S., R. 10 W., Huntsville P.M.	800	.86
Upper Sulfur Springs Church, 7 miles southeast of Berry; T. 16 S., R. 9 W., Huntsville P.M.	40	.04
Crabbe Road, 20 miles north of Tuscaloosa; T. 17 and 18 S., R. 9 W., Huntsville P.M.	800	2.61
Willis Chapel, 8 miles northeast of Berry; T. 15 S., R. 9 W., Huntsville P.M.	40	.07
Harris Cemetery, 4 miles southwest of Carbon Hill; T. 14 S., R. 9 W., Huntsville P.M.	40	.02
Piney Woods Church, 17 miles north of Tuscaloosa; T. 18 S., R. 9 and 10 W., Huntsville P.M.	485	4.44
Dry Creek South, 18 miles north of Tuscaloosa; T. 18 S., R. 9 W., Huntsville P.M.	320	2.15
Watermelon Road, 14 miles northeast of Tuscaloosa; T. 19 S., R. 8 and 9 W., Huntsville P.M.	960	4.08
Yellow Creek East, 13 miles northeast of Tuscaloosa; T. 19 S., R. 9 W., Huntsville P.M.	480	2.34
Elm Grove, 3 miles southeast of Carbon Hill; T. 14 S., R. 10 W., Huntsville P.M.	80	.06
Dry Creek North, 19 miles north of Tuscaloosa; T. 18 S., R. 9 W., Huntsville P.M.	240	1.84
Boxes Creek, 2 miles southwest of Carbon Hill; T. 14 S., R. 10 W., Huntsville P.M.	160	.32
North Rock Springs Church, 11 miles southeast of Berry; T. 17 S., R. 9 W., Huntsville P.M.	440	.79

The team will rank the tracts on the basis of high, medium, and low desirability for leasing using three categories. These categories are coal economics, impacts on the natural environment, and social and economic impacts that could result if the tracts are leased and mined. These major categories may be further subdivided by the team into subcategories such as tons of coal that could be mined, effects on air quality, population increases, etc. For use in the ranking process, the regional coal team will determine the emphasis to be placed on, and the degree of importance of, each of the categories and subcategories.

In ranking the tracts, the regional coal team will use tract profile data (tract delineation report, social-economic profile, site-specific environmental analysis report, and summary matrices). The team will also use information obtained as a result of consultations with Federal and State agencies, the views of the public as voiced at the EIS scoping meeting, comments received in response to this notice, and other considerations such as guidance provided by the Department of the Interior and the Bureau of Land Management.

The boundaries of the tracts may be modified by the regional coal team

based on the analyses contained in the tract profiles. The teams may also defer the ranking of any potential lease tract if it is determined that insufficient tract information is available.

The public is invited to comment on these potential lease tracts and on the factors that may be considered by the regional coal team in ranking the tracts. The comments should be addressed to the regional coal team chairperson at the address provided above. Comments must be received by the team chairperson by close of business March 17, 1980. At the March meeting, the regional coal team will review the comments received in response to this notice before the team ranks the identified potential lease tracts and makes a preliminary selection from those tracts for analysis in the EIS and possible lease sale in mid-1981.

Surface Owner Consents. Section 714(c) of the Surface Mining Control and Reclamation Act (SMCRA) states that, "The Secretary shall not enter into any lease of Federal coal deposits until the surface owner has given written consent to enter and commence surface mining operations and the Secretary has obtained evidence of such consent." Valid written consents given by qualified surface owners prior to August 4, 1977, are considered to be acceptable for leasing and surface mining of Federal coal overlain by privately owned surface (split-estate lands).

Accordingly, the Bureau of Land Management is requesting that surface owner consents or refusals to consent be filed with the Director, Eastern States Office, Bureau of Land Management, at the address provided above. Those consents or refusals to consent that are received during the activity planning phase of the Federal coal management program will aid the regional coal team in determining the competitive nature of the potential coal tracts and in making its selection of tracts that may be offered for competitive sale. As defined in the regulations (43 CFR 3400.0–5(pp)), qualified surface owner "means the natural person or persons (or corporation, the majority stock of which is held by a person or persons) who:

(1) Hold legal or equitable title to the surface of split estate lands;

(2) Have their principal place of residence on that land, or personally conduct farming or ranching operations upon a farm or ranch unit to be affected by surface mining operations; or receive directly a significant portion of their income, if any, from such farming and ranching operations; and

(3) Have met the conditions of paragraphs (1) and (2) of this subsection for a period of at least 3 years, except for persons who gave written consent less than 3 years after they met the requirements of both paragraphs (1) and (2) of this section. In computing the three year period the authorized officer shall include periods during which title was owned by a relative of such person by blood or marriage if, during such periods, the relative would have met the requirements of this subsection."

Valid written consent is defined in the regulations (43 CFR 3400.0–5(zz)) as "the document or documents that a qualified surface owner has signed that: (1) Permit a coal operator to enter and commence surface mining of coal; (2) describe any financial or other consideration given or promised in return for permission, including in-kind considerations; (3) describe any consideration given in terms of type or methods of operation or reclamation for the area; (4) contain any supplemental or related contracts between the surface owner and any other person who is a party to the permission; and (5) contain a full and accurate description of the area covered by the permission."

To assist the regional coal team in its responsibilities, those valid written consents that were given prior to August 4, 1977, must be filed with the Director of the Bureau's Eastern States Office at the address provided above by December 8, 1980. This corresponds with the close of the public comment period on the draft regional lease sale EIS. Those consents granted after August 4, 1977, must be filed 30 days prior to the notice of sale for the tracts. It is anticipated that such a notice will be published May 20, 1981. If no valid consent for surface mining has been granted for a particular tract and there is interest in bidding on it at a competitive lease sale, it is incumbent upon the individual or coporation to obtain valid written consent and file it with the Bureau by April 20, 1981, or 30 days before publication of the notice of sale for the tract under the Secretary's schedule, whichever is later.

As required by 43 CFR 3427.2, it is the Bureau's responsibility to review all consents received. The Bureau will verify that the named surface owner is a qualified surface owner as defined in the regulations and that the title for all split estate lands described in the filing is held by the named qualified surface owner(s). In addition, the consent must be transferable to whoever makes the successful bid in a lease sale for the tract that includes the lands to which the consent applies. A written consent shall be considered transferable only if, at a minimum, it allows that after the lease sale for the tract to which the consent applies (i) the payment for the consent may be made by the successful bidder or (ii) the successful bidder may reimburse, at the purchase price of the consent, the party that first obtained the consent. If a filing is from anyone other than the named qualified surface owner the Bureau shall contact the named qualified surface owner and request confirmation in writing that the filed, transferable, written consent, or evidence thereof, to enter and commence surface mining has been granted and that the filing fully discloses all of the terms of the written consent or that the refusal to consent is accurate.

If no valid written consent to surface mine a particular tract is received by April 20, 1981, it will not be possible for the Secretary to offer the tract for competitive sale.

Dated: February 13, 1980.

Arnold E. Petty,

Acting Associate Director.

[FR Doc. 80–5096 Filed 2–15–80; 8:45 am]

BILLING CODE 4310–84–M

Heritage Conservation and Recreation Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the Heritage Conservation and Recreation Service before February 13, 1980. Pursuant to § 1202.13 of 36 CFR Part 1202, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, DC 20243. Written comments or a request for additional time to prepare comments should be submitted by March 5, 1980.

Sarah G. Oldham,

Acting Chief, Registration Branch.

ALABAMA

Elmore County

Wetumpka vicinity, *Hickory Ground (Ocheopofau)* ½ mi. S of Wetumpka

Jefferson County

Birmingham, *Alabama Penny Savings Bank, 310 18th St., N.*

Montgomery County

Montgomery, *Fariss House,* 303 Washington Ave.

[FR Doc. 80–5131 Filed 2–15–80; 8:45 am]

BILLING CODE 4310–03–M

National Registry of Natural Landmarks

AGENCY: Heritage Conservation and Recreation Service, Department of the Interior.

ACTION: Notification of Potential National Natural Landmarks.

The areas listed below have been identified as potential National Natural Landmarks by the Service's Division of Natural Landmarks in accordance with the provisions of 36 CFR 1212.4. Pursuant to § 1212.5(b)(1) of 36 CFR Part 1212, written comments concerning the potential designation of these areas as National Natural Landmarks may be forwarded to the Acting Associate Director for Natural Programs, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, D.C. 20243. Written comments or a request for additional time should be submitted no later than March 20, 1980.

Dated: February 13, 1980.

Robert A. Ritsch,

Acting Associate Director for Natural Programs.

CALIFORNIA

Los Angeles County

Farnsworth Bank; offshore of Santa Catalina Island, 1.6 nautical miles SW of Ben Weston Point.
Mescal Creek; 30 miles NW of San Bernardino.

Riverside County

Mount San Jacinto Wilderness and Fault Scarps; 6 miles W of Palm Springs.
Pushawalla Canyon; 15 miles E of Palm Springs.

San Bernardino County

Cima Dome; 90 miles NE of Barstow.

San Diego County

La Jolla and Scripps Submarine Canyons; directly offshore of La Jolla, California.

COLORADO

Larimer County

Sand Creek; (also in Wyoming); 20 miles SW of Laramie, Wyoming.
The Gangplank; (also in Wyoming); 10 miles W of Cheyenne, Wyoming.

NEVADA

Clark County

Frenchman Mountain-Rainbow Gardens; 10 miles E of downtown Las Vegas.
McCullough Range; 4 miles S of Henderson.

Elko County

Ruby Mountains; 18 miles SE of Elko.

Nye County

Hot Creek Range; 60 miles NE of Tonopah.
Sarcobatus Flats; 40 miles SE of Goldfield.

White Pine County

Snake Range; 30 miles E of Ely.

NEW MEXICO

Catron County

Zuni Salt Lake; 70 miles S of Gallup.

SOUTH DAKOTA

Fall River County

Mammoth Site of Hot Springs; on the S edge of the City of Hot Springs.

Lake County

Buffalo Slough; 20 miles N of Sioux Falls.

UTAH

Millard County

Antelope Spring Trilobite Beds; 32 miles W of Delta.
Desert Range Experimental Area; 80 miles W of Richfield.

Tooele County

Bonneville Salt Flats; 100 miles W of Salt Lake City.

WYOMING

Albany County

Big Hollow; 7 miles W of Laramie.
Sand Creek; (also in Colorado); 20 miles SW of Laramie.

Crook County

Western Black Hills Volcanic Intrusions; consists of 4 discrete units within 25 miles of Sundance.

Fremont County

Red Canyon; 15 miles S of Lander.

Laramie County

The Gangplank; (also in Colorado); 10 miles W of Cheyenne.

Sublette County

Pinedale Glacial Area; 1 mile NE of Pinedale.

Sweetwater County

Ancient Lake Gosiute Sediments and Green River Overlook; 7 miles S of Green River.
Boar's Tusk-Killpecker Dune Field; 7 miles SE of Farson.
Chain of Lakes; 50 miles NW of Rawlins.
Steamboat Mountain; 35 miles NE of Rock Springs.

Teton County

Gros Ventre Slide; 14 miles NE of Jackson.

[FR Doc. 80-5151 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-03-M

National Register of Historic Places; Notification of Pending Nominations; Correction

In FR Doc. 80-4136, Tuesday, February 12, 1980, make the following correction:

On page 9351, in the middle column, after line 6, insert Minnesota.

Sarah G. Oldham,

Acting Chief, Registration Branch.

[FR Doc. 80-5265 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-03-M

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the Heritage Conservation and Recreation Service before February 8, 1980. Pursuant to § 1202.13 of 36 CFR Part 1202, written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, Heritage Conservation and Recreation Service, U.S. Department of the Interior, Washington, DC 20243. Written comments or a request for additional time to prepare comments should be submitted by March 5, 1980.

Sarah G. Oldham,

Acting Chief, Registration Branch.

ALASKA

Barrow-North Slope Division

Wainwright vicinity, *Aluakpak Site.*
Wainwright vicinity, *Anaktuuk.*
Wainwright vicinity, *Atanik.*
Wainwright vicinity, *Avalitkuk.*
Wainwright vicinity, *Avishaat Site.*
Wainwright vicinity, *Kanitch.*
Wainwright vicinity, *Napanik,* S of Wainwright.
Wainwright vicinity, *Uyagaagruk.*

Cordova-McCarthy Division

Cordova, *Reception Building,* 2nd and B Sts.

Kodiak Division

Kodiak, *American Cemetery,* Upper Mill Bay Rd.

Matanuska-Susitna Division

Palmer, *United Protestant Church,* S. Denali and Elmwood Sts.

ARIZONA

Maricopa County

Tempe, *Petersen Building,* 409–413 S. Mill Ave.

Navajo County

Snowflake, *Freeman, John A., House,* Main and Freeman Sts.
Snowflake, *Stinson-Flake House,* Freeman Ave. and Stinson St.

Santa Cruz County

Nogales, *Old Nogales City Hall and Fire Station,* 223 Grand Ave.

COLORADO

Denver County

Denver, *Chamberlin Observatory,* 2930 E. Warren Ave.

Denver, *Root, Amos H., Building*, 1501–1529 Platte St.

Gilpin County

Pinecliffe vicinity, *Winks Panorama*, SW of Pinecliffe.

DISTRICT OF COLUMBIA

Washington

Ingleside, 1818 Newton St., NW.
Lenthall Houses, 606 and 610 21st St., NW.
Northumberland Apartments, 2039 New Hampshire Ave. NW.
Phyllis Wheatley Y.W.C.A., 901 Rhode Island Ave., NW.

INDIANA

Porter County

Valparaiso, *Rose, David Garland, House*, 156 Garfield St.

MASSACHUSETTS

Bristol County

Attleboro, *First Parsonage for Second East Parish Church*, 41 S. Main St.
New Bedford, *Central New Bedford Historic District*, Roughly bounded by Acushnet Ave., School, Middle and 6th Sts.

Hampshire County

Middlefield vicinity, *Middlefield-Becket Stone Arch Railroad Bridge District* (also in Berkshire and Hampden Counties).

Middlesex County

Bedford, *Lane, David, House*, 137 North Rd.
Medford, *McGill, John H., House*, 56 Vernon St.
Natick, *Badger, Rev. Stephen, House*, 87 Eliot St.
Newton, *St. Mary's Church and Cemetery*, 258 Concord St.

Norfolk County

Sharon, *Stoneholm*, 188 Ames St.

Plymouth County

Middleboro, *Washburn, C. P., Grain Mill*, Central and Cambridge Sts.

NEW HAMPSHIRE

Strafford County

Durham, *Durham Historic District*, Main St. and Newmarket RD.

TEXAS

Harris County

Houston, *Broadacres Historic District*, 1300–1506 North Blvd. and 1305–1515 South Blvd.

Williamson County

Taylor vicinity, *McFadin House*, 5 mi. N of Taylor off TX 1331.

WISCONSIN

Cooksville Area Thematic Resources. Reference—see individual listings under Dane and Rock Counties.

Dane County

Evansville vicinity, *Savage House (Cooksville Area Thematic Resources)*, SR 1
Madison, *Jackman Building*, 111 S. Hamilton St.

Dodge County

Beaver Dam, *Swan House and Vita Spring Pavilion*, 230 Park Ave.

Rock County

Evansville vicinity, *Billings House (Cooksville Area Thematic Resources)*, SR 1.

Rock County

Evansville vicinity, *Cooksville Cheese Factory (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Cooksville Historic District (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Cooksville Mill and Mill Pond Site (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Cooper-Gillies House (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Dow, John T., House (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Leedle Mill Trust Bridge (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Miller House (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Porter, J. K., Farmstead (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Richardson Grout House (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Searle Barn (Cooksville Area Thematic Resources)*, SR 1.
Evansville vicinity, *Stebbins, Harrison, House (Cooksville Area Thematic Resources)*, SR 1.

[FR Doc. 80-4877 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-03-M

National Park Service

Blue Ridge Parkway, Land Acquisition Plan; Public Meetings

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the Superintendent of Blue Ridge Parkway announces three public meetings for the purpose of providing a public forum to receive oral and written comment on a draft land acquisition plan for the park.

The draft plan will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The public meetings will be held as follows:

Tuesday, March 18, 1980, 7:00 p.m.—The Parry McCluer School, 2329 Chestnut Avenue, Buena Vista, Virginia.
Wednesday, March 19, 1980, 7:00 p.m.—Hillsville High School, Route 58, Hillsville, Virginia.
Thursday, March 20, 1980, 7:00 p.m.—The Blowing Rock Community Building, Main Street, Blowing Rock, North Carolina.

Persons desiring further information about the public meetings can write or call the Superintendent, Blue Ridge Parkway, 700 Northwestern Bank Building, Asheville, North Carolina 28801, (704) 258–2850. In addition, copies of the draft plan are available from the Superintendent.

Following the public meetings, the record will remain open for 30 days to receive additional written comment. A land acquisition plan will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 5, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region, National Park Service.

[FR Doc. 80-5090 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-70-M

Cape Hatteras National Seashore and Fort Raleigh National Historic Site, Land Acquisition Plans: Public Forum

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the Superintendent of Cape Hatteras National Seashore and Fort Raleigh National Historic Site announces an open house for the purpose of providing a public forum to receive oral and written comment on draft land acquisition plans for the parks.

The draft plans will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The open house will be held as follows: Tuesday, March 18, 1980, 2:00 to 5:00 p.m., Park Headquarters, Fort Raleigh National Historic Site, north end of Roanoke Island, north of Manteo, North Carolina, off U.S. 264 and 64.

Persons desiring further information about the open house can write or call the Superintendent, Cape Hatteras National Seashore, Route 1, Box 457, Manteo, North Carolina 27954, (919) 473–2111. In addition, copies of the draft plans are available from the Superintendent.

Following the open house, the record will remain open for 30 days to receive additional written comment. Land acquisition plans will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 5, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region, National Park Service.

[FR Doc. 80-5091 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-70-M

Castillo de San Marcos National Monument Land Acquisition Plan; Public Forum

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the Superintendent of Castillo de San Marcos National Monument announces an open house for the purpose of providing a public forum to receive oral and written comment on draft land acquisition plans for the parks.

The draft plans will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The open house will be held as follows: Thursday, March 20, 1980, 2:00 to 5:00 p.m., Park Headquarters, 1 Castillo Drive, St. Augustine, Florida.

Persons desiring further information about the open house can write or call the Superintendent, Castillo de San Marcos National Monument, 1 Castillo Drive, St. Augustine, Florida 32084, (904) 829-6506. In addition, copies of the draft plans are available from the Superintendent.

Following the open house, the record will remain open for 30 days to receive additional written comment. Land acquisition plans will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 5, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region, National Park Service.

[FR Doc. 80-5094 Filed 2-14-80; 8:45 am]

BILLING CODE 4310-70-M

De Soto National Memorial Land Acquisition Plan; Public Forum

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the Superintendent of De Soto National Memorial announces an open house for the purpose of providing a public forum to receive oral and written comment on a draft land acquisition plan for the park.

The draft plan will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The open house will be held as follows: Wednesday, March 12, 1980, 2:00 to 5:30 p.m., Park Headquarters, De Soto National Memorial, 75th Street, N.W,, Bradenton, Florida.

Persons desiring further information about the open house can write or call the Superintendent, De Soto National Memorial, 75th Street, N.W., Bradenton, Florida 33505, (813) 792-0458. In addition, copies of the draft plan are available from the Superintendent.

Following the open house, the record will remain open for 30 days to receive additional written comment. A land acquisition plan will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 6, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region National Park Service.

[FR Doc. 80-5093 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-70-M

Mining Plan of Operations at Death Valley National Monument; Availability

Notice is hereby given that pursuant to the provisions of Section 2 of the Act of September 28, 1976, 16 U.S.C. 1901 et seq., and in accordance with the provisions of Section 9.17 of 36 CFR Part 9, Theo Selbach has filed a Plan of Operations in support of proposed mining activities on lands embracing its Big Gypsum Ledge Borate Mine Mining Claim within the Death Valley National Monument. This plan is available for public inspection during normal business hours at the Death Valley National Monument Headquarters, Death Valley, California.

Dated: February 4, 1980.

Howard H. Chapman,

Regional Director, Western Region, National Park Service.

[FR Doc. 80-5089 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-70-M

Virgin Islands National Park Land Acquisition Plan; Public Forum

In accordance with guidelines issued by the Director of the National Park Service in the **Federal Register** (Vol. 44, No. 82) on April 26, 1979, the Superintendent of Virgin Islands National Park announces two open houses for the purpose of providing a public forum to receive oral and written comment on a draft land acquisition plan for the park.

The draft plan will outline, in general terms, the overall goals and strategy for the park land acquisition program and identify specific land acquisition priorities within existing statutory limitations.

The open houses will be held as follows:

Monday, March 10, 1980, 2:00 to 5:00 p.m.—National Park Service Office, Cruz Bay, St. John, Virgin Islands.

Tuesday, March 11, 1980, 2:00 to 5:00 p.m.—Headquarters, Virgin Islands National Park, Red Hook, National Park Service Dock, St. Thomas, Virgin Islands.

Persons desiring further information about the open houses can write or call the Superintendent, Virgin Islands National Park, P.O. Box 806, Charlotte Amalie, St. Thomas, Virgin Islands 00801, (809) 775-2050.

In addition, copies of the draft plan are available from the Superintendent.

Following the open houses, the record will remain open for 30 days to receive additional written comment. A land acquisition plan will then be completed and transmitted to the Regional Director, Southeast Region for approval.

Dated: February 5, 1980.

Neal G. Guse, Jr.,

Acting Regional Director, Southeast Region, National Park Service.

[FR Doc. 80-5092 Filed 2-15-80; 8:45 am]

BILLING CODE 4310-70-M

Office of Surface Mining Reclamation and Enforcement

Peabody Coal Co.—Big Sky Mine, Rosebud County, Mont., Federal lease No. M-15965; Availability of Proposed Decision to Approve Coal Mining and Reclamation Plan With Stipulations

AGENCY: Office of Surface Mining Reclamation and Enforcement.

ACTION: Notice of availability of proposed decision to approve proposed surface coal mining and reclamation plan with stipulations.

SUMMARY: Pursuant to Section 1506.6 of Title 40 and Section 211.5 of Title 30, Code of Federal Regulations, notice is hereby given that the Region V, Office of Surface Mining Reclamation and Enforcement (OSM) has completed a technical and environmental review of Peabody Coal Company's proposed mining and reclamation plan and has recommended to the Department approval of the plan contingent on the applicant's acceptance of stipulations. The notice of availability of the mining and reclamation plan for the Big Sky mine was published in the **Federal**

Register on November 8, 1979, 44 FR 64922.

The Office of Surface Mining has prepared a technical analysis (TA) and an environmental assessment (EA) and from their studies has determined that significant impacts that could ensue from the proposed operation have been assessed in the following impact statement: "Proposed Expansion of Mining and Reclamation Plan, Big Sky Mine, Rosebud County, Montana." That impact statement consists of two volume—Volume I, the original statement (DES 78–51) contains the analysis of the mine plan as proposed in November, 1977; Volume II contains an analysis of revisions in the mining and reclamation plan received through July 11, 1979. The Final Statement (FES 79–46) was filed with EPA on September 25, 1979.

The proposed mine is located about 6 miles south of Colstrip, MT and west of State Highway 315 as follows:

Location of Lands to be Affected: Township, Range, Section:

T. 1 N., R. 41 E: 13, 14, 15, 22, 23, 26, 27

Office of Surface Mining Reference No.: MT–0006

Applicant: Peabody Coal Company
Mine Name: Big Sky
State: Montana
County: Rosebud

The proposed modification involves mining and associated disturbance on 1,071 acres of the total lease area of 4,307 acres. The mine is proposed to continue as a multiple (two) seam, dragline operation removing Federally- and privately-owned coal. The coal is shipped, via railroad, to the Minnesota Power and Light Company's Clay Boswell Station, Cohasset, Minnesota. The projected production rate is 4.2 million tons per year over a five year period (1980–1984). During 1978, 2.1 million tons were mined. The proposed modification would extend mining activities northward and northeastward from the presently mined area. The multiple seam operation would include the extraction of coal from two primary seams, the McKay and Rosebud. The area scheduled for mining is outside the mining boundaries previously approved by the Department.

The applicant's plan was reviewed under 30 CFR Part 211 and the performance standards of the permanent program on Federal lands. Recent amendment to 30 CFR 701.11 and 741.11 postpone the effective date for operator compliance with the permanent program on Federal lands until the date of approval of a State program or implementation of a Federal program for a State. See 44 FR 77440–47, December 31, 1979.

Departmental action on the Big Sky Mine Plan at this time does not relieve the operator of the obligation to file a new permit application not later than two months after the effective date of approval of the Montana program (or implementation of a Federal program in Montana.) Upon receipt of that application, the Office of Surface Mining will proceed to review the application pursuant to 30 CFR Chapter VII, Subchapter D.

The purpose of this notice is to inform the public that based on staff reviews, and the reviews of the Montana Department of State Lands, the U.S. Geological Survey, and other State and Federal agencies, the Regional Director, Region V, Office of Surface Mining is recommending approval of the Big Sky mining plan with stipulations. Any persons having an interest which is or may be adversely affected by the recommended approval may, in writing, request a public meeting on the proposed decision.

DATES: All requests for a public meeting must be made on or before 20 days from the date of this notice. No decision on the plan will be made by the Assistant Secretary, Energy and Minerals, prior to the expiration of the 20-day period.

ADDRESSES: The technical analysis, environmental assessment, and proposed stipulations are available on request for review in the Office of Surface Mining, Region V. Comments on the proposed approval or requests for public meetings must be submitted to the Regional Director, Region V, Office of Surface Mining, Brooks Towers, 1020 Fifteenth Street, Denver, Colorado 80202, no later than 20 days from the date of this notice.

FOR FURTHER INFORMATION CONTACT: Shirley Lindsay, Office of Surface Mining, Region V, Brook Towers, 1020 Fifteenth Street, Denver, Colorado 80202, Telephone: 837–2451.

Walter N. Heine,

Director.

[FR Doc. 80–5044 Filed 2–15–80; 8:45 am]

BILLING CODE 4310–05–M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Joint Committee for Agricultural Development for the Board for International Food and Agricultural Development; Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(a), (2), P.L. 92–463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Joint Committee on Agricultural Development (JCAD) of the Board for International Food and Agricultural Development (BIFAD) on March 10 and 11, 1980.

The purpose of the meeting is to: review and coordinate the reports of the Regional Work Groups (RWG's) on the Country Development Strategy Statements (CDSS's); receive and discuss RWG members' trip reports on Country/Mission visits; receive and discuss the committee report on Improvement of Collaborative Assistance Mode of Contracting; receive and discuss the committee report on Contracting Procedures and discuss the report of the Private Voluntary Organizations (PVO).

The meeting on March 10, 1980 will convene from 9:00 a.m. to 12:00 p.m. in the form of Regional Work Groups: Africa RWG in Room 2941, New State Department Building, Washington, D.C. 20523 (Mr. William Johnson, A.I.D. Federal Designee for this meeting, can be contacted at (202/632–3650); Latin America RWG in Room 2242 New State Department Building (Mr. Blair Allen, A.I.D. Federal Designee for this meeting, can be contacted at (202/632–8126); Near East RWG in Room 6484 New State Department Building (Mr. Keith Sherper, A.I.D. Federal Designee for this meeting, can be contacted at (202/632–9256); and the Asia RWG in Room 216 Rosslyn Plaza Building, 1601 North Kent Street, Rosslyn, Virginia (Mr. David Lundberg, A.I.D. Federal Designee for this meeting, can be contacted at (703/235–8870). The Full JCAD Committee will convene on March 10 from 1:00 p.m. to 5:00 p.m. in Room 5951 New State Department Building. The Full JCAD Committee will meet also on March 11 from 9:00 a.m. to 1:00 p.m. in Room 5941 New State Department Building. The meetings are open to the public. Any interested person may attend, may file written statements with the Committee before or after the meetings, or may present oral statements in accordance with procedures established by the Committee, and to the extent the time available for the meetings permit.

Dr. Frank H. Madden, BIFAD Support Staff, is designated A.I.D. Advisory Committee Representative at the March 10 and 11 meetings. It is suggested that those desiring further information write to him in care of the Agency for International Development, State Department, Washington, D.C. 20523, or telephone him at (202) 632–3009.

Dated: February 12, 1980.

Frank H. Madden,

A.I.D. Advisory Committee Representative, Joint Committee on Agricultural Development, Board for International Food and Agricultural Development.

[FR Doc. 80-5130 Filed 2-15-80; 8:45 am]

BILLING CODE 4710-02-M

INTERSTATE COMMERCE COMMISSION

[AB 43 (SDM)]

Illinois Central Gulf Railroad Co.; Amended System Diagram Map

Notice is hereby given that, pursuant to the requirements contained in Title 49 of the Code of Federal Regulations, § 1121.23, that the Illinois Central Gulf Railroad Company, has filed with the Commission its amended color-coded system diagram map in docket No. AB-43. The Commission on February 4, 1980, received a certificate of publication as required by said regulation which is considered the effective date on which the system diagram map was filed.

Color-coded copies of the map have been served on the Governor of each state in which the railroad operates and the Public Service Commission or similar agency and the State designated agency. Copies of the map may also be requested from the railroad at a nominal charge. The maps also may be examined at the office of the Commission, Section of Dockets, by requesting docket No. AB 43 (SDM).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5023 Filed 2-15-80; 8:45 am]

BILLING CODE 7035-01-M

[Directed Service Order No. 1398; Authorization Order No. 22]

Kansas City Terminal Railway Co.—Directed To Operate Over—Chicago, Rock Island & Pacific Railroad Co., Debtor (William M. Gibbons, Trustee)

Decided February 7, 1980.

On September 26, 1979, the Commission directed Kansas City Terminal Railway Company (KCT) to provide service as a directed rail carrier (DRC) under 49 U.S.C. 11125 over the lines of the Chicago, Rock Island & Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) ("RI"). *See* Directed Service Order No. 1398, *Kansas City Term. Ry. Co.—Operate—Chiacago, R. I. & P.*, 360 I.C.C. 289 (1979), 44 FR 56343 (October 1, 1979). In DSO No. 1398 (Sub-No. 1), this authority was extended through March 2, 1980, subject to certain modifications. *See* DSO No. 1398 (Sub-No. 1), 360 I.C.C. 478 (decided November 30, 1979; served December 3, 1979) and 44 FR 70733 (December 10, 1979).

RI operates a 1972 Chevrolet truck No. 72111, that is used at Little Rock, Arkansas, by the mechanical department. The truck is used as a rewheel truck to repair freight cars on line of road at derailments. It is equipped with crane boom, and hydraulic jack. The repair costs are estimated at $1,700 to replace the clutch pressure plate, shock absorbers, starter, and carburetor; install new transmission; and align the front end.

Supplemental Order No. 4 to DSO No. 1398 required the DRC to obtain prior Commission approval for all rehabilitation for freight cars and other non-locomotive equipment which exceeds $1,200 per unit. *See* Supplemental Order No. 4 (served October 15, 1979) [44 FR 61127, Oct. 23, 1979]. Accordingly, the DRC submitted an urgent request for authority to repair the above vehicle. *See* wire to Joel E. Burns, dated February 4, 1980.

The DRC seeks Commission authorization to repair 1972 Chevrolet truck number 72111 on the grounds that repairs are necessary for the efficient conduct of mechancial department work at Little Rock.

We find: 1. This action will not significantly affect either the quality of the human environment or the conservation of energy resources. *See* 49 CFR Parts 1106, 1108 (1978).

It is ordered: 1. The DRC is authorized to make repairs to 1972 Chevrolet truck number 72111, at a cost of $1,700.00, as requested in a telegram from the DRC to Joel E. Burns dated February 4, 1980.

2. The repairs authorized above shall be completed within the directed service period.

3. This decision shall be effective on its service date.

By the Commission, Railroad Service Board, Members Robert S. Turkington, and John L. Chaney.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5021 Filed 2-15-80; 8:45 am]

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[Volume No. 51]

Petitions, Applications, Finance Matters (Including Temporary Authorities), Alternate Route Deviations, Intrastate Applications, Gateways, and Pack and Crate

Dated: February 7, 1980.

Petitions for Modification, Interpretation or Reinstatement of Motor Carrier Operating Rights Authority

The following petitions seek modification or interpretation of existing motor carrier operating rights authority, or reinstatement of terminated motor carrier operating rights authority.

All pleadings and documents must clearly specify the suffix numbers (e.g., M1 F, M2 F) where the docket is so identified in this notice.

The following petitions, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications will be *rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that if (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277.

Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's

representative, and oral hearing requests.

MC 10875 (Sub-19M1F), notice of filing of petition to delete restrictions, filed July 12, 1979. Petitioner: BRANCH MOTOR EXPRESS COMPANY, 114 Fifth Ave., New York, NY 10011. Representative: Jack R. Turney, Jr., 2001 Massachusetts Ave. NW., Washington, D.C. 20036. Petitioner holds *common carrier* authority in MC 10875 Sub 19, served April 28, 1972. MC–10875 Sub 19 authorizes the transportation of *general commodities* (except those of unusual value, classes A and B explosive, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), over regular routes, (A) Between Philadelphia, Pa., and Greensboro, N.C., serving the intermediate point of Baltimore, Md., and all intermediate points in North Carolina, within 5 miles of Greensboro, and serving Danville, Va., and junction U.S. Highways 58 and 1 for the purposes of joinder only: From Philadelphia across the Delaware River to U.S. Highway 130, thence over U.S. Highway 130 to the Delaware Memorial Bridge, thence over Interstate Highway 295 to junction Interstate Highway 95, thence over Interstate Highway 95 to Baltimore, Md., thence over Maryland Highway 3 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction U.S. Highway 1, thence over U.S. Highway 1 to Richmond, Va., thence over U.S. Highway 360 to junction Virginia Highway 304, thence over Virginia Highway 304 to junction U.S. Highway 58, thence over U.S. Highway 58 to Danville, Va., thence over U.S. Highway 29 to Greensboro, and return over the same route. Between Baltimore, Md., and junction Virginia Highway 350 and U.S. Highway 1, serving no intermediate points: From Baltimore over U.S. Highway 1 to Washington, D.C., thence over Virginia Highway 350 to junction U.S. Highway 1, and return over the same route. Between Richmond, Va., and Durham, N.C., serving no intermediate points: From Richmond over U.S. Highway 1 to junction North Carolina Highway 98, thence over North Carolina Highway 98 to Durham, and return over the same route. Between junction U.S. Highway 50 and Interstate Highway 495 and Danville, Va., serving no intermediate points: From junction U.S. Highway 50 and Interstate Highway 495 over U.S. Highway 50 to Washington, D.C., thence over U.S. Highway 29, via Culpeper, Va., to Danville, and return over the same route. Between Culpeper, Va., and junction U.S. Highways 15 and 360, serving no intermediate points: From Culpeper over U.S. Highway 15 to junction U.S. Highway 360, and return over the same route. Between junction U.S. Highways 360 and 15 and Greensboro, N.C., serving all intermediate points in North Carolina, within 5 miles of Greensboro and serving junction U.S. Highways 15 and 58 for purposes of joinder only: From junction U.S. Highways 360 and 15 over U.S. Highway 15 to Durham, N.C., thence over U.S. Highway 70 to Greensboro, and return over the same route. Between junction U.S. Highway 158 and North Carolina Highway 49 and junction North Carolina Highway 49 and U.S. Highway 70, serving no intermediate points: Fron junction U.S. Highway 158 and North Carolina Highway 49 over North Carolina Highway 49 to junction U.S. Highway 70, and return over the same route. Between junction North Carolina Highways 49 and 62 and junction North Carolina Highway 62 and U.S. Highway 70, serving no intermediate points: From junction North Carolina Highways 49 and 62 over North Carolina Highway 62 to junction U.S. Highway 70, and return over the same route. Between junction U.S. Highways 1 and 58 and junction U.S. Highway 58 and Virginia Highway 304, serving no intermediate points: From junction U.S. Highways 1 and 58 over U.S. Highway 58 to junction Virginia Highway 304, and return over the same route. Between Baltimore, Md., and Greensboro, N.C., serving all intermediate points in North Carolina, within 5 miles of Greensboro: From Baltimore over U.S. Highway 40 to Hagerstown, Md., thence over U.S. Highway 11 to Roanoke, Va., thence over U.S. Highway 220 to Greensboro, and return over the same route. Between Frederick, Md., and junction U.S. Highways 340 and 11, serving no intermediate points: From Frederick over U.S. Highway 340 to junction U.S. Highway 11, and return over the same route. Between junction Maryland Highway 3 and U.S. Highway 301 and junction Virginia Highway 207 and U.S. Highway 1, serving no intermediate points: From junction Maryland Highway 3 and U.S. Highway 301 over U.S. Highway 301 to junction Virginia Highway 207, thence over Virginia Highway 207 to junction U.S. Highway 1, and return over the same route. Between junction Interstate Highway 295 and U.S. Highway 13 and junction Maryland Highway 3 and U.S. Highway 301, serving no intermediate points:

From junction Interstate Highway 295 and U.S. Highway 13 over U.S. Highway 13 to junction U.S. Highway 301–N, thence over U.S. Highway 301–N to junction U.S. Highway 301, thence over U.S. Highway 301 and the Chesapeake Bay Bridge to junction Maryland Highway 3, and return over the same route. Between York, Pa., and Baltimore, Md., serving no intermediate points: From York over Interstate Highway 83 to Baltimore, and return over the same route. Between junction Interstate Highways 695 and 83 and junction Interstate Highway 695 and Maryland Highway 3, serving no intermediate points: From junction Interstate Highways 695 and 83 over Interstate Highway 695 to junction Maryland Highway 3 and return over the same route. Between York, Pa., and Hagerstown, Md., serving no intermediate points: From York over U.S. Highway 30 to junction Interstate Highway 81, thence over Interstate Highway 81 to Hagerstown, and return over the same route. Between junction U.S. Highways 30 and 15 and junction U.S. Highways 15 and 29, serving no intermediate points: From junction U.S. Highways 30 and 15 over U.S. Highway 15 to junction U.S. Highway 29, and return over the same route. Restriction: The authority granted in Section (A) above is limited to the transportation of traffic moving between Greensboro, N.C., and points within 5 miles of Greensboro, on the one hand, and, on the other, York, Pa., Baltimore, Md., and Philadelphia, Pa., and points within 20 miles of Philadelphia. Between Greensboro, N.C., and Kingsport, Tenn., serving all intermediate points in North Carolina, except those on Interstate Highway 40: From Greensboro over Interstate Highway 40 to Winston-Salem, N.C., thence over U.S. Highway 421 to junction U.S. Highway 321, thence over U.S. Highway 321 to Johnson City, Tenn., thence over U.S. Highway 23 to Kingsport, and return over the same route. Between junction U.S. Highways 421 and 21 and junction U.S. Highway 21 and the North Carolina-Virginia State line, serving all intermediate points: From junction U.S. Highways 421 and 21 over U.S. Highway 21 to the North Carolina-Virginia State line, and return over the same route. Between Winston-Salem, N.C., and junction U.S. Highway 52 and the North Carolina-Virginia State line, serving all intermediate points: From Winston-Salem over U.S. Highway 52 to the North Carolina-Virginia State line, and return over the same route. Between Greensboro, N.C., and junction U.S. Highway 220 and the North Carolina-Virginia State line, serving all intermediate points: From Greensboro over U.S. Highway 220 to the North

Carolina-Virginia State line, and return over the same route. Between Winston-Salem, N.C., and Murphy, N.C., serving all intermediate points, except those on Interstate Highway 40: From Winston-Salem over U.S. Highway 158 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction Interstate Highway 40, thence over Interstate Highway 40 to Asheville, N.C., thence over U.S. Highway 19 to Murphy, and return over the same route. Between junction U.S. Highways 21 and 421 and Hardeeville, S.C., serving all intermediate points: From junction U.S. Highways 21 and 421 over U.S. Highway 21 to Columbia, S.C., thence over U.S. Highway 321 to Hardeeville, and return over the same route. Between Greensboro, N.C., and Anderson, S.C., serving all intermediate points: From Greensboro over U.S. Highway 29 via Greenville, S.C., to junction U.S. Highway 76, thence over U.S. Highway 76 to Anderson, and return over the same route. Between junction U.S. Highway 29 and the Virginia-North Carolina State line and Greensboro, N.C., serving all intermediate points: From junction U.S. Highway 29 and the Virginia-North Carolina State line over U.S. Highway 29 to Greensboro, and return over the same route. Between Greensboro, N.C., and Charleston, S.C., serving all intermediate points: From Greensboro over U.S. Highway 220 to Rockingham, N.C., thence over U.S. Highway 1 to Cheraw, S.C., thence over U.S. Highway 52 to Charleston, and return over the same route. Between Greensboro, N.C., and Fayetteville, N.C., serving all intermediate points: From Greensboro over U.S. Highway 421 to Sanford, N.C., thence over North Carolina Highway 87 to Fayetteville, and return over the same route. Between Durham, N.C., and Raleigh, N.C., serving all intermediate points: From Durham over U.S. Highway 70 to Raleigh, and return over the same route.

Between Durham, N.C., and Myrtle Beach, S.C., serving all intermediate points: From Durham over U.S. Highway 501 to Myrtle Berach, and return over the same route. Between Raleigh, N.C., and Charlotte, N.C., serving all intermediate points: From Raleigh over U.S. Highway 64 to Asheboro, N.C., thence over North Carolina Highway 49 to Charlotte, and return over the same route. Between Raleigh, N.C., and junction U.S. Highway 301 and the South Carolina-Georgia State lines, serving all intermediate points: From Raleigh over U.S. Highway 401 to Fayetteville, N.C., thence over U.S. Highway 301 to the South Carolina-Georgia State line, and return over the same route. Between Greenville, S.C., and Charleston, S.C., serving all intermediate points: From Greenville over U.S. Highway 176 to junction Interstate Highway 26, thence over Interstate Highway 26 to Charleston, and return over the same route. Between Myrtle Beach, S.C., and junction U.S. Highways 17 and 15, serving all intermediate points: From Myrtle Beach over U.S. Highway 17 to junction U.S. Highway 15, and return over the same route. Between Greensboro, N.C., and Durham, N.C., serving all intermediate points: From Greensboro over U.S. Highway 70 to Durham, and return over the same route. Between Asheboro, N.C., and junction North Carolina Highway 49 and the North Carolina-Virginia State line, serving all intermediate points: From Asheboro over North Carolina Highway 49 to the North Carolina-Virginia State lines, and return over the same route. Between Raleigh, N.C., and junction U.S. Highway 1 and North Carolina Highway 98, serving all intermediate points and serving junction U.S. Highway 1 and North Carolina Highway 98 for purposes of joinder only: From Raleigh over U.S. Highway 1 to junction North Carolina Highway 98, and return over the same route. Between Winston-Salem, N.C., and Henderson, N.C., serving all intermediate points: From Winston-Salem over U.S. Highway 158 to Henderson, and return over the same route. Between Rock Hill, S.C., and Trenton, S.C., serving all intermediate points: From Rock Hill over South Carolina Highway 121 to Trenton, and return over the same route. Between Hendersonville, N.C., and Dillon, S.C., serving all intermediate points: From Hendersonville over U.S. Highway 176 to Spartanburg, S.C., thence over South Carolina Highway 9 to Dillon, and return over the same route. Between Fayetteville, N.C., and Summerton, S.C., serving all intermediate points: From Fayetteville over U.S. Highway 401 to junction U.S. Highway 15, thence over U.S. Highway 15 to Summerton, and return over the same route. Between Charlotte, N.C., and Pageland, S.C., serving all intermediate points: From Charlotte over U.S. Highway 74 to junction U.S. Highway 601, thence over U.S. Highway 601 to Pageland, and return over the same route. Between Mount Airy, N.C., and Cheraw, S.C., serving all intermediate points: From Mount Airy over U.S. Highway 601 to Salisbury, N.C., thence over U.S. Highway 52 to Cheraw, and return over the same route. Between Florence, S.C., and Sumter, S.C., serving all intermediate points: From Florence over U.S. Highway 76 to Sumter, and return over the same route. Between Greenville, S.C., and Anderson, S.C., serving all intermediate points: From Greenville over U.S. Highway 123 to junction U.S. Highway 76, thence over U.S. Highway 76 to Anderson, and return over the same route. Between Asheville, N.C., and Kings Mountain, N.C., serving all intermediate points: From Asheville over U.S. Highway 74 to Kings Mountain, and return over the same route. Between Monroe, N.C., and Lumberton, N.C., serving all intermediate points: From Monroe over U.S. Highway 74 to Lumberton, and return over the same route. Between Hendersonville, N.C., and Clinton, S.C., serving no intermediate points: From Hendersonville over Interstate Highway 26 to Clinton, and return over the same route. Between Statesville, N.C., and Salisbury, N.C., serving all intermediate points: From Statesville over U.S. Highway 70 to Salisbury, and return over the same route. Between Mocksville, N.C., and Asheboro, N.C., serving all intermediate points: From Mocksville over U.S. Highway 64 to Asheboro, and return over the same route. Between Asheville, N.C., and junction U.S. Highway 25 and South Carolina-Geogia State line, serving all intermediate points: From Asheville over U.S. Highway 25 to the South Carolina-Georgia State line, and return over the same route.

Between Raleigh, N.C., and junction U.S. Highway 1 and the South Carolina-Georgia State line, serving all intermediate points: From Raleigh over U.S. Highway 1 to the South Carolina-Georgia State line, and return over the same route. Between Summerton, S.C., and junction U.S. Highway 17 and the South Carolina-Georgia State line, serving all intermediate points: From Summerton over U.S. Highway 15 to junction U.S. Highway 17, thence over U.S. Highway 17 to the South Carolina-Georgia State line, and return over the same route. Between junction U.S. Highways 76 and 123 and junction U.S. Highway 123 and the South Carolina-Georgia State line, serving all intermediate points: From junction U.S. Highways 76 and 123 over U.S. Highway 123 to the South Carolina-Georgia State line, and return over the same route. Between Conway, S.C., and junction U.S. Highway 378 and the the South Carolina-Georgia State line, serving all intermediate points: From Conway over U.S. Highway 378 to the South Carolina-Georgia State line, and return over the same route. Between junction U.S. Highway 78 and Interstate Highway 26 and junction U.S. Highway 78 and the South Carolina-Georgia State line,

serving all intermediate points: From junction U.S. Highway 78 and Interstate Highway 26 over junction U.S. Highway 78 to the South Carolina-Georgia State line, and return over the same route. Between Whitmire, S.C., and junction South Carolina Highway 72 and the South Carolina-Georgia State line, serving all intermediate points: From Whitmire over South Carolina Highway 72 to the South Carolina-Georgia State line, and return over the same route. In connection with Section (B) hereinabove, serving as off-route points all points in that part of North Carolina on and west of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 1 to Raleigh, thence along U.S. Highway 401 to Fayetteville, and thence along U.S. Highway 301 through Lumberton to the North Carolina-South Carolina State line, and those in South Carolina. Restriction: The service authorized in Section (b) hereinabove is subject to the following conditions: The authority granted in Section (B) is limited to the transportation of traffic moving between Greensboro, N.C., and points in North Carolina within 30 miles of Greensboro, on the one hand, and, on the other, Kingsport, Tenn., Jessups and Baltimore, Md., Greenwood, Del., Philadelphia and East York, Pa., Newark, N.J., New York, N.Y., and points in that part of North Carolina on and west of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 1 to Raleigh, thence along U.S. Highway 401 to Fayetteville, thence along U.S. Highway 301 through Lumberton, to the North Carolina-South Carolina State line, and those in South Carolina and the District of Columbia. The authority granted in the last seven routes specified in Section (B) hereinabove is further restricted against service at points other than those in North Carolina and South Carolina. Restriction: The service authorized in Sections (A) and (B) hereinabove is subject to the following conditions: No on-line or local service shall be performed in connection with traffic having both origin and destination south of the Maryland-Virginia State line. The grant of authority under the regular routes shall not be severable by sale or otherwise from the corresponding irregular-route operations authorized hereinbelow. By the instant petition, petitioner seeks to modify the above certificate by deleting the following restrictions: (1) Restrictions: The authority granted in Section (A) above is limited to the transportation of traffic moving between Greensboro, NC, and points within 5 miles of Greensboro, on the one hand; and, on the other, York, PA, Baltimore, MD, and Philadelphia, PA, and points within 20 miles of Philadelphia. (2) Restriction: The service authorized in Section (B) hereinabove is subject to the following conditions: The authority granted in Section (B) is limited to the transportation of traffic moving between Greensboro, NC, and points in NC within 30 miles of Greensboro, on the one hand, and, on the other, Kingsport, TN, Jessups and Baltimore, MD, Greenwood, DE, Philadelphia and East York, PA, Newark, NJ, New York, NY, and points in that part of NC on and west of a line beginning at the VA–NC State line and extending along U.S. Hwy 1 to Raleigh, then along U.S. Hwy 401 to Fayetteville, then along U.S. Hwy 301 through Lumberton, to the NC–SC State line, and those in SC and DC. (3) Restriction: The service authorized in Sections (A) and (B) hereinabove is subject to the following conditions: No On-line or local service shall be performed in connection with traffic having both origin and destination south of the MD–VA State line.

MC 31879 (Sub-23M1F), petition to modify, filed June 29, 1979. Petitioner: EXHIBITORS FILM DELIVERY & SERVICE, INC., 101 West 10th Avenue, North Kansas City, MO 64116. Representative: Warren A. Goff, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. Petitioner holds a motor *common carrier* certificate in No. MC–31879 (Sub No. 23) issued August 19, 1975, authorizing the transportation of *General Commodities* (except Classes A and B explosives, household goods as defined by the Commission and commodities in bulk, between points in Missouri, Kansas, Nebraska, Boone and Carrol Counties, AR, Lee County, IA, Weld, Adams, Denver, Jefferson, Douglas, El Paso, Fremont, Pueblo, Huerfano, Las Animas, Logan, Sedgwick, Phillips, Morgan, Washington, Yuma, Arapahoe, Elbert, Lincoln, Kit Carson, Cheyenne, Crowley, Kiowa, Otero, Bent, Prowers and Baca Counties, CO, Laramie and Goshen Counties, WY, points in Illinois within the St. Louis, MO-East St. Louis, IL commercial zone as defined by the Commission, and those in Cook, Kane, DuPage and Will Counties, IL and points in that part of New Mexico in and on a line beginning at the northwest corner of Colfax County, NM, at the Colorado-New Mexico state line and extending along the western boundary of Colfax County to the western boundary of Mora County, thence along the western boundary of Mora County, to the boundary of Santa Fe County, NM, thence in a north and westerly direction along the Santa Fe County boundary to the boundary of Los Alamos County, NM, thence in a north and westerly direction along the Los Alamos County boundary until that boundary meets the Santa Fe County boundary at the southern tip of Los Alamos County, thence along the Santa Fe County boundary to junction combined U.S. Highway 85 and Interstate Highway 25, thence along combined U.S. Highway 85 and Interstate Highway 25 to junction U.S. Highway 60, thence along U.S. Highway 60 to the New Mexico-Texas state line, and thence along the New Mexico state line in a north and westerly direction to the point of beginning. Restriction: The service authorized above is subject to the following conditions: The authority granted above is restricted against the transportation of parcels, packages, or articles weighing in the aggregate more than 200 pounds from any one consignor, at any one location, to any one consignee, at any one location, on any one day. The authority granted above is restricted against the transportation of any single parcel, package, or article weighing more than 100 pounds. Petitioner seeks the removal of the 200-pound aggregate restriction set forth above. It will retain the 100-pound per single piece or article restriction

MC 38536 (M1F) notice of filing petition to modify certificate, filed August 7, 1979. Petitioner: COAST CARTAGE CO., P.O. Box 54293, Los Angeles, CA 90054. Representative: Michael C. Thometz, P.O. Box 54293, Los Angeles, CA 90054. Petitioner holds a motor common carrier certificate in MC 38536, issued July 10, 1969, authorizing the transportation over irregular routes of *general commodities*, (except livestock, household goods as defined by the Commission, currency, bullion, rock, sand, gravel, assembled automobiles, bulk cotton, petroleum products, in bulk, in tank trucks, classes A and B explosives, and commodities requiring refrigeration, between points in the Los Angeles Commercial Zone and the Los Angeles Harbor Commercial Zone as defined by the Commission in Los Angeles, California, Commercial Zone, 3 M.C.C. 248, on the one hand, and, on the other, points in california within the territory bounded by a line beginning at Santa Barbara and extending along the Pacific Ocean to Seal Beach; thence east along unnumbered highway (formerly California Highway 26) to Santa Ana, thence easterly along Interstate Highway 5 (portion formerly U.S.

Highway 101) to junction California Highway 55, thence northerly along California Highway 55 to junction California Highway 91, thence eastwardly along California Highway 91 to junction Interstate Highway 10, thence southeasterly Interstate Highway 10 to Redlands, thence back over Interstate Highway 10 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction U.S. Highway 66, thence westerly along U.S. Highway 66 to Los Angeles, thence northwesterly along Business Route U.S. Highway 99 (portion formerly U.S. Highway 99) to junction U.S. Highway 99, thence along U.S. Highway 99 to junction Business Route U.S. Highway 99, thence along Business Route U.S. Highway 99, to Bakersfield, thence back along Business Route U.S. Highway 99 to junction U.S. Highway 99, thence back along U.S. Highway 99 to junction California Highway 126 near Castaic, thence along California Highway 126 to junction U.S. Highway 101, thence north along U.S. Highway 101 to Santa Barbara, iincluding points on the indicated portions of the highways specified but not including points in the Los Angeles or Los Angeles Harbor Commercial Zones as defined by the Commission in Los Angeles, California, Commercial Zone, 3 M.C.C. 248. Between points in the Los Angeles Commercial Zone as defined by the Commission in Los Angeles, California, Commercial Zone, 3 M.C.C. 248. Between points in the Los Angeles Commercial Zone, as defined by the Commission, on the one hand, and, on the other, those in the Los Angeles California, Commercial Zone, 3 M.C.C. 248. By the instant petition, the petitioner seeks to modify its certificate to authorize transportation over irregular routes of; general commodities, (except livestock, household goods as defined by the Commission, currency, bullion, rock, sand, gravel, assembled automobiles, buck cotton, petroleum products in bulk, in tank trucks, classes A and B explosives, and commodities requiring refrigeration, between points in Los Angeles, Kern, Ventura, Santa Barbara, San Bernardino, Orange, Riverside and San Diego Counties, California.

MC 42487 (Sub-646(M1F)) (notice of filing petition to modify certificate), filed October 5, 1979. Petitioner: CONSOLIDATED FREIGHTWAYS, CORPORATION OF DELAWARE, 175 Linwood Dr., Menlo Park, CA 94025. Representative: Eugene T. Liipfert, Suite 1100, 1660 L St. N.W., Washington, DC 20036. Petitioner holds a motor *common carrier* certificate in MC 42487 Sub 646, issued May 12, 1966, authorizing transportation, as pertinent, over regular routes, of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Kansas City, MO, and Wichita, KS, over specified routes, serving the intermediate and off-route points of Kansas City, Dodge City, Great Bend, Larned, McPherson, Hutchinson, Junction City, Lawrence, Salina, Topeka, and Manhattan, KS, and points within 5 miles of Wichita, KS, without retrictions; and the intermediate and off-route points of Silver Lake, Rossville, St. Marys, Belvue, Wamego, St. George, Chapman, Detroit, Alibene, Solomon, New Cambria, Lindsborg, Lyons, Chase, Mound Ridge, Burrton, Hesston, Newton, Peabody, Hillsboro, Marion, Florence, Emporia, Ottawa, Marquette, Ellsworth, and Halstead, KS, restricted to delivery; and the off-route points of Fort Riley, KS, and Fort Riley Military Reservation, retricted to the delivery of traffic from Kansas City, MO; and the off-route points in the Kansas City, MO-Kansas City, KS, commercial zone, as defined by the Commission, restricted against the transportation of combines (harvester-threshers) originating at Independence, MO, and destined to points in CO, IA, IL, KS, NE, OK, and TX; and the off-route points of Smoky Hill Air Base (approximately 3 miles southwest of Salina, KS), the Naval Reserve Aviation Base (approximately 5 miles south of Hutchinson, KS), the Salina Triangular Cantonment (approximately 5 miles south of Salina, KS), and the Topeka Air Base and 832nd A.A.F. Specialized Depot (both located on U.S. Hwy 75 approximately 5 miles south of Topeka, KS, at or near Pauline, KS), restricted against the transportation of livestock, in connection with the three routes described next above. By the instant petition, petitioner seeks to modify the authority by deleting certain restrictions, as modified the above authority would read as follows: "serving the intermediate and off-route points of Kansas City, Dodge City, Great Bend, Larned, McPherson, Hutchinson, Junction City, Lawrence, Salina, Topeka, and Manhattan, KS, and points within 5 miles of Wichita, KS, without restrictions; and the intermediate and off-route points of Silver Lake, Rossville, St. Marys, Belvue, Wamego, St. George, Chapman, Detroit, Alibene, Solomon, New Cambria, Lindsborg, Lyons, Chase, Mound Ridge, Burrton, Hesston, Newton, Peabody, Hillsboro, Marion, Florence, Emporia, Ottawa, Marquette, Ellsworth, and Halstead, KS; and the off-route points of Fort Riley, KS, and Fort Riley Military Reservation; and the off-route points in the Kansas City, MO-Kansas City, KS, commercial zone, as defined by the Commission, restricted against the transportation of combines (harvester-threshers), originating at Independence, MO, and destined to points in CO, IA, IL, KS, NE, OK, and TX; and the off-route points of Smoky Hill Air Base (approximately 3 miles southwest of Salina, KS), the Naval Reserve Aviation Base (approximately 5 miles south of Hutchinson, KS), the Salina Triangular Cantonment (approximately 5 miles south of Salina, KS), and the Topeka Air Base and 832nd A.A.F. Specialized Depot (both located on U.S. Hwy 75 approximately 5 miles south of Topeka, KS, at or near Pauline, KS), restricted against the transportation of livestock, in connection with the three routes described next above.

MC 44639 (M1F), petition to modify, filed May 15, 1979. Petitioner: L & M EXPRESS CO., INC., 220 Ridge Road, Lyndhurst, NJ. 07071, representative Robert B. Russell (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle over irregular routes, transporting wearing apparel and materials and supplies used in the manufacture of wearing apparel (except commodities in bulk) between: (1) points in North Carolina and Virginia and New York, New York; and (2) between points in Virginia and North Carolina. Petitioner states purpose of such application is to provide a complete service to all points in the states where applicant is now providing specified point authority. Additionally, such authortiy will replace interline service which is presently provided in conjunction with other carriers.

MC 76449 (Sub-26(M1F)), and MC 76449 (Sub-27(M1P)), filed May 29, 1979. Applicant: NELSON'S EXPRESS, INC., 675 Market Street, Millersburg, PA 17061. Representative: John W. Frame, P.O. Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Petitioner holds a motor *common carrier* Certificate, (1) MC–76449, (Sub-26), issued June 16, 1978, authorizing transportation, over *irregular routes* of: *General commodities* (except those of unusual value, commodities in bulk, classes A and B explosives, naptha or gasoline in containers, feathers, commodities requiring refrigeration, and those requiring special equipment), from York, PA., to points in MD and PA within 35 miles of York, except those in the above-specified portion of MD; and (2) MC–76449 (Sub 27), issued September 1, 1978, authorizing transportation, over *regular routes*, of: *General commodities*, (except

articles of unusual value, Classes A and B explosives, naptha and gasoline in containers, feathers, commodities requiring refrigeration, commodities in bulk, and commodities requiring special equipment), between Harrisburg, PA., and the District of Columbia, serving all intermediate points, except those along U.S. Hwy 1 outside the Baltimore, MD, and Washington, DC, commercial zones: From Harrisburg over I–83 to Baltimore, MD, thence over U.S. Hwy 1 to the District of Columbia, and return over the same route. Between Baltimore, MD, and the District of Columbia, serving no intermediate points: From Baltimore over I–95 to the District of Columbia, and return over the same route. Between Harrisburg and New Kingstown, PA, serving all intermediate points: From Harrisburg over PA Hwy 11 to New Kingstown, and return over the same route. Between Hogestown and Mechanicsburg, PA, serving all intermediate points: From Hogestown over PA Hwy 114 to Mechanicsburg, and return over the same route. Between Mechanicsburg and Camp Hill, PA, serving all intermediate points: From Mechanicsburg over PA Hwy 641 to Camp Hill, and return over the same route. Between Harrisburg and Lancaster, PA, serving all intermediate points: From Harrisburg over US Hwy 230 to junction I–283, then over I–283 to Lancaster, and return over the same route. Between Middletown, PA, and junction I–283 and US Hwy 230 near Mt. Joy, PA, serving all intermediate points: From Middletown over I–283 to Mt. Joy, and return over the same route. Between Harrisburg and Hershey, PA, serving all intermediate points: From Harrisburg over US Hwy 322 to junction US Hwy 422, then over US Hwy 422 to Hershey, and return over the same route. Between Hershey and Elizabethtown, PA, serving all intermediate points: From Hershey over PA Hwy 743, to Elizabethtown, and return over the same route. Between York and Lancaster, PA, serving all intermediate points: From York over US Hwy 30 to Lancaster, and return over the same route. Between York and Gettysburg, PA, serving all intermediate points: From York over US Hwy 30, to Gettysburg, and return over the same route. Between Harrisburg, PA and junction US Hwy 15 and US Hwy 30 near Gettysburg, PA, serving all intermediate points: From Harrisburg over US Hwy 15 to Gettysburg, and return over the same route. In connection with the above-described regular routes, service is also authorized to off-route points in PA within 25 miles of York, PA, and to off-route points in that part of MD bounded by a line beginning at the MD-PA State line and extending along US Hwy 1 to Baltimore, MD, thence along US Hwy 140 to the MD-PA State line, and thence along the MD-PA State line to the point of beginning, including points on the indicated portions of the highways specified. RESTRICTION: Service is restricted to the transportation of shipments between York, PA and points in PA within 25 miles of York, on the one hand, and, on the other, points in the District of Columbia, and those in that part of MD bounded by a line beginning at the MD-PA State line and extending along US Hwy 1 to Baltimore, MD, thence along US Hwy 140 to the MD-PA State line, and thence along the State line to point of beginning, including points on the indicated portions of the highways specified. By the instant petition, petitioner seeks authority to modify the commodity in (1) and (2) above to read: *General commodities* (except those of unusual value, commodities in bulk, Classes A and B explosives, and those requiring special equipment). The purpose of this petition is to remove the restriction against naptha or gasoline in containers, feathers, and commodities requiring refrigeration.

MC 104149 (Sub-200(MIF)), filed June 26, 1979. Petitioner: OSBORNE TRUCK LINE, INC., Post Office Box 10727, Birmingham, AL 35202. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., Post Office Box 1240, Arlington, VA 22210. Petitioner holds a motor common carrier certificate in MC–104149, Sub No. 200F, issued June 1, 1979, authorizing transportation over irregular routes of (1) *iron and steel articles; contractors' equipment, materials and supplies; foundry equipment; pollution control equipment; scrap-metal shredding machinery; and transformer rectifiers and electrical control assemblies;* except any such commodities in bulk; from points in Shelby County, AL, to points in the United States, except AL, AK and HI; and (2) *materials, equipment and supplies (except commodities in bulk), used in the manufacture, installation, or distribution of the commodities named in (1) above, and contractors' equipment,* from points in the United States, except AL, AK and HI, to points in Shelby County, AL. RESTRICTED to the transporation of traffic originating at, or destined to, the facilities of Vulcan Engineering Company, C–E Walther, Inc., Essex Crane Rental Corporation, Stratabolt Corporation, and Metrock Steel and Wire Co., in Shelby County, AL. By the instant petition petitioner seeks to modify the above authority by removing the restriction.

MC 108859 (M3F), filed September 25, 1979. Petitioner: CLAIRMONT TRANSFER CO., 1803 Seventh Avenue, North, Escanaba, MI 49820. Representative: John L. Bruemmer, 121 West Doty Street, Madison, WI 53703. Petitioner holds a motor common carrier certificate in MC–108859 (Sub 55) issued June 4, 1973, which in part provides for transportation of *general commodities* (usual exceptions) over various regular routes in IN and OH subject to the following restriction: Restriction: The operating rights authorized herein are restricted against the transportation of shipments receive at Fort Wayne, Richmond, Kokomo, Kendallville, Butler, New Castle, Waterloo, Corunna, Nappanee, and Columbia City, Ind., and their respective Commercial Zones, as defined by the Commission, for delivery to Edgerton, Bryan, Stryker, Archbold, Wauseon, Delta, Swanton, Toledo, Woodville, Fremont, Bellevue, Norwalk, Sandusky, Orain, Lorain, Elyria, Cleveland, Akron, Mansfield, Dayton, Vandalia, Van Wert, Medina, Cincinnati, Napoleon, McClure, and Bowling Green, Ohio, and their respective Commercial Zones, as defined by the Commission; and against the transportation of shipments received at the above-specified Ohio destinations for delivery to the above-described origins, and their respective Commercial Zones, as defined by the Commission. By this petition, petitioner seeks to remove such restriction.

MC 109148 (Sub-25(M1F)), (notice of filing petition to modify certificate), filed July 9, 1979. Petitioner: LAS VEGAS-TONOPAH-RENO STAGE LINE, INC., 101 N. Mojave Rd. (P.O. Box 42130), Las Vegas, NV 98104. Representative: R. Y. Schureman, 1545 Wilshire Blvd., Los Angeles, CA 90017. Petitioner holds a motor *common carrier* certificate in MC-109148, Sub-No. 25, issued April 10, 1978, authorizing transporation over irregular routes of: *Passengers and their baggage, in special operations, in round-trip sightseeing and pleasure tours,* beginning and ending at points in Maricopa and Mohave Counties, AZ., El Dorado and Nevada Counties, CA., Churchill, Carson City, Clark, Douglas, Esmeralda, Lyon, Mineral, Nye, Storey and Washoe Counties, NV. and extending to points in the U.S., including AK but exclusing HI. RESTRICTION: The authority granted herein is restricted against special operations beginning and ending in Carson City and points in Douglas, Storey and Washoe Counties, NV. and extending to San Francisco and points in Alpine,

Contra Costa, El Dorado, Inyo, Lassen, Mono, Nevada, Placer, Plumas, Sacramento, San Jaquin, San Mateo, Santa Clara and Sierra Counties, CA; and against special operations beginning and ending at points in El Dorado County, CA. and extending to points in Storey and Washoe Counties, NV. Petitioner seeks deletion of the Restriction. The certificate, otherwise, would remain the same.

MC 115000 (Sub-3(M1F)) (notice of filing of petition to modify certificate), filed May 21, 1979. Petitioner: JAMES A. BLOCKER, d.b.a. BLOCKER TRANSPORTATION, 910 W. 14th Ave., Blythe, CA 92225. Representative: James A. Blocker (same address as above). Petitioner holds a motor *common carrier* certificate in MC 115000 (Sub-3) issued April 2, 1970, authorizing transportation, over irregular routes of (1) *fertilizer* (except in bulk), from points in Blythe, CA, to points in AZ, (2) *cottonseed meal, cottonseed cake, and cottonseed flake,* in bulk, in hopper-type vehicles, from points in AZ to Blythe, CA, (3) *baling wire,* from Blythe, CA, to Poston, AZ, and points within 20 miles thereof, and (4) *dry fertilizer,* in bulk, in hopper-type vehicles, from points in Pinal and Maricopa Counties, AZ, to Blythe, CA. By the instant petition, petitioner seeks to modify the above authority by (A) changing all references to Blythe, CA to read "points in CA", in (1) through (4) above, (B) deleting "except in bulk" in the commodity description in (1) above, and (C) removing the language "dry, in bulk, in hopper-type vehicles", in (4) above.

MC 118288 (Sub-9(M1F)) (notice of filing petition to modify certificate), filed July 30, 1979. Petitioner: FROST TRUCK LINES, INC., P.O. Box 39639 Los Angeles, CA 90039. Representative: R. Y. Schureman, 1545 Wilshire Blvd., Los Angeles, CA 90017. Petitioner holds a motor *common carrier* certificate in MC-118288 (Sub. 9), issued Sept. 22, 1975, authorizing transportation over regular routes of: *General commodities* (except classes A and B explosives, households goods as defined by the Commission, and commodities in bulk), between Los Angeles, CA. and Elko, NV., serving all points in the Los Angeles Harbor Commercial Zone as described by the Commission in *Los Angeles, Calif., Commercial Zone,* 3 M.C.C. 676, and serving Montgomery Pass, NV., as an intermediate point: From Los Angeles over I–5 to junction CA Hwy. 14, then over CA Hwy. 14 to junction US Hwy. 395, then over US Hwy. 395 to junction US Hwy. 6, then over US Hwy. 6 to junction NV Hwy. 8–A, then over NV Hwy. 8–A to junction US Hwy 50, then over US Hwy. 50 to junction NV Hwy. 51, then over NV Hwy. 51 to junction US Hwy. 40, then over US Hwy. 40 to Elko, and return over the same route. Petitioner seeks to provide service to Tonopah, NV. as an additional intermediate point on said route by amending the territorial description to read: Between Los Angeles, CA. and Elko, NV., serving all points in the Los Angeles Harbor Commercial Zone as described by the Commission in *Los Angeles, Calif., Commercial Zone,* 3 M.C.C. 676, and serving Montgomery Pass and Tonopah, NV., as intermediate points. The certificate otherwise would remain the same.

MC 123279 (MIF), filed September 14, 1979. Petitioner: CHARTER EXPRESS, INC., 959 East Tallmadge Ave., Akron, OH 44310. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. Authority holds a motor *common carrier* certificate N. No. MC–123279 issued August 25, 1971, authorizing, in part, transportation over irregular routes of *such commodities* as are manufactured, processed, and/or dealt in by rubber manufacturers and steel products manufacturers, and equipment, materials and supplies used in the conduct of such businesses, from Akron, OH, to points in RI, MA, and CT, that part of NY east of the line beginning at Port Jervis, NY and extending along U.S. Hwy. 209 to Kingston, NY, then along U.S. Hwy. 9W to Albany, NY, then along U.S. Hwy. 20 to Lafayette, NY, then along U.S. Hwy. 11 to Watertown, NY, then along New York Hwy. 12 to Clayton, NY, including New York, NY, points on Long Island, NY, and points in that part of NJ, north of NJ Hwy. 33, including points on the indicated portions of the highways specified, with no transportation for compensation on return except as otherwise authorized; restricted against the transportation of the involved commodities in bulk in tank vehicles, and restricted to the transportation of the involved commodities to shipments moving to, from, or between rubber and steel manufacturing plants, rubber and steel processing plants, and rubber and steel wholesale and retail outlets. By the instant petition petitioner seeks to modify the above authority so as to (1) authorize the transportation of *general commodities* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk in tank vehicles, commodities requiring special equipment, and those injurious or contaminating to other lading; (2) change the service portion from a "one-way" operation from Akron, OH, to a "two-way" service between Akron, OH, on the one hand, and, on the other, points in the described territory; (3) remove the restriction limiting service to shipments moving to, from, or between rubber and steel manufacturing plants, rubber and steel processing plants, and rubber and steel wholesale and retail outlets; and (4) eliminate from the certificate the resulting duplicating authority with respect to the transportation of chemicals and scrap tires now included in the certificate.

MC 130008 (M1F), (notice of filing of petition for modification of broker's license), filed August 3, 1979. Petitioner: LEPRECHAUN TOURS, INC., 51 Grand Avenue, Newburgh, NY 12550. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. Petitioner holds license No. MC 130008, issued February 19, 1968, authorizing petitioner to engage in operations as a *broker* or passengers and their baggage, in special operations, in round trip, all-expense tours, beginning and ending at Hyde Park and Poughkeepsie, NY, and extending to points in the United States, including AK and HI, and authorizing petitioner to engage in such operations as a broker at Hyde Park and Poughkeepsie, NY. By the instant petition, petitioner seeks to modify the territorial description to authorize it to broker such operations between points in the United States (including AK and HI) and to engage in such operations at the additional point of Newburgh, NY.

MC 135989(MIF) (notice of filing of petition to modify permit), filed July 24, 1979. Petitioner: COAST EXPRESS, INC., P.O. Box 1215, Whittier, CA 90601. Representative: William J. Lippman, Suite 330 Steele Park, 50 South Steele Street, Denver, CO 80209. Petitioner holds a motor *contract carrier* permit in MC–135989, issued November 9, 1972, authorizing, *Inter alia,* transportation over irregular routes of *such commodities* as are dealt in by manufactures and distributors of automotive parts and accessories (except petroleum and petroleum products, in containers), from points in AR, GA, IL, IN, IA, KY, MI, MO, NE, OH, RI, TN, TX, UT and WI to Phoenix and Tucson, AZ, Boise, ID, McMinville, Tualatin and Portland, OR, El Paso, TX, Clearfield and Salt Lake City, UT, Battleground, Chehalis, Olympia and Seattle, WA and points in CA. * * * Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with Motor Rim & Wheel Service of California of Los Angeles, CA. By the

instant petition, petitioner seeks to modify the above authority by adding K–B Axle Company of Los Angeles, CA as a contracting shipper. (Hearing site: Los Angeles, CA.)

MC 136646 (Sub-18(MIF), and MC 136646 (Sub-19(MIF), (notice of filing of petition to modify certificates), filed October 5, 1979. Petitioner: GREEN MOUNTAIN CARRIERS, INC., P.O. Box 1319, Albany, NY 12201. Representative: Thomas Bailey, 192 College St., Burlington, VT 05402. Petitioner holds a motor common carrier certificate in (A) MC 136646 Sub-18, issued October 30, 1975, authorizing transportation, over irregular routes, of *pharmaceuticals and materials* used in the manufacture of pharmaceuticals (except commodities in bulk), in vehicles equipped with mechanical temperature control units, (a) from points in GA, IL, IN, IA, KS, MD, MI, MN, NJ, NC, OH,OK, PA, SC, TX, and WI to the plant site of Ayerst Laboratories, at Rouses Point, NY, (b) from the facilities of Beecham Pharmaceuticals, at Clifton, NJ, to the warehouse sites of Ayerst Laboratories, at Cleveland, OH, Niles, IL, and Chablee, GA, (c) from Atlanta, GA, to the warehouse sites of Ayerst Laboratories, at Little Falls, NJ, Cleveland, OH, and Niles, IL, (d) from the facilities of Ayerst Laboratories, at Rouses Point, NY, to Baltimore, MD, Clifton, Newark, Little Falls and Lakewood, NJ, and Detroit, MI, (e) from Baltimore, MD, and Lakewood, NJ, to the warehouse sites of Ayerst Laboratories, at Little Falls, NJ, Chamblee, GA, Cleveland, OH, and Niles, IL, and (f) from Chicago, IL, to the warehouse sites of Ayerst Laboratories, At Cleveland, OH, Chamblee, GA, and Little Falls, NJ; and (B) MC–136646 Sub 19, issued January 28, 1975, authorizing transportation, over irregular routes, as pertinent, of (1) *pharmaceutical products* (except commodities in bulk), from Rouses Point, NY, to Cleveland, OH, Chicago, IL, Lenexa, KS, Mesquite, TX, Los Angeles, CA, Seattle, WA, and Chamblee, GA, and (2) pharmaceutical products (except in bulk), from the plant site or warehouse facilities of Ayerst Laboratories, Inc., and Wyeth Laboratories, Inc., at Chicago, IL, to Lenexa, KS, and to the warehouse distribution facilities of Ayerst Laboratories, Inc., at Mesquite, TX. By the instant petition (A), with respect to (A) MC–136646 Sub 18, petitioner seeks to modify the authority so as to reason: *such commodities* as are dealt in by retail and chain grocery, hardware, and drug stores, and materials and supplies, (except commodities in bulk), used in the manufacture and distribution of such commodities, (a) from points in GA, IL, IN, IA, KS, MD, MI, MN, NJ, NC, OH, OK, PA, SC, TX, and WI, to the facilities of American Home Products Corporation, at Rouses Point, NY, (b) from Clifton, NJ, to the facilities of American Home Products Corporation, at (i) Cleveland, OH, (ii) Niles, IL, and (iii) Chamblee, GA, (c) from Atlanta, GA, to the facilities of American Home Products Corporation, at (i) Litle Falls, NJ, (ii) Cleveland, OH, and (iii) Niles, IL, (d) from the facilities of American Home Products Corporation, at Rouses Point, NY, to Baltimore, MD, Clifton, Newark, Little Falls, and Lakewood, NJ, and Detroit, MI, (e) from Baltimore, MD, and Lakewood, NJ, to the facilities of American Home Products Corporation, at (i) Little Falls, NJ, (ii) Chamblee, GA, (iii) Cleveland, OH, and (iv) Niles, IL, and (f) from Chicage, IL, to the facilities of American Home Products Corporation, at (i) Cleveland, OH, (ii) Chamblee, GA, and (iii) Little Falls, NJ; and with respect to (B) MC–136646 Sub 19, petitioner seeks to modify the authority, as pertinent, so as to read: (1) *such commodities* as are dealt in by retail and chain grocery, hardware, and drug stores, and materials and supplies (except commodities in bulk), used in the manufacture and distribution of such commodities, from Rouses Point NY, to Cleveland, OH, Chicago, IL, Lenexa, KS, Mesquite, TX, Los Angeles, CA, Seattle, WA, and Chamblee, GA, and (2) *such commodities* as are dealt in by retail and chain grocery, hardware, and drug stores, and materials and supplies, (except commodities in bulk), used in the manufacture and distribution of such commodities, from the facilities of American Home Products Corporation, at Chicago, IL, to Lenexa, KS, and the facilities of American Home Products Corporation, at (i) Mesquite, TX, (ii) Los Angeles, CA, and (iii) Seattle, WA.

MC 140389 (MIF), filed September 27, 1979. Petitioner: OSBORN TRANSPORTATION, INC., P.O. Box 1830, Gadsen, AL 35902. Representative: Clayton R. Byrd, P.O. Box 12566, Atlanta, GA 30315. Petitioner holds a motor *common carrier* certificate in No. MC–140389, issued February 21, 1975, authorizing, as pertinent, transportation, over irregular routes, of *(1) frozen fruits, frozen berries, frozen vegetables, and vegetable products,* from Ontario, OR and points in ID to points in AL, FL, GA, KY, MS, NC, SC, and TN, with no transportation for compensation on return except as otherwise authorized, *(2) frozen foods and unfrozen foods* when transported in mixed loads with frozen foods, in vehicles equipped with mechanical refrigeration, *and unfrozen canned goods,* from points in ID, OR, and WA, to points in AL, FL, GA, MS, NC, SC, and TN, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted in the commodity description next-above is restricted against the transportation of the next-above-described commodities in bulk, *(3) frozen fruits, frozen berries, and frozen vegetables,* from Ontario, OR, and Burley, Nampa, Boise, Heyburn, American Falls, Pocatello, and Caldwell, ID to points in KY, TN, MS, AL, NC, SC, GA, and FL, with no transportation for compensation on return except as otherwise authorized, *(4) frozen foods, and unfrozen foodstuffs* when moving in the same vehicle with frozen foods, from Ontario, OR, and Nampa, Boise, Burley, and Borah, ID, to Evansville, IN, and Cincinnati and Portsmouth, OH, with no transportation for compensation on return except as otherwise authorized, from the plantsites of Ore-Ida Foods at Ontario, OR and Burley, ID, and Lamb-Weston, Inc., at American Falls, (Borah), ID, to points in LA, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks to consolidate and modify the quoted authorities to authorize transportation, over irregular routes, of foodstuffs, except in bulk, from points in ID, OR, and WA to Evansville, IN, Cincinnati and Portsmouth, OH, and points in AL, FL, GA, KY, LA, MS, NC, SC, and TN. (Hearing Site: Boise, ID.)

MC 142658 (Sub-21(MIF)), filed September 24, 1979. Applicant: AERO DISTRIBUTING CO., INC., 4814 Fulton Industrial Boulevard, Atlanta, GA 30336.Representative: K. Edward Wolcott, P.O. Box 56387, Atlanta, GA 30343. Petitioner holds a motor contract carrier permit in No. MC–142658 (Sub No. 2) issued August 2, 1977, authorizing transportation over irregular routes of: Such merchandise as is dealt in by home products distributors, from the plantsite and storage facilities of Amway Corporation, in Fulton County, GA, to points in AL, FL, KY, MS, NC, SC, TN, VA, and WV, with transportation for compensation on return except as otherwise authorized. RESTRICTION: The operations authorized herein are subject to the following conditions: The services authorized herein are limited to the transportation service to be performed, under a continuing contract, or contracts, with Amway Corporation, of Ada, MI. By the instant petition, Petitioner seeks to delete the existing origin location and substitute in lieu thereof facilities of Amway Corporation, in Gwinnett County, GA.

MC 143059 (SUB-88F), filed June 11, 1979. Applicant: MERCER TRANSPORTATION CO., 12th & Main Streets, P.O. Box 35610, Louisville, KY 40232. Representative: J. L. Stone, P.O. BOX 35610, Louisville, KY. 40232. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities* (except those in bulk, those requiring special equipment, household goods as defined by the Commission and Classes A and B explosives) between the facilities of Union Camp Corporation or its subsidiaries at points in the United States, on the one hand, and, on the other, points in the United States (except AK and HI). Restricted to the transportation to traffic originating at and destined to the named points. (Hearing Site: Louisville, KY or Washington, D.C.)

MC 143728 (Sub-1 (MIF)), Petitioner: THEODORE JENSON d.b.a. JENSEN TRUCKING, Wheatland, ND 58079. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. Petitioner holds motor *contract carrier* certificate in MC–143728 Sub 1 issued December 21, 1978. MC–143728 Sub 1 authorizes transportation, over irregular routes, as pertinent, of *Inedible offal, grease, and blood*, in drums, from points in that part of ND on and east of U.S. Hwy 281, to Long Prairie and Minneapolis, MN, and *hides*, from the facilities of Jensen Rendering, Inc., at or near Wheatland, ND, to points in the U.S. (except AK and HI). *Restriction:* The authority granted here in is limited to a transportation service to be performed under a continuing contract(s) with Jensen Rendering, Inc. The purpose of this petition is to modify paragraph (1) so as to permit petitioner to transport inedible offal, grease, and blood, in drums, and in bulk.

MC 146108 (M1F), petition to modify, filed August 6, 1979. Petitioner: BIG T TRANSFER, INC., 1814 Gilbert Ave., Louisville, KY 40216. Representative: Harold C. Jolliff, 3242 Beech Drive, Columbus, IN 47201. Petitioner holds permit MC 146108 F issued July 12, 1979 to operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting, *dry calcium carbide*, in containers, between the facilities of Airco Carbide, a Division of Airco, Inc., at Louisville, KY, on the one hand, and, on the other, Clarksburg, WV. Fort Worth and Houston, TX, Kansas City, KS, Milwaukee, WI, Minneapolis, MN, Omaha, NE, and points in AL, GA, IL, IN, LA, MI, MO, NJ, NY, NC, OH, PA, and VA, under contract with Airco Carbide, a Division of Airco, Inc., of Louisville, KY. This Petition requests modification of the above Permit to include authority to perform the described transportation to all points in the States of MD, TN, TX, and WV.

Republication of Grants of Operating Rights Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the **Federal Register.**

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this **Federal Register** notice. Such pleading shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 107012 (Sub-258) (republication), filed January 23, 1978, published in the **Federal Register** issue of March 9, 1978, and republished this issue. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. Box 988, 5001 U.S. Hwy. 30 West, Fort Wayne, IN 46801. Representative: David D. Bishop (same as applicant's). A Decision of the Commission, by the *Initial Decision* of Administrative Law Judge John A. McMenamin, served June 15, 1979, became effective July 25, 1979, finds that the present and future public convenience and necessity require operations by applicant in interstate or foreign commerce as a *common carrier*, by motor vehicle, over irregular routes, transporting: *new furniture and cabinets*, (except store fixtures and store equipment as described in Appendix III, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209), from points in Georgia to points in Louisiana, Mississippi, Alabama, Florida, South Carolina, North Carolina, Tennessee, Kentucky, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia, that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to modify the commodity description.

MC 75281 (Sub-9F) (republication), filed July 14, 1977, previously noticed in the **Federal Register** issue of August 25, 1977. Applicant: RIGHTER TRUCKING CO., INC., 1238 Meadowbrook Drive, Cape Girardeau, MO 63701. Representative: Frank D. Hall, 3384 Peachtree Road NE., Suite 713, Atlanta, GA 30326. A Decision by the Commission, Division 1, decided January 2, 1980, and served January 10, 1980, finds on exceptions that applicant is authorized to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those which require the use of special equipment), (1) Between Cape Girardeau, MO, and Paducah, KY, from Cape Girardeau over Interstate Hwy 55 to junction Interstate Hwy 57, then over Interstate Hwy 57 to junction U.S. Hwy 60, and the over U.S. Hwy 60 to Paducah, and return over the same route, serving no intermediate points. (2) Between Sikeston, MO, and Paducah, KY, from Sikeston over Interstate Hwy 57 to junction U.S. Hwy 60, and then over U.S. Hwy 60 to Paducah, and return over the same route, serving no intermediate points. (3) Between Caruthersville, MO, and Paducah, KY, from Caruthersville over MO Hwy 84 to junction Interstate Hwy 55, then over Interstate Hwy 55 to junction Interstate Hwy 57, then over Interstate Hwy 57 to junction U.S. Hwy 60, and then over U.S. Hwy 60 to Paducah, and return over the same route, serving no intermediate points. (4) Between Cairo, IL, and Paducah, KY, over U.S. Hwy 60, serving no intermediate points. The purpose of this republication is to reflect a point-by-point grant of authority in lieu of county-wide authority as previously published.

MC 120181 (Sub-7F) (republication), filed September 13, 1977, previously noticed in the **Federal Register** issue of November 3, 1977. Applicant: MAIN LINE HAULING CO., INC., a corporation, P.O. Box C, St. Clair, MO 63077. Representative: William H. Shawn, 1730 M Street NW., Suite 501, Washington, DC 20036. A Decision by the Commission, Division 1, decided November 15, 1979, and served January 15, 1980, finds that the present and future public convenience and necessity require operation by applicant, as a *common carrier*, by motor vehicle, in

interstate or foreign commerce, over irregular routes, transporting (1) *foodstuffs* (except in bulk), from the facilities of Inland Storage Distribution Center at Kansas City, KS, to points in AR, LA, and TN, and (2) *empty containers* between Kansas City, KS, and Kansas City, MO, and points in AR, LA, and TN. RESTRICTION: The operations authorized above are restricted against interlining. NOTE: Applicant proposes to tack the above authority with existing regular-route operations. Applicant is fit, willing, and able properly to perform the service and to conform to statutory and administrative requirements. The purpose of this republication is to indicate applicant's intention to tack.

MC 124821 (Sub-37F) (republication), filed August 11, 1978, previously noticed in the **Federal Register** issue of October 26, 1978. Applicant: GILCHRIST TRUCKING, INC., 105 North Keyser Avenue, Old Forge, PA 18518. Representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. A Decision by the Commission, Division 1, acting as an Appellate-Division, decided December 21, 1979, and served December 28, 1979, finds on reconsideration, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, transporting *beverages and beverage preparations*, in containers, from the facilities of Keystone Foods, at or near North East, PA, to points in CT, DE, MD, ME, MA, NH, NJ, NY, PA, RI, VT, VA, WV, and DC. Applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to reflect service from the facilities of Keystone Foods in lieu of A. E. Staley Manufacturing Co.

MC 145047 (Sub-2F), filed February 27, 1979. Applicant: GILBERT VASQUEZ AND RAUL O. VASQUEZ, a partnership D.B.A. VASQUEZ TRANSPORTATION COMPANY, P.O. Box 837, 2022 Ave. A, Kearney, NE 68847. Representative: Raul O. Vasquez (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *aluminum and poly vinyl chloride pipe, and accessories therefor, and aeration tubing and accessories therefor*, from Kearney, NE, to points in CO, ID, IL, IA, MI, MN, MT, MS, MO, ND, SD, and WY; (2) *iron and steel articles*, (a) from Chicago, IL, and points in its commercial zone, to Ottuma and Webster City, IA, Beatrice, Columbus, Fremont, Grand Island, Hastings, Kearney, Lexington, Lincoln, Norfolk, North Platte, Omaha, and Scottsbluff, NE, and points in their respective commercial zones, (3) *steel rods, automobile engine driving and steering parts, and accessories therefor*, from Kearney, NE, to Chicago, IL, Flint and Detroit, MI, Cleveland and Lima, OH, Pittsburgh, PA, Kenosha, WI, and points in their respective commercial zones; and (4) *grain drying equipment and accessories therefor*, from Kearney, NE, to points in the United States (except AK, CT, DE, HI, ME, MA, MD, NH, NJ, NY, RI, and VT). (Hearing site: Lincoln or Omaha, NE.)

MC 148095F, filed May 24, 1979, previously notice in the **Federal Register** of November 29, 1979, and January 15, 1980. Applicant: TROJAN FREIGHT LINES LIMITED, a corporation, 5280 Maingate Drive, P.O. Box 3030, Station A, Mississauga, Ontario, Canada L5A 3S3. Representative: Walter N. Bieneman, 100 West Long Lake Road, Suite 102, Bloomfield Hills, MI 48013. Authority sought to operate as a *common carrier*, by motor vehicle, in foreign commerce only, over irregular routes, transporting (1) *iron and steel articles*, (2) *precast concrete articles*, (3) *metals* used in manufacturing, (4) *pipe*, (5) *machinery*, (6) *refractories and fire brick* (7) *truck frames and chassis*, and (8) *parts* for truck frames and chassis, (a) between ports of entry on the international boundary line between the United States and Canada on the Niagara River, on the one hand, and, on the other, points in NY, PA, OH, MD, and NJ, (b) between ports of entry on the internatinal boundary line between the United States and Canada on the Detroit and St. Clair Rivers, on the one hand, and, on the other, points in MI, restricted to the transportation of traffic moving on one vehicle at one time originating at one consignor or destined to one consignee. (Hearing site: Detroit, MI, or Buffalo, NY.)

Note.—This republication modifies the commodity descriptions.

Motor Carrier Operating Rights Applications

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the **Federal Register** with a copy being furnished the applicant. Protests to these applications *will be rejected.*

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 Fed. Reg. 50908, as modified at 43 Fed. Reg. 60277. Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 109638 (Sub-37F), filed June 6, 1979. Applicant: EVERETTE TRUCK LINE, INC., P.O. Box 145, Washington, NC 27889. Representative: Cecil W. Bradley (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) from New York, NY, Newark, Bloomfield, and Sewaren, NJ, Biglerville and Philadelphia, PA, Wilmington, DE, Baltimore, MD, and Richmond and Winchester, VA, to points in NC west of U.S. Hwy 1, and (2) from Norfolk, VA, to points in NC, restricted in (1) and (2)

above to the transportation of traffic destined to points within 150 miles of Raleigh, NC.

Broker, Water Carrier and Freight Forwarder Operating Rights Applications

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the **Federal Register**. Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with Section 247(e)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such an authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues of allegations phrased generally, protests not in reasonable compliance with the requirements of the rules may be rejected.

Permanent Property Broker Authority Decisions; Decision-Notice

Decided: January 31, 1980.

The following applications are governed by 49 CFR 1045A. Applicants seek to obtain authority to operate as brokers of motor carrier transportation of general commodities (except household goods) between all points in the United States. The full text and explanation of the rules are contained at 44 F.R. 53513.

The sole issue upon which these applications can be protested is the fitness of applicant (or business associates) to perform the service. Protests (an original and one copy) must be filed with the Commission within 30 days of the **Federal Register** publication. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently upon applicant's representative, or, if none is listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record.

Findings—With the exception of those applications involving duly noted problems (e.g., unresolved fitness questions), we find, preliminarily, that each applicant has demonstrated that its proposed service is consistent with the public interest and the transportation policy of 49 U.S.C. 10101, and that each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this action will not significantly affect the quality of the human environment or conservation of energy resources.

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Members Carleton, Joyce, and Jones. Member Joyce not participating.

MC 130657F, filed November 14, 1979. Applicant's name and address are GEO. S. BUSH & CO., INC., 259 Colman Bldg., Seattle, WA 98104. The name under which operations will be performed is GEO S. BUSH & CO., INC. Applicant is represented by Geo. S. Bush in this proceeding whose address is same as applicant. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Joseph W. Hansford, President/Chairman of the Board/ Shareholder, 10321 Ravenna Ave., NE, Seattle, WA 98125, Albert E. Murray, Executive Vice President/ General Manager/Board Member/ Shareholder, 9027–21st Ave. NW, Seattle, WA 98107, Mason J. Hoffman, Vice President/Board Member/ Shareholder, 2108 N.E. 165th St., Seattle, WA 98155, Eugene C. Cameron, Vice President/Board Member/Shareholders, 9701–17th NE, Seattle, WA 98115, Mary E. Hendrie, Secretary/Treasurer/ Shareholder/Board Member, 17015–137th Pl. SE, Renton, WA 98055, Colin R. Thorpe, Assistant Vice President/Board Member, 1212 S. 102nd St., Seattle, WA 98168, S.M. Jones, Board Member (Retired), 331 Bellevue Ave. East, Seattle, WA 98102. The daily operations will be managed by J. W. Hansford, President of Geo. S. Bush & Co., Inc. whose business address is 259 Colman Bldg., Seattle, WA 98104. Applicant is affiliated with the following shipper or warehouse: None.

MC 130667F, filed November 21, 1979. Applicant's name and address are SOUTHERN BONDED WAREHOUSE, 1491 Mt. Zion Rd., Marrow, GA 30260. The name under which operations will be performed is SOUTHERN BONDED WAREHOUSE. Applicant is represented by Robert L. Graham in this proceeding whose address is the same as applicant. Following are the names and business address for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: John W. Rooker, Chairman of the Board/Director, and sole Shareholder, Robert L. Graham, President/Director, Sara Thomson, Secretary/Treasurer, the addresses are the same as applicant. The daily operations will be managed by Robert L. Graham, whose business address is the same as applicant. Applicant is affiliated with the following shipper or warehouse: None.

MC 130676F, filed November 20, 1979. Applicant's name and address are J. A. R. FREIGHT FORWARDING COMPANY, INC., 13843 Redskin Dr., Herndon, VA 22079. The name under which operations will be performed is J. A. R. FREIGHT FORWARDING COMPANY, INC. Applicant is represented by Robert J. Gallagher, whose business address is Suite 1200, 1000 Connecticut Ave., N.W., Washington, DC 20036. Following are the names and businesses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: James A. Riley, President & Treasurer/Shareholder/Director, Thomas J. Riley, Vice-President &

Secretary/Shareholder/Director, both have the same address as applicant. The daily operations will be managed by James A. Riley whose business address is the same as applicant. Applicant is affiliated with the following shipper or warehouse: None.

MC 130722F, filed December 10, 1979. Applicant's name and addresses are W. R. ZANES & CO., OF LA., INC., (1) 223 Tchoupitoulas Street, New Orleans, LA 70130, (2) 20 E. Crofton Road, Kenner, LA 70062, (3) U.S. National Bank Building, Galveston, TX 77550, (4) 3066 Jetro Boulevard, Houston, TX 77205, (5) Suite 325 Internatiuonal Trade Center, Mobile, AL 36601, (6) 6839 Harry Hines Boulevard, Dallas, TX 75266, and (7) 217 Cotton Exchange Building, Houston, TX 77002. Applicant is represented by William St. John, Jr., in this proceeding whose address is 223 Tchoupitoulas Street, New Orleans, LA 70130. Following are the names and business address for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Walter R. Zanes, Jr., Chairman of the Board/Director, 6839 Harry Hines Boulevard, Dallas, TX; John F. Guenther, Jr., President/Director, 223 Tchoupitoulas Street, New Orleans, LA; William St. John, Jr., Senior Vice President/Treasurer, 223 Tchoupitoulas Street, New Orleans, LA; Don L. Downing, Vice President/Secretary/Director, 6839 Harry Hines Boulevard, Dallas, TX; Warren St. John, Sr., Vice President, 20 E. Crofton Road, Kenner, LA. Walter R. Zanes, Jr., and Orrin Miller, Trustees of the Marget McDowell Zanes Trust, Shareholders, Marry Ann Downing Baker Emerson, shareholder, Don L. Downing, shareholder, Margaret and Reed Merrit, Walter R. Zanes, Jr., and Ed L. Downing, Trustees under will of W. R. Zanes, Sr., deceased. The daily operations will be managed by John F. Guenther, whose business address is 223 Tchoupitoulas St., New Orleans, LA 70176. Applicant is affiliated with the following shipper or warehouse: None.

MC 130727F, filed December 13, 1979. Applicant's name and address are DISTRIBUTION SHIPPING COMPANY, INC., 200 Route 17 South Mahwah, NJ 07430. The name under which operations will be performed is DISTRIBUTION SHIPPING COMPANY, INC. Applicant is represented by John L. Alfano and Roy A. Jacobs in this proceeding whose address is 550 Mamaroneck Avenue, Harrison, NY 10528. Following are the names and business addresses for all person who are officers and directors, partners, (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Carl G. Mazochi, President, Director and Shareholder, 131 Terminal Court, South San Francisco, CA 94080, Anthony F. Matarazzo, Secretary, Director and Shareholder, same address as applicant. The daily operations will be managed by Anthony F. Matarazzo whose business address is 200 Route 17 South, Mahwah, NJ 07430. Applicant is affiliated with the following shipper or warehouse: None.

MC 130732, filed December 12, 1979. Applicant's name and address are BEHRING INTERNATIONAL, INC., 1314 Texas Avenue, Houston, TX 77002. The name under which operations will be performed is BEHRING INTERNATIONAL, INC. Applicant is represented by itself, in this proceeding whose address is 1314 Texas Avenue, Houston, TX 77002. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Alan I. Newhouse, Chairman of the Board and Principal Shareholder; Merrill P. O'Neal, Vice-Chairman of the Board, President, and Principal Shareholder; Gerald A. Gumina, Board Member, Executive Vice President, and Principal Shareholder; James M. Kaechele, Board Member, Senior Vice President, and Principal Shareholder; James W. Hardy, Vice President and Principal Shareholder; LeRoy A. Krennerich, Board Member and Senior Vice President; Gerard A. Becnel, Senior Vice President and Secretary; Frank A. Gumina, Vice President; Antonio Garcia, Vice President; Russell D. Sellentin, Vice President; Roger R. Evans, Vice President; Michael Donally, Vice President; Charles Wood, Treasurer; Delana P. Paxton, Assistant Secretary; and R. B. Warner, Assistant Secretary. The business address of all of the above is 1314 Texas Avenue, Houston, Texas 77002. Roy Nester, Senior Vice President; Steve G. Palumbo, Vice President; and George A. Murphy, Vice President. The business address of all of the above is 19 Rector Street, New York, New York 10006. P. Ray Amsden, Vice President. The business address of the above is 150 California Street, San Francisco, California 94111. Dennis J. Thibault, Vice President. The business address of the above is 110 Nelson Place (Tukwila), Renton, Washington 98055. The daily operations will be managed by G. A. Becnel, Senior Vice President and Secretary, whose business address is 1314 Texas Avenue, Houston, Texas 77002. Applicant is affiliated with the following shipper or warehouse: Applicant is a Domestic and International air freight forwarder registered with the Civil Aeronautics Board, and is shipper and consignee of motor freight moving as truck-substituted air freight under tariffs on file.

Note.—A Principal Shareholder, not a natural person, is Behring International, Inc. Employees Stock Ownership Trust, with business address at 1314 Texas Avenue, Houston, Texas 77002.

MC 130747F, filed December 16, 1979. Applicant's name and address are ALL-AMERICAN FREIGHT SERVICE, INC., 1511 S. 348th St., Rederal Way, WA 98003. The name under which operations will be performed is ALL-AMERICAN FREIGHT SERVICE, INC. Applicant is represented by George S. Fujita, in this proceeding whose address is 211 66th Ave. East, Tacoma, WA 98424. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: George S. Fujita, President & Director, 211 66th Ave. East, Tacoma, WA, Bill W. Merrimain, Vice President & Director, 3918 South 344th, Auburn, WA 98002, Martin A. Finn, Treasurer & Director, 24903 35th Ave. South, Kent, WA 98031, and Jim & Bill Rolls, Directors, (same address as applicant). The daily operations will be managed by George S. Fujita whose business address as 1511 S. 348th St., Rederal Way, WA 98003. Applicant is affiliated with no shipper or warehouse.

MC 130752F, filed December 14, 1979. Applicant's name and address are IMPERIAL VAN LINES INTERNATIONAL, INC., 2805 Columbia St., Torrance, CA 90503. The name under which operations will be performed is IMPERIAL VAN LINES INTERNATIONAL, INC. Applicant is represented by itself in this proceeding whose address is 2805 Columbia St., Torrance, CA 90503. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Paul E. Sanders, President and Director; Grant W. John, Senior Vice President; Edward Green and Norman Larker, Vice Presidents; Douglas M. Robinson, Secretary and Treasurer; Doris W. Miller, Assistant Secretary; Donald E. Rowe, Chairman and principal shareholder; Wesley W. Vander, Director. The business address for the above is 2805 Columbia St., Torrance, CA 90503. The daily

operations will be managed by Grant W. John whose business address is 2805 Columbia St., Torrance, CA 90503. Applicant is affiliated with the following shipper or warehouse: Imperial Van Lines, Inc., of California.

MC 130753F, filed December 14, 1979. Applicant's name and address are ANDREW M. KICHINKO, 2244 6th Ave. So., Seattle, WA 98134. The name under which operations will be performed is ANDY KICHINKO'S TRUCK BROKERAGE. Applicant is represented by himself in this proceeding whose address is the same as applicant's above. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Andrew M. Kichinko, sole proprietor and stockholder. The daily operations will be managed by Andrew M. Kichinko whose business address is 2244 6th Ave. So., Seattle, WA 98134. Applicant is affiliated with the following shipper or warehouse: None.

MC 130754F, filed January 10, 1980. Applicant's name and address are AIR VAN LINES INTERNATIONAL, INC., 8151 Occidental Ave. South, P.O. Box 3725, Seattle, WA 98108. The name under which operations will be performed is Air Van Lines International, Inc. Applicant is represented by Robert R. Brinker in this proceeding whose address is Suite 1100, 1660 L St., NW, Washington, DC 20036. Following are the names and business addresses for all persons who are officers and directors, partners (including limited or "silent" partners), and first five principal shareholders, with their appropriate titles: Thomas N. Chewning-President and director, A. N. Thompson, Jr.-Vice President and director, Beth Thompson-Vice President and director, and James B. Wiggins, officer. Bethco Consolidated, Inc., a non-carrier holding company, owns 100% of the common stock of Air Van Lines International, Inc. All of the officers and Bethco Consolidated have the same address as the applicant. The daily operations will be managed by Thomas N. Chewning, whose business address is the same as the applicant. Applicant is affiliated with the following shipper or warehouse: None.

Permanent Authority Decisions; Decision-Notice

Decided: January 31, 1980.

The following broker, freight forwarder or water carrier applications are governed by Special Rule 247 of the Commission's *Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date notice of the application is published in the **Federal Register.** Failure to file a protest within 30 days will be considered as a waiver of opposition to the application. A protest under these rules shall comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding, as specifically noted below), and specify with particularity the facts, matters, and things relied upon. The protest shall not include issues or allegations phrased generally. A protestant shall include a copy of the specific portion of its authority which it believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use this authority to provide all or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission. A copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is either (a) required by the public convenience and necessity, or, (b) will be consistent with the public interest and the transportation policy of 49 U.S.C. § 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision notice. To the extent that the authority sought below may duplicate an applicant's existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Members Carleton, Joyce, and Jones. Member Joyce not participating.

MC 130092 (Sub-1F), filed June 25, 1979. Applicant: GREEN MOUNTAIN TOURS, INC., 128A West Pleasant Ave., Maywood, NJ 07607. Representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, NY 10048. To engage in operations, in interstate or foreign commerce, as a *broker* at Maywood, NJ, in arranging for the transportation, by motor vehicle, of *passengers and their baggage,* in special and charter operations, beginning and ending at points in Bergen, Morris, Hudson, Passaic, Essex, Union, Middlesex and Somerset Counties, NJ, and extending to those points in the United States in and east of MN, IA, MO, AR, and LA. Condition: Issuance of this License is subject to prior or coincidental cancellation, at applicant's written request, of License No. MC 130092, issued May 27, 1976.

MC 130603F, filed August 23, 1979. Applicant: AMERICAN TOURIST TRAVEL AGENCY, INC., 2601 Bland Rd., Bluefield, WV 24701.

Representative: Stephen P. Swisher, 339 12th St., Dunbar, WV 25064. To engage in operations, in interstate or foreign commerce, as a *broker*, at Bluefield, WV, in arranging for the transportation by motor vehicle, of *passengers and their baggage*, in special and charter operations, beginning and ending at points in VA and WV, and extending to points in the United States (including AK and HI). (Hearing site: Charleston, WV, or Roanoke, VA.)

MC 130607F, filed October 16, 1979. Applicant: COLONIAL PATHWAYS, INC., 125 School House, Kennett Square, PA 19348. Representative: Patrick E. Dougherty, 700 United Penn Bank Bldg., Wilkes-Barre, PA 18701. To engage in operations, in interstate or foreign commerce, as a *broker*, at Kennett Square, PA, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, beginning and ending at points in Chester County, PA, and extending to points in the United States (except AK and HI). (Hearing site: Philadelphia, PA.)

MC 130647F, filed October 29, 1979. Applicant: ALL POINTS TRAVEL, INC., Gray Plaza, Gray, ME 04039. Representative: Patricia B. Mundy (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker*, at Gray, ME, in arranging for the transportation of *passengers and their baggage*, in special and charter operations, beginning and ending at points in Cumberland County, ME, and extending to points in the United States (except AK and HI). (Hearing site: Portland or Lewiston, ME.)

MC 130746F, filed October 30, 1979. Applicant: SAMSON TOURS, INC., 32985 Hamilton Ct., Farmington Hills, MI 48018. Representative: Mark Pestronk, 1120 Connecticut Ave., NW., Suite 460, Washington, D.C. 20036. To engage in operations, in interstate or foreign commerce, as a *broker*, at Farmington Hill, MI, in arranging for the transportation, by motor vehicle, of passengers and their baggage, beginning and ending at points in AL, AZ, CA, CO, FL, GA, IL, IN, IA, KS, MI, MN, MO, NE, NV, NM, OH, OR, SC, TN, TX, WA, WI, and WY, and extending to points in the United States, including AK but excluding HI. (Hearing site: Washington, DC or Detroit, MI.)

Permanent Ex-Water Authority Decisions; Decision-Notice

Decided: January 31, 1980.

The following applications are governed by 49 CFR 1062.3. Applicants seek to obtain motor common carrier authority to perform service within the commercial zone of port cities where the shipment has a prior or subsequent movement by maritime carrier. The full text and explanation of the rules are contained at 44 FR 7965, as corrected at 44 FR 37230.

The sole issue upon which these applications can be protested is the applicant's fitness to perform the service. Protests (an original and one copy) must be filed with the Commission within 30 days of the **Federal Register** publication. The protest must contain the *specific facts* being relied upon to challenge fitness, and must contain a certification that it has been served concurrently upon applicant's representative, or, if none is listed, upon the applicant. Applicant may file a reply statement to any protest. The filing of these statements will complete the record, unless it is later determined that more evidence must be supplied.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each common carrier applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity.

Each applicant is fit, willing, and able to properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a protestant, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserve, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930 (a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones. Member Joyce not participating.

MC 120302 (Sub-2F), Filed July 5, 1979.Applicant: KNOX TRUCK LINES, INC., Hunter-Ferrel & Doggo Rds., P.O. Box 1226, Grand Prairie, TX 75051. Representative: John W. Carlisle, 6746 De Moss Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zone of (a) Houston, TX, (b) Galveston, TX, (c) Texas City, TX, (d) Baytown, TX, (e) Beaumont, TX, (f) Port Arthur, TX, (g) Orange, TX, (h) La Porte, TX, (i) Port Lavaca, TX, (j) Corpus Christi, TX, (j) Bay City, TX, (k) Port O'Connor, TX, (1) Brownsville, TX, (m) Port Brownsville, TX, (n) New Orleans, LA, (n) Baton, Rouge, LA, and (o) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 147743F, Filed July 9, 1979. Applicant: GEMINI TRANSPORT, INC., P.O. Box 10565, Jefferson, LA 70121. Representative: Harold R. Ainsworth, 2307 American Bank Bldg., New Orleans, LA 70130. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zone of New Orleans, LA,

restricted to traffic having a prior or subsequent movement by water. (Hearing site: New Orleans, LA.)

MC 147902F, Filed July 5, 1979. Applicant: N–W INVESTMENTS, INC., P. O. Box 12786, Houston, TX 77017. Representative: John W. Carlisle, 6746 De Moss Suite 194, Houston, TX 77074. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zone of (a) Houston, TX, (b) Galveston, TX, (c) Texas City, TX, (d) Baytown, TX, (e) Beaumont, TX, (f) Port Arthur, TX, (g) Orange, TX, (h) La Porte, TX, (i) Port Lavaca, TX, (j) Corpus Christi, TX, (k) Bay City, TX, (1) Port O'Connor, TX, (m) Brownsville, TX, (n) Port of Brownsville, TX, (o) New Orleans, LA, (p) Baton Rouge, LA, and (q) Lake Charles, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Houston, TX.)

MC 147912F, Filed July 20, 1979. Applicant: NEW ORLEANS DRAYAGE COMPANY, INC., P. O. Box 26905, New Orleans, LA 70186. Representative: James M. Craft, 109 Kings Way, Slidell, LA 70458. To operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except classes A and B explosives), between points in the commercial zone of New Orleans, LA, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Memphis, TN.)

Motor Carrier Alternate Route Deviations

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this Federal Register notice.

Each applicant states that there will be no significant effect on either the quality of the human environment or energy policy and conservation.

Motor Carriers of Property

MC 27530 (Deviation No. 2), KERRVILLE BUS COMPANY, INC., 213 Sidney Baker St., Kerrville, TX 78028, filed January 22, 1980. Carrier's representative: Jerry Prestridge, Capital National Bank Bldg., P.O. Box 1148, Austin, TX 78767. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, over a deviation route as follows: From La Grange, TX over TX Hwy 71 to Columbus, TX, then over Interstate Hwy 10 to Sealy, TX, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From La Grange, TX over TX Hwy 237 to junction TX Hwy 159, then over TX Hwy 159 to junction TX Hwy 36, then over TX Hwy 36 to Sealy, TX and return over the same route.

MC 69833 (Deviation No. 37), filed January 25, 1980. Applicant: ASSOCIATED TRUCK LINES, INC., 200 Monroe Avenue, N.W., 6th Floor, Grand Rapids, MI 49503. Representative: Harry Pohlad, Vice President, Regulation, ASSOCIATED TRUCK LINES, INC., 200 Monroe Avenue, N.W., 6th Floor, Grand Rapids, MI 49503. Carrier proposed to operate as a *common carrier*, by motor vehicle, transporting; *General Commodities*, with usual exceptions, over a deviation route as follows: From junction I–74 and IL. Hwy. 1 at Danville, IL., then over I–74 to junction U.S. Hwy. 52 at Indianapolis IN., and return over the same route for operating convenience only. Carrier is prersently authorized to transport the same commodities over a pertinent service route as follows: From Danville, IL. over IL. Hwy 1 to junction IL Hwy. 1 and U.S. Hwy. 30, then over U.S. Hwy. 30 to junction U.S. Hwy. 30 and U.S. Hwy. 41, then over U.S. Hwy. 41 to junction U.S. Hwy. 41 and U.S. Hwy. 52, then over U.S. Hwy. 52 to Indianapolis, IN., and return over the same route.

MC 35628 (Deviation No. 39), INTERSTATE MOTOR FREIGHT SYSTEM, P.O. Box 175, 110 Ionia Ave., NW, Grand Rapids, MI 49503, filed January 28, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Interstate Hwy 40 and Interstate Hwy 55, over Interstate Hwy 40 to junction Interstate Hwy 265, then over Interstate Hwy 265 to junction Interstate Hwy 65, then over Interstate Hwy 65 to junction US Hwy 150 in Louisville, KY, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From junction Interstate Hwy 40 and Interstate Hwy 55 over Interstate Hwy 55 to St. Louis, MO, then over US Hwy 50 to Vincennes, IN, then over US Hwy 150 to Louisiville, KY and return over the same route.

MC 80430 (Deviation No. 28), GATEWAY TRANSPORTATION CO., INC., 455 Park Plaza Drive, La Crosse, WI 54601, filed January 21, 1980. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Philadelphia, PA over Interstate Hwy 95 to Petersburg, VA, then over Interstate Hwy 85 to Atlanta, GA and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Philadelphia, PA over US Hwy 30 to Pittsburgh, PA, them over PA Hwy 65 to junction PA Hwy 351, then over PA Hwy 351 to junction OH Hwy 170, then over OH Hwy 170 to Youngstown, OH, then over US Hwy 62 to junction US Hwy 30, then over US Hwy 30 to Lima, OH, then over US Hwy 25 to Cincinnati, OH, then over US Hwy 50 to Seymour, IN, then over US Hwy 31 to Louisville, KY, then ove US Hwy 31W to Nashville, TN, then over Interstate Hwys 24 and 75 to Atlanta, GA.

MC 61788 (Deviation 5), GEORGIA FLORIDA ALABAMA TRANSPORTATION COMPANY, P.O. Box 2268, Dothan AL 36302, filed December 19, 1979. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Atlanta, GA over Interstate Hwy 20 to Birmingham, AL, then over Interstate Hwy 20 to Meridian, MS, then over US Hwy 45 to Waynesboro, MS and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Atlanta, GA over US Hwy 29 to LaGrange, GA, then over US Hwy 27 to Columbus, GA, then over US Hwy 431 to Dothan, AL, then over AL Hwy 52 to Opp, AL, then over US Hwy 84 to Waynesboro, MS.

MC 108382 (Deviation 1), SHORT FREIGHT LINES, INC., 459 S. River Road, Bay City, MI 48706, filed January 9, 1980. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Junctions US Hwy 41

and WI Hwy 23 over US Hwy 41 to Junction US Hwy 45, then over US Hwy 45 to junction Interstate Hwy 894, then over Interstate Hwy 894 to junction Interstate Hwy 94, then over Interstate Hwy 94 to junction Interstate Hwy 294, then over Interstate Hwy 294 to Junction Interstate Hwy 80, then over Interstate Hwy 80 to junction Interstate Hwy 94, then over Interstate Hwy 94, to junction US Hwy 131, then over US Hwy 131 to Grand Rapids, MI, (2) From junctions US Hwy 141 and WI Hwy 23 over US Hwy 141 to junction WI Hwy 32, then over WI Hwy 32 to junction IL Hwy 173, then over IL Hwy 173 to junction US Hwy 41, then over US Hwy 41 to junction Interstate Hwy 94, then over Interstate Hwy 94 to junction Interstate Hwy 90, then over Interstate Hwy 90/80 to junction Interstate Hwy 75, then over Interstate Hwy 75 to Toledo, OH, (3) From junctions US Hwy 41 and WI Hwy 23 over US Hwy 41 to junction US Hwy 45, then over US Hwy 45 to junction Interstate Hwy 894, then over Interstate Hwy 894 to junction Interstate Hwy 94, then over Interstate Hwy 94 to junction Interstate Hwy 294, then over Interstate Hwy 294 to junction Interstate Hwy 80, then over Interstate Hwy 80 to junction Interstate Hwy 94 to junction Interstate Hwy 69, then over Interstate Hwy 69 to Flint, MI, and (4) From junctions US Hwy 141 and WI Hwy 23 over US Hwy 141 to junction Interstate Hwy 94, then over Interstate Hwy 94 to junction Interstate Hwy 294, then over Interstate Hwy 294 to junction Interstate Hwy 80, then over Interstate Hwy 80 to junction Interstate Hwy 94, then over Interstate Hwy 94 to junction US Hwy 12, then over US Hwy 12 to junction MI Hwy 60, then over MI Hwy 60 to junction Interstate Hwy 94, then over Interstate Hwy 94 to Detroit, MI, and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: (1) From Fond du Lac over US Hwy 41 to junction WI Hwy 76, then over WI Hwy 76 to junction US Hwy 45, then over US Hwy 45 to junction WI Hwy 22, then over WI Hwy 22 to junction US Hwy 141, then over US Hwy 141 to junction WI Hwy 64, then over WI Hwy 64 to Menominee, MI, then over US Hwy 41 to Rapid River, MI, then over US Hwy 2 to junction unnumbered Hwy near Gould City, MI, then over unnumbered Hwy via Engadine and Gilchrist, MI to junction MI Hwy 48 to Rudyard, MI, then over US Hwy 2 to Sault Ste. Marie then over US Hwy 2 to St. Ignace, MI, then over the Straits of Mackinaw Bridge to junction US Hwy 23, then over US Hwy 23 to Cheboygan, MI, then over US Hwy 27 to Lansing, MI, then over US Hwy 27 to MI Hwy 78 to Battle Creek, MI, then over MI Hwy 96 to Kalamazoo, MI, then over US Hwy 131 to Grand Rapids, MI, and (2) From Sheboygan, WI over US Hwy 141 to junction US Hwy 41, then over US Hwy 41 to Menominee, MI, then over US Hwy 41 to Rapid River, MI, then over US Hwy 2 to junction unnumbered Hwy near Gould City, MI then over unnumbered Hwy via Engadine and Gilchrist, MI to junction MI Hwy 48 to Rudyard, MI, then over US Hwy 2 to Sault Ste. Marie, then over US Hwy 2 to St. Ignace, MI, then over the Straits of Mackinaw Bridge to junction US Hwy 23, then over US Hwy 23 to junction US Hwy 27, then over US Hwy 27 to junction US Hwy 10 at Clare, MI, then over US Hwy 10 to Midland, MI, then over MI Hwy 20 to Bay City, MI, then over US Hwy 23 to junction US Hwy 10, then over US Hwy 10 to Detroit, MI, then over US Hwy 25 to junction US Hwy 24, then over US Hwy 24 to Toledo, OH, and return over the same routes.

MC 109847 (Deviation 6), BOSS–LINCO LINES, INC., 3909 Genesee St., Cheektowaga, NY 14225, filed January 17, 1980. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From Exit B–3 on Interstate Hwy 90 over NY Hwy 22 to junction unnumbered hwy, then over unnumbered hwy to the NY–MA State Line, then over MA Hwy 102 to junction US Hwy 7, then over US Hwy 7 to junction US Hwy 44, then over US Hwy 44 to junction CT Hwy 8, then over CT Hwy 8 to junction CT Hwy 34, the over CT Hwy 34 to junction CT Hwy 114, then over CT Hwy 114 to Orange, CT and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Hoboken, NJ across the Hudson River to New York, NY, then over US Hwy 1 to New Haven, CT, then over unnumbered hwy (formerly portion Alt. US Hwy 5) to junction US Hwy 5, then over US Hwy 5 to junction unnumbered hwy, then over unnumbered hwy via S. Windsor, CT, to junction US Hwy 5, then over US Hwy 5 then over US Hwy 5 to Springfield, MA, then over Interstate Hwy 91 to junction Interstate Hwy 90, then over Interstate Hwy 90 to junction Interstate Hwy 87, then over Interstate Hwy 87 to Albany, NY and return over the same route.

MC 109847 (Deviation 8), BOSS–LINCO LINES, INC., 3909 Genesee St., Cheektowaga, NY 14225, filed January 22, 1980. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From Erwins, NY over US Hwy 15 to junction US Hwy 220 at Williamsport, PA, then over US Hwy 220 to junction Interstate Hwy 80 near Milesburg, PA, then over Interstate Hwy 80 to DuBois, PA, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Elmira, NY over New York Hwy 17 to Big Flats, NY then over New York Hwy 417 to Wellsville, NY, then over New York Hwy 417 to Portville, NY, then over New York Hwy 417, to Olean, NY, then over New York Hwy 17 to junction US Hwy 219, then over US Hwy 219 to junction US Hwy 322, then over US Hwy 322 to Clearfield, PA.

Irregular-Route Motor Common Carriers of Property—Elimination of Gateway Letter Notices

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination Rules* (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission by February 29, 1980. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

The following applicants seek to operate as a *common carrier,* by motor vehicles, over irregular routes.

MC 112304 (Sub-E369), filed May 1, 1978. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: A. Charles Tell, Sutie 1800, 100 East Broad Street, Columbus, OH 43215. *Structural steel, and iron and steel angles, bars, channels, conduit, lath, piling, pipe, posts, rails, rods, roofing, tubing and wire in coils,*

between points in VA on and east of U.S. Hwy 220, on the one hand, and, on the other, points in IN. (Gateway eliminated: Clarksburg, WV, and points within 50 miles of Clarksburg.)

MC 112304 (Sub-E370), filed May 1, 1978. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: A. Charles Tell, Sutie 1800, 100 East Broad Street, Columbus, OH 43215. *Structural steel, and iron and steel angles, bars, channels, conduit, lath, piling, pipe, posts, rails, rods, roofing, tubing and wire in coals,* between points in VA on and east of U.S. Hwy 220, on the one hand, and, on the other, points in OH. (Gateway eliminated: Clarksburg, WV, and points within 50 miles of Clarksburg.)

MC 112304 (Sub-E390), filed May 1, 1978. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: A. Charles Tell, Suite 1800, 100 East Broad Street, Columbus, OH 43215. *Structural steel, and iron and steel angles, bars, channels, conduit, lath, piling, pipe, posts, rails, rods, roofing, tubing and wire in coils,* between points in KY on and west of U.S. Hwy 127, on the one hand, and, on the other, points in VA north and west of a line beginning at the WV–VA State line extending along U.S. Hwy 60 to junction U.S. Hwy 29 to the VA–DC Boundary line. (Gateway eliminated: Clarksburg, WV, and points within 50 miles of Clarksburg.)

MC 112304 (Sub-E462), filed May 1, 1978. Applicant: ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223. Representative: A. Charles Tell, Suite 1800, 100 East Broad Street, Columbus, OH 43215. *Guard rail and component parts,* between points in VA on and east of U.S. Hwy 220, on the one hand, and, on the other, points in MI. (Gateway eliminated: Clarksburg, WV, and points within 50 miles of Clarksburg.)

MC 113855 (Sub-E164) (correction), filed May 30, 1974, published in the **Federal Register** November 26, 1975. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Rd., S.E., Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, ND 58102. (A) *road construction* machinery and equipment, as defined by the Commission, and *lift trucks,* in flat bed trailers only, restricted to commodities which because of size or weight require the use of special equipment, provided that the loading and/or unloading which necessitates the special equipment is performed by consigner or consignee or both, (i) between points in ID, on the one hand, and, on the other, points in ME, VT, NH, TN, SC, GA, FL, AL, MS (except points in Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties); (ii) between points in ID on and north of U.S. Hwy 12, on the one hand, and, on the other, points in Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties, MS, and points in AR. (MT, points in SD east of the Missouri River, and points in MN within 15 miles of the Minneapolis-St. Paul commercial zone*), and (B)(1) *road construction equipment and machinery and lift trucks,* which because of size and weight require the use of special equipment, and (2) *self-propelled articles,* described in (1) above, each weighing 15,000 pounds or more, (restricted to commodities transported on trailers), (i) from points in ID to points in ME, VT, NH, IN, SC, GA, FL, AL, MS (except Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties); (ii) from points in ID on and north of U.S. Hwy 12 to points in Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties, MS, and points in AR; (MT, points in SD east of the Missouri River, and points in MN within 15 miles of the Minneapolis-St. Paul commercial zone)* (C) *street sweeping machines* which, because of their size or weight require the use of special equipment and *related street sweeper parts and attachments* when their transportation is incidential to the transportation of the above-described commodities, and (2) *self-propelled articles* described in (1) above, each weighing 15,000 pounds or more, and *related machinery and parts* moving in connection therewith (restricted to commodities transported on trailers); (i) from points in ID to points in ME, VT, NH, TN, SC, GA, FL, AL, MS (except points in Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkson, and Amite Counties); (ii) from points in ID on and north of U.S. Hwy 12, to points in AR, and points in Washington, Sharkey, Issaquena, Warren, Clairborne, Jefferson, Adams, Franklin, Wilkinson, and Amite Counties, MS, (MT, points in SD east of the Missouri River, and Minneapolis, MN*). (Gateways eliminated: asterisked. Purpose of republication-reflect territories involved in part CA.)

MC 113855 (Sub-E428) (Correction), filed August 2, 1976, published in the **Federal Register** May 19, 1978. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marian Rd. SE., Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bank Bldg., Fargo, ND 58126. *Metal and metal articles* (A) between points in Wisconsin, on the one hand, and, on the other, points in Minnesota; Kentucky; Ohio; West Virigina; Massachusetts; Connecticut; Rhode Island; New Jersey; Delaware; the District of Columbia; Scranton, Reading, Allentown, Harrisburg, Lancaster and Hazelton, PA; mines in that part of Pennsylvania south and west of a line beginning at the Pennsylvania-Ohio State line extending along U.S. Hwy 224 to junction U.S. Hwy 422, then along U.S. Hwy 422 to junction U.S. Hwy 19 near Rose Point, then along U.S. Hwy 19 to junction unnumbered highway near Portersville, then along unnumbered highway via Prospect, to junction U.S. Hwy 422, then along U.S. Hwy 422 to Ebensburg, then along U.S. Hwy 22 to junction U.S. Hwy 522, then along U.S. Hwy 522 to junction Pennsylvania Hwy 641 (formerly Pennsylvania Hwy 433), then along Pennsylvania Hwy 641 to junction Pennsylvania Hwy 997, then along Pennsylvania Hwy 997 to the Pennsylvania-Maryland State line, including points on the indicated portions of the highways specified; points in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State line extending along unnumbered highway (formerly U.S. Hwy 15) to junction Business U.S. Hwy 15, then along Business U.S. Hwy 15 to junction U.S. Hwy 15, then along U.S. Hwy 15 to junction unnumbered highway (formerly portion of U.S. Hwy 15), then along unnumbered highway through Clear Spring to junction U.S. Hwy 15, then along U.S. Hwy 15 to the Pennsylvania-New York State line (except points in Berks, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties and points on and east of the above described line in Adams, York, Cumberland, Perry, Dauphin, Lebanon, and Lancaster Counties, and points on and east of U.S. Hwy 15 and north of the East Branch of the Susquehanna River in Tioga, Bradford, Lycoming, Sullivan, Union, Snyder, Northumberland, Montaur and Columbia Counties); points in New York in and east of Tioga, Tompkins and Cayuga Counties; points in Maryland on and east of a line beginning at the Maryland-Pennsylvania State line, extending along U.S. Hwy 140 to junction Maryland Hwy 97, then along Maryland Hwy 97 to the District of Columbia; points in Virginia in and east

of Southampton, Sussex, Prince George, Charles City, New Kent, King William, King and Queen, Essex and King George Counties; and Hyde, Washington, Tyrrell, Dare, Chowan, Gates, Perquimans, Pasquotank, Camden and Currituck Counties, NC; points in Indiana (except points north and west of a line beginning at the Illinois-Indiana State line along U.S. Hwy 24, then along U.S. Hwy 24 to junction U.S. Hwy 31, then along U.S. Hwy 31 to the Indiana-Michigan State line). (B) Between points in Wisconsin on, north and west of a line beginning at the Illinois-Wisconsin State line extending along Wisconsin Hwy 120 to junction Wisconsin Hwy 36, then along Wisconsin Hwy 36 to junction Wisconsin Hwy 83; then along Wisconsin Hwy 83 to junction Wisconsin Hwy 59, then along Wisconsin Hwy 59 to Waukesha, WI, then along Wisconsin Hwy 164 to junction Wisconsin Hwy 74, then along Wisconsin Hwy 74 to junction U.S. Hwy 41, then along U.S. Hwy 41 to junction Wisconsin Hwy 167, then along Wisconsin Hwy 167 to Lake Michigan, on the one hand, and, on the other, points in Indiana north and west of a line beginning at the Illinois-Indiana State line extending along U.S. Hwy 24 to junction U.S. Hwy 31, then along U.S. Hwy 31 to the Indiana-Michigan State line. (C) Between points in Wisconsin, on the one hand, and, on the other, points in Illinois south of U.S. Hwy 6 and west and north of a line beginning at the junction of U.S. Hwy 6 and I Hwy 74, then along I Hwy 74 to junction Illinois Hwy 78, then along Illinois Hwy 78 to junction Illinois Hwy 104, then along Illinois Hwy 104 to the Illinois-Missouri State line at or near Quincy, IL. (D) Between points in Wisconsin in and north of Sheboygan, Calumet, Winnebago, Green Lake, Marquette, Sauk, Iowa and Lafayette Counties, WI, on the one hand, and, on the other, that part of Illinois beginning at the junction of U.S. Hwy 6 and I Hwy 74, then along I Hwy 74 to junction Illinois Hwy 78, then along Illinois Hwy 78 to junction Illinois Hwy 104, then along Illinois Hwy 104 to junction U.S. Hwy 66, then along U.S. Hwy 66 to junction Illinois Hwy 121, then along Illinois Hwy 121 to junction I Hwy 74, then along I Hwy 74 to Peoria, then along Illinois Hwy 29 to junction U.S. Hwy 6 to the point of beginning. (E) Between points in Wisconsin on and west of a line beginning at Ashland, extending along Wisconsin Hwy 13 to junction U.S. Hwy 8, then along U.S. Hwy 8 to junction Wisconsin Hwy 27, then along Wisconsin Hwy 27 to junction U.S. Hwy 12, then along U.S. Hwy 12 to junction Wisconsin Hwy 131, then along Wisconsin Hwy 131 to junction U.S. Hwy 61, then along U.S. Hwy 61 to the Wisconsin-Illinois State line, on the one hand, and, on the other, points in Illinois bounded by a line beginning at the junction of U.S. Hwy 6 and Illinois Hwy 29, then along Illinois Hwy 29 to junction I Hwy 74, then along I Hwy 74 to junction Illinois Hwy 121, then along Illinois Hwy 121 to junction U.S. Hwy 66, then along U.S. Hwy 66 to junction Illinois Hwy 23, then along Illinois Hwy 23 to junction U.S. Hwy 6, then along U.S. Hwy 6 to the point of beginning (excluding points on the indicated highways except points on Illinois Hwy 23 and U.S. Hwy 66). (Gateways eliminated: Elgin, IL; or Scranton, Allentown, Hazelton, PA; or Davenport, IA. Purpose of correction—reflect proper territorial description.)

MC 113855 (Sub-E430) (correction) filed August 2, 1976, published in the **Federal Register** June 7, 1978. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marian Rd, SE., Rochester, MN 55901. Representative: Michael E. Miller, 502 First National Bldg., Fargo, ND 58126. The commodity should read *metal and metal articles* (except boats and iron and steel articles). The territorial descriptions remain as previously published. Purpose of correction—reflect the removal of size and weight restriction which was removed from the underlying authority.

MC 117574 (Sub-E78) filed July 16, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, PA 17013. Representative: E.S. Moore, Jr. (same as above). *Agricultural Implements, agricultural machinery, tractors* (other than truck tractors), and *incidental machinery, attachments and parts* when moving with such implements, machinery or tractors (except commodities requiring special equipment), (1) between points in Cumberland, Harnett, and Lee Counties, NC, on the one hand, and, on the other, points in AZ; CA; CO; ID; IA; MI; MN; NJ; NE; NV; ND; OR; SD; UT; WA; WI; Wy; points in IL and north of a line beginning at the MO–IL State line along U.S. Hwy 136 to junction IL Hwy 94, then along IL Hwy 94 to junction U.S. Hwy 34, then along U.S. Hwy 34 to junction U.S. Hwy 6, then along U.S. Hwy 6 to the IL–IN State line; points in IN on and north of U.S. Hwy 6; points in KS on and west of a line commencing at the OK–KS State line along U.S. Hwy 183 to junction U.S. Hwy 54, then along U.S. Hwy 54 to junction KS Hwy 61, then along KS Hwy 61 to junction U.S. Hwy 50, then along U.S. Hwy 50 to junction KS Hwy 177, then along KS Hwy 63, then along KS Hwy 63 to junction KS Hwy 16, then along KS Hwy 16 to junction KS Hwy 116, then along KS Hwy 116 to the KS–MO State line along MO Hwy 116 to junction I-Hwy 29, then along I Hwy 29 to junction U.S. Hwy 169 then along U.S. Hwy 169 to junction U.S. Hwy 136, then along U.S. Hwy 136 to the MO–IL State line; points in NM on and west of a line commencing at the U.S. NM Border, along U.S. Hwy 80 to junction NM Hwy 90, then along NM Hwy 90 to junction U.S. Hwy 180, then along U.S. Hwy 180 to junction NM Hwy 12, then along NM Hwy 12 to junction U.S. Hwy 60, then along U.S. Hwy 60 to junction U.S. Hwy 85, then along U.S. Hwy 85 to junction U.S. Hwy 56, then along U.S. Hwy 56 to junction NM Hwy 18, then along NM Hwy 18 to junction NM Hwy 102 then along NM Hwy 102 to NM–TX State line; points in OH on and east of a line commencing at the IN–OH State line along U.S. Hwy 6 to junction OH Hwy 109, then along OH Hwy 109 to junction OH Hwy 18, then along OH Hwy 18 to junction U.S. Hwy 23, then along U.S. Hwy 23 to junction U.S. Hwy 224, then along U.S. Hwy 224 to junction OH Hwy 13, then along OH Hwy 13 to junction OH Hwy 39; then along OH Hwy 39 to junction U.S. Hwy 250, then along U.S. Hwy 250 to junction OH Hwy 800, then along OH Hwy 800 to junction OH Hwy 78, then along OH Hwy 78 to the OH–WV State line; points in OK on and west of a line commencing at the TX–OK State line along U.S. Hwy 54 to junction U.S. Hwy 64, then along U.S. Hwy 183, then along U.S. Hwy 183 to the OK–KS State line; points in TX on and north of a line commencing at the NM–TX line along TX Hwy 102 to junction U.S. Hwy 87, then along U.S. Hwy 87 to junction U.S. Hwy 54, then along U.S. Hwy 54 to the TX–OK State line; points in WV on and north of a line commencing at the OH–WV State line along WV Hwy 89 to junction U.S. Hwy 250, then along U.S. Hwy 250 to junction WV Hwy 7, then along WV Hwy 7 to junction U.S. Hwy 119, then along U.S. Hwy 119 to the WV–PA State line. (2) betweetn points in Cleveland, Lincoln, and Gaston Counties, NC, on the one hand, and, on the other, points in ID; OR; WA; points in Ca, north and west of a line commencing at Santa Maria, along U.S. Hwy 101 to junction with CA Hwy 46, then along CA Hwy 46 to junction CA Hwy 41, then along CA Hwy 41 to junction CA Hwy 180, then along CA Hwy 180 to junction CA Hwy 136, then along CA Hwy 136 to junction CA Hwy 190, then along CA Hwy 190 to the CA–NV State line; points in MT on, north and west of a line commencing at the WY–MT State line along U.S. Hwy 87, to junction 212 to junction U.S. Hwy 312,

then along U.S. Hwy 212, then along U.S. Hwy 212 to U.S. Hwy 312, then along U.S. Hwy 312 to junction U.S. Hwy 10, to the MT–ND State line; points in NV on, north and west of a line commencing at the CA–NV State line along NV Hwy 58 to junction U.S. Hwy 6, then along U.S. Hwy 6 to junction U.S. Hwy 93, then along U.S. Hwy 93 to junction with NV Hwy 25, then to NV–UT State line; points in ND on and west of a line commencing at the MT–ND State line along U.S. Hwy 10 to junction ND Hwy 22, then along ND Hwy 22 to junction ND Hwy 23, then along ND Hwy 23 to junction U.S. Hwy 83, then along U.S. Hwy 83 to junction ND Hwy 256, then to the US–CD Border; points in UT on, north and west of a line commencing at the NV–UT State line along UT Hwy 56 to junction U.S. Hwy 91, then Hwy 189 to the UT–WY State line; points in WY on, north and west of a line commencing at the UT–WY State line along U.S. Hwy 189 to junction U.S. Hwy 26, then along U.S. Hwy 26 to junction U.S. Hwy 16, then along Hwy 16 to junction I Hwy 25, then to the WY–MT State line. (Gateways eliminated: Carlisle, Shady Grove, Waynesboro, PA.)

MC 117574 (Sub-E77) filed July 16, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, PA 17013. Representative: E.S. Moore, Jr. (same as above). *Agricultural Implements, agricultural machinery, tractors* (other than truck tractors), and *incidental machinery, attachments and parts* when moving with such implements, machinery or tractors (except commodities requiring special equipment), (1) between points in Cherakee, Clay, and Graham counties, NC, on the one hand, and, on the other, points in ID on and north of U.S. Hwy 15, points in MT on and west of a line beginning at the ID-MT State line extending along MT Hwy 200 to junction U.S. Hwy 93, then along U.S. Hwy 93 to the US-CD International Boundary line; points in OR on and west of a line beginning at the Pacific Ocean extending along OR Hwy 6 to junction OR Hwy 47, then along OR Hwy 47 to the OR-WA State line; points in WA on and west of a line beginning at the OR-WA State line extending along I Hwy 5 to junction U.S. Hwy 12, then along U.S. Hwy 12 to junction WA Hwy 124, then along WA Hwy 124 to junction U.S. Hwy 12, then along U.S. Hwy 12 to the WA-ID State line. (2) between points in Alleghany and Wilkes Counties, NC, on the one hand, and, on the other, points in ID; MT; ND; OR; WA; WY; points in CA on and north of a line commencing at the US-MX border at a point near Tecate, Mexico S1 in Northerly direction to junction CA Hwy 79, then along CA Hwy 79 to junction I Hwy 10, then along I Hwy 10 to junction I Hwy 15, then along I Hwy 15 to CA-NV State line; points in CO on and north of a line commencing at the CO-UT State line along I Hwy 70 in an Easterly direction to its junction with CO Hwy 131, to junction U.S. Hwy 40, then along U.S. Hwy 40 to junction CO Hwy 125, then along CO Hwy 125 to the CO-WY State line; points in MN on and north of MN Hwy 23; points in NE on and north of a line commencing at the WY-NE State line along NE Hwy 71, to junction NE Hwy 2, then along NE Hwy 2 to junction U.S. Hwy 83, then along U.S. Hwy 83 to the NE-SD State line; points in NV on and north of I Hwy 15; points in SD on and north of a line commencing at the NE-SD State line along U.S. Hwy 83 to junction I Hwy 90, then along Hwy 90 to the SD-MN State line; points in UT on and north of a line commencing at the NV-AZ State line along I Hwy 15 to junction UT Hwy 26, then along UT Hwy 26 to junction I Hwy 70, then along I Hwy 60 to the UT-CO State line; points in WI on and north of WI Hwy 77.

(3) between points in Bertie, Hartford, and Martin Counties, NC, on the one hand, and, on the other, points in AZ; CA; CO; ID; IA; KS; MI; MN; MT; NE; NV; NM; ND; OR; SD; UT; WA; WI; WY; points in AR north and west of a line commencing at the OK-AR State line along U.S. Hwy 62 to junction AR Hwy 23, then along AR Hwy 23 to the AR-MO State line; points in IL on and north of a line commencing at the MO-IL State line along IL Hwy 156 to junction IL Hwy 13, then along IL Hwy 13 to junction U.S. Hwy 460, then along U.S. Hwy 460 to junction IL Hwy 37, then along IL Hwy 37 to junction IL Hwy 33, then along IL Hwy 33 to Palestine; points in IN south and east of a line commencing at the IL-IN State line along IN Hwy 58 to junction U.S. Hwy 50, then along U.S. Hwy 50 IN-OH State line; points in MO on and west of a line commencing at the AR-MO State line along MO Hwy 86 in and easterly direction to junction MO Hwy 13, then along MO Hwy 13 to junction with U.S. Hwy 160, then along U.S. 160 to junction MO Hwy 95, then along MO Hwy 95 to junction U.S. Hwy 60 to junction with U.S. Hwy 63, then along U.S. Hwy 63 to junction MO Hwy 32 to junction MO Hwy 72, then along MO Hwy 72 to junction with U.S. Hwy 67, than along U.S. Hwy 67 to Crystal City; points in OH and north of U.S. Hwy 50; points in OK on and west of a line commencing at the TX-OK State line along OK Hwy 79 to junction U.S. Hwy 81, than along U.S. Hwy 81 to junction OK Hwy 39, then along OK Hwy 39 to junction OK Hwy 56, then along OK Hwy 56 to junction U.S. Hwy 62, then along U.S. Hwy 62 to the OK-AR State line; points in TX on and west of a line commencing at the US-MX border along TX Hwy 118 to junction U.S. Hwy 385, then along U.S. Hwy 385 to junction U.S. Hwy 90, then along U.S. Hwy 90 to junction TX Hwy 349, then along TX Hwy 349 to junction U.S. Hwy 67, then along U.S. Hwy 67 to junction TX Hwy 163, then along TX Hwy 163 to junction I Hwy 20, then along I Hwy 20 to junction U.S. Hwy 283, then along U.S. Hwy 283 to junction U.S. Hwy 82, then along U.S. Hwy 82 to junction 79, then along TX Hwy 79 to the TX-OK State line; points in WV on and north of U.S. Hwy 50; (4) between points in Wake and Johnston Counties, NC, on the one hand, and, on the other, points in AZ; CA; CO; ID; IA; MI; MN; MT; NE; NV; ND; OR; SD; UT; WA; WI; WY; points in the north of a line beginning at the IL-MO State line extending along IL Hwy 73 to junction Hwy 16, then along IL Hwy 16 to junction U.S. Hwy 66, then along U.S. Hwy 66 to junction IL Hwy 104, then along IL Hwy 104 to junction IL Hwy 48, then along IL Hwy 48 to junction U.S. Hwy 36, then along U.S. Hwy 36 to junction I Hwy 74, then along I Hwy 74 to the IL-IN State line; points in IN north of a line commencing at the IL-IN State line along I Hwy 74 to junction U.S. Hwy 41, thence along IN Hwy 25 to junction IL Hwy 26, then along IN Hwy 26 to junction U.S. Hwy 31, then along U.S. Hwy 31 to junction IN Hwy 22, then along IN Hwy 22 to junction I Hwy 69, then along I Hwy 69 to junction U.S. Hwy 224, then along U.S. Hwy 224 to IN-OH State line; points in KS west and north of a line commencing at KS-OK line along U.S. Hwy 75 to junction U.S. Hwy 160, then along U.S. Hwy 160 to junction U.S. Hwy 169, then along U.S. Hwy 169 to junction KS Hwy 39, thence along KS Hwy 37 to junction with KS Hwy 7, then along KS Hwy 7 to junction U.S. Hwy 69, then along U.S. Hwy 69 to junction U.S. Hwy 54, then along U.S. Hwy 54 to KS-MO State line; points in MO north and west of a line commencing at MO-KS line along U.S. Hwy 54 to junction MO Hwy 87, then along MO Hwy 87 to junction MO Hwy 179, then along MO Hwy 179 to junction 70, then along MO Hwy 70 to junction MO Hwy 47, then along MO Hwy 47 to MO-IL State line; points in NM west and north of a line commencing at TX-NM line along U.S. Hwy 62 to junction U.S. Hwy 82, then along U.S. Hwy 82 to junction NM Hwy 172, then along NM Hwy 172 to junction U.S. Hwy 380, then along U.S. Hwy 380 to junction NM Hwy 125, then along NM

Hwy 125 to NM-TX State line; points in OH north of a line commencing at OH-IN line along U.S. Hwy 224 to junction U.S. Hwy 30, then along U.S. Hwy 30 to junction OH Hwy 95, then along OH Hwy 95 to junction OH Hwy 13, then along OH Hwy 13 to junction U.S. Hwy 36, then along U.S. Hwy 36 to junction OH Hwy 83, then along OH Hwy 83 to Junction OH Hwy 340, then along OH Hwy 340 to junction OH Hwy 78, then along OH Hwy 78 to junction OH Hwy 536, then along OH 536 to OH-WV State line; points in OH west and north of a line commencing at OK-TX line along U.S. Hwy 60 to junction U.S. Hwy 75, then along U.S. Hwy 75 to the OK-KS State line; points in TX west of a line commencing at El Paso along U.S. Hwy 62 to TX-NM State line, then along the TX-NM line to TX Hwy 125, then along TX Hwy 125 to junction TX Hwy 214, then along TX Hwy 214 to junction U.S. Hwy 60, then along U.S. Hwy 60 to TX-OK State line; points in WV north of U.S. Hwy 250. (Gateways eliminated: Carisle, Shadygrove, and Waynesboro, PA)

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5024 Filed 2-15-80; 8:45 am]

BILLING CODE 7035-01-M

Transportation of Used Household Goods in Connection With a Pack-and-Crate Operation on Behalf of the Department of Defense; Special Certificate Letter Notice(s)

The following letter notices request participation in a Special Certificate of Public Convenience and Necessity for the transportation of used household goods, for the account of the United States Government, incident to the performance of a pack-and-crate service on behalf of the Department of Defense under the Direct Procurement Method or the Through Government Bill of Lading Method under the Commission's regulations (49 CFR 1056.40) promulgated in "Pack-and-Crate" operations in Ex Parte No. MC-115, 131 M.C.C. 20 (1978).

An original and one copy of verified statement in opposition (limited to argument and evidence concerning applicant's fitness) may be filed with the Interstate Commerce Commission on or before March 10, 1980. A copy must also be served upon applicant or its representative. Opposition to the applicant's participation will not operate to stay commencement of the proposed operation.

If applicant is not otherwise informed by the Commission, operations may commence within 30 days of the date of its notice in the **Federal Register**, subject to its tariff publication effective date.

HG-3-80 (Special Certificate—used household goods), filed January 31, 1980. Applicant: BLUE ISLAND VETERANS CARTAGE, INC., 268 W 155th St., Harvey, IL 60426. Representative: Michael F. Sheehan, Jr., 29 S La Salle St.—Ste 830, Chicago, IL 60603. Authority sought: Between points in La Porte and Porter Counties, IN, and Putnam, Lee, Bureau and Kendall Counties, IL, serving Ft. Sheridan and Great Lakes Naval Station, in Lake County, IL.

HG-4-80 (Special certificate—used household goods), filed February 1, 1980. Applicant: TRAIL VANS, INC., 3501 S Central Ave., Phoenix, AZ 85040. Representative: Lewis P. Ames, Shimmel, Hill, Bishop & Gruender, 111 W Monroe, 10th Floor, Phoenix, AZ 85003. Authority sought: Between points in the State of Arizona, serving Luke Air Force Base, AZ, and Williams Air Force Base, AZ.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5017 Filed 2-15-80; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29132]

Western Railroad Properties, Inc.,—Acquisition of One-Half Interest in Line of Railroad Owned in Part by Chicago & North Western Transportation Co., Exemption Under 49 U.S.C. 10505 From 49 U.S.C. 10901 and 11343

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Interstate Commerce Commission exempts the acquistion of control by Western Railroad Properties, Incorporated (WRPI) of an undivided one-half interest in a line of railroad to be owned and operated jointly by its parent company, Chicago and North Western Transportation Company (North Western) and Burlington Northern, Inc., from the requirements of 49 U.S.C. 10901 and 11343, which require Commission approval for the construction, operation, or acquisition of control of a line of railroad.

DATE: February 19, 1980.

FOR FURTHER INFORMATION CONTACT: Michael Erenberg, (202) 275-7245.

SUPPLEMENTARY INFORMATION: WRPI and North Western filed a petition for exemption under 49 U.S.C. 10505 on September 13, 1979, in order that their anticipated transactions may be exempted from the requirements of obtaining prior Commission approval under 49 U.S.C. 10901 and 11343. We published a notice in the Federal Register on October 30, 1979, 44 FR 62395 (1979) requesting comments on the proposed exemption be received on or before 30 days after publication of the notice. The only comment filed was that of the Railway Exployees' Department (RED), in the form of a petition to intervene in opposition, requesting denial of the application or, alternatively, the imposition of employee protective conditions.

The petitioners claim that the proposed transaction will not adversely affect other railroads or employees. It is alleged that since WRPI is a wholly-owned subsidiary of North Western, no useful public purpose would be served to develop, reproduce, and otherwise conform to the Commission's detailed application requirments under the statutory requirements in question.

The Transaction

WRPI is a wholly-owned subsidiary of North Western, and is authorized to do business in Nebraska and Wyoming. North Western is a common carrier by railroad operating in 11 States.

By report in Finance Docket No. 27579, *Burlington Northern, Inc.–Construction and Oper.* 348 I.C.C. 388 (1976), the Commission authorized North Western and Burlington Northern, Ind. (BN) jointly to construct, own, and operate approximately 106.5 miles of a new line of railroad between Douglas and Gillette, WY. On May 22, 1975, North Western and BN entered into an agreement defining the respective rights and obligations of each during construction and operation. As pertinent here the agreement permitted either carrier to create a wholly-owned subsidiary to own its undivided one-half interest in the joint line. The purpose of the instant transaction is to permit the North Western's subsidiary to take title to its interest in the line in order to insulate the assets of the Gillette line from North Western's general mortgage. [1]

[1] The agreement itself is the subject of another docket, Finance Docket No. 29066F, which has been set for hearing before an administrative law judge. See the decision of the Commission in the cited docket dated November 30, 1979, denying certain interlocutory relief. As permitted by the agreement, Burlington Northern has proceeded to construct the new rail line with its own funds, and has recently commenced operations thereover. However, North Western has not yet obtained financing for its one-half share of the cost of construction, and has accordingly not commenced operations over the new line. It is in order to facilitate such financing that the present transaction between North Western and its subsidiary, WRPI, is proposed. The Commission's action here of course in no way

Footnotes continued on next page

WRPI and North Western state that the usual regulatory requirements contained in 49 U.S.C. 10901 and 11343 would serve no useful purpose.

Statutory Criteria

As pertinent here, 49 U.S.C. 10505 provides that we shall exempt a rail carrier transaction because of its limited scope if we find that application of a provision of 49 U.S.C. Subtitle IV, (1) is not necessary to carry out the national transportation policy, (2) would place an unreasonable burden on a person, class of persons, or interstate and foreign commerce, and (3) serves little or no useful public purpose. We may act under 49 U.S.C. 10505 only after an opportunity for a proceeding. The petition engaged our jurisdiction and the notice and request for comments on the petition for exemption provided the opportunity for a proceeding. We must now determine whether the proposed exemption meets the statutory requirements.

Scope or the transaction. The threshold inquiry is whether the transaction is limited in scope. WRPI is a wholly-owned subsidairy of North Western. The Commission has already authorized the construction by North Western of the line of railroad in question. The transfer of North Western's one-half interest in the line of railroad in question. The Transfer of North Western's one-half interest in the line of railroad to its subsidiary would have a very limited impact upon the transportation industry. The line of railroad is not in operation by North Western at this time.

The record demonstrates that the proposal would not change operations, or affect competitors or employees. We concluded that acquisition of control of one-half undivided ownership of the Gillette line by WRPI would consitute a transaction of limited scope.

National Transportation Policy. In order to insure the development, coordination, and preservation of a transportation system that meets the transportation needs of the United States, Congress has declared that it is the policy of the United States Government to provide for the impartial regulation of the modes of transportation subject to 49 U.S.C. Subtitle IV. See 49 U.S.C. 10101. Impartial regulation is achieved through (1) recognizing and preserving inherent advantages of each mode; (2) promoting safe, adequate, economical, and efficient transportation; (3) encouraging sound economic conditions in transportation, including sound economic conditions among carriers; (4) encouraging the establishment and maintenance of reasonable rates for transportation with unreasonable discrimination or unfair or destructive competitive practices; (5) cooperating with each State and officials of each State on transportation matters; and (6) encouraging fair wages and working conditions in the transportation industry.

Detailed scrutiny of WRPI's control of the subject one-half interest of the Gillette line is not necessary to carry out the goals of the national transportation policy. The proposed transactions have no effect on any of the policy considerations since the only change involves the change of ownership from the parent to its wholly owned subsidiary corporation. The proceedings in Finance Docket No. 29066F (see above) will afford the Commission an adequate opportunity to ensure that the joint operation of the new Gillette line will be conducted in a manner consistent with the public interest and the national transportation policy.

Burden. Where, as here, there is minimal national transportation importance, the development of a massive record on which to base a decision would place a grave strain on the applicants and the scarce resources of the Commission. We believe that requiring WRPI and North Western to prosecute an application would place an unreasonable burden on them and on interstate and foreign commerce.

Public Purpose. Our function under 49 U.S.C. 11343–11347 is to determine whether a proposed transaction is consistent with the public interest. The transfer from North Western to WRPI is of limited scope and detailed scrutiny of it would be both unnecessary and an unreasonable burden. Our review of the petition indicates that any further evidence, would be minimal and of little probative value at best. Therefore, we conclude that our review of a full-scale application would serve little or no useful public purpose.

The Railway Employees' Department (RED) has filed a petition to intervene seeking denial of the application or imposition of labor protective conditions. Inspection shows this to be a boilerplate form petition, drafted for filing in any and all railroad finance proceedings, which makes no reference to the specific facts of this or any other case. RED does not undertake to explain how the interests of railroad employees will be in any way affected by the transfer of North Western's interest in the new rail line to its own subsidiary, particularly where North Western has not yet commenced operations over the new line, and, if approval of the transfer is denied, may well never be able to do so. Nor does RED give any reason why the application should be denied. As an alternative to denial, RED seeks imposition of labor protective provisions, but does not explain why such provisions are appropriate or how they could be applied to the present situation, where no North Western (or WRPI) employees have ever yet worked on the new line. RED has thus not established any basis for intervention or other relief, and its petition will be denied.

We find: (1) The acquisition by Western Railroad Properties Incorporated from its parent company, Chicago and North Western Transportation Company, of title to and control of the latter's undivided one-half interest in a line of railroad to be owned and operated jointly by North Western and Burlington Northern, Inc., is a transaction of limited scope, and the application to said transaction of the requirements of 49 U.S.C. 10901 and 11343 is not necessary in order to carry out the national transportation policy of Section 10101, would be an unreasonable burden upon WRPI and North Western, and would serve little or no useful public purpose.

(2) This decision is not a major Federal action significantly affecting energy consumption or quality of the human environment.

It is ordered: (1) Pursuant to 49 U.S.C. 10505, we exempt from the requirements of 49 U.S.C. 10901 and 11343 the acquisition by Western Rail Properties Incorporated from its parent company, Chicago and North Western Transportation Company, of title to and control of the latter's undivided one-half interest in a line of railroad to be owned and operated jointly by North Western and Burlington Northern, Inc.

(2) Within 30 days following the consummation of the transaction exempted by paragraph (1) above, WRPI and North Western shall file in this docket and in Finance Docket No. 29066F three copies of a verified statement attesting to its consummation and showing the exact date and form thereof.

(3) The exemption granted hereby shall expire unless the exempted transaction is consummated before the conclusion of the evidentiary hearing in Finance Docket No. 29066F, or within 180 days following the effective date of this decision, whichever occurs later.

(4) The petition to intervene filed by the Railway Employees' Department is denied.

Footnotes continued from last page
prejudges any of the issues involved in Finance Docket No. 29066F. Page 3, 1st line: change "insure" to "ensure".

(5) Public notice of our action in this proceeding shall be given to the general public by depositing a copy of this decision in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register, for publication therein.

(6) This decision shall be effective on February 19, 1980.

Dated: January 22, 1980.

By the Commission. Chairman Gaskins, Vice Chairman Gresham, Commissioners Stafford, Clapp, Trantum and Alexis.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-5022 Filed 2-15-80; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Applications

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register.** One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the ICC Field Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. 243

MC 263 (Sub-231TA), filed December 31, 1979. Applicant: GARRETT FREIGHTLINES, INC., 2055 Garrett Way, Pocatello, ID 83201. Representative: Wayne S. Green (same as above). *Salt,* from Saltair, UT to points in that part of MN on and north of Interstate Hwy 90, on and west of U.S. Hwy 52, on and south of Interstate Hwy 94 and to Sioux Falls, SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: B & R Distributors, Div. of Kristico, Inc., 95 East 13th Street, Worthington, MN 56187. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 2202 (Sub-626TA), filed December 17, 1979. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Blvd., P.O. Box 471, Akron, OH 44309. Representative: William O. Turney, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014 Common carrier-regular route, *general commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment,* serving Tom's River, NJ and points in its commercial zone as an off-route point in connection with applicant's regular routes, for 180 days. An underlying ETA seeks 30 days authority. Supporting shipper: Outdoor Sports Headquarters, Inc., 2290 Arbor Blvd., Dayton, OH 45439. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 2253 (Sub-104TA), filed December 5, 1979. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, P.O. Box 697, Cherryville, NC 28021. Representative: J. S. McCallie, P.O. Box 697, Cherryville, NC 28021. *Particle board* between Fort Valley, GA, on the one hand, and, on the other, points in AL, FL, LA, MS, TX and VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Paneling Industries, Inc., P.O. Box 1288, Fort Valley, GA 31030. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 2253 (Sub-105TA), filed Januray 3, 1980. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, P.O. Box 697, Cherryville, NC 28021. Representative: J. S. McCallie, P.O. Box 697, Cherryville, NC 28021. *Oil containment systems* from Cape Canaveral, FL to points in AL, DE, GA, LA, ME, MD, MS, NH, NJ, NY, TX and VA, for 180 days. Supporting shipper: American Boom & Barrier, Corp., 8051 Astronaut Boulevard, Cape Canaveral, FL 32920. Send protests to: Sheila Reece, T/A, 800 Briar Chreek Rd—Rm CC516, Charlotte, NC 28205.

MC 2392 (Sub-135TA), filed December 20, 1979. Applicant: WHEELER TRANSPORT SERVICE, INC., 7722 "F" Street, Omaha, NE 68127. Representative: Keith D. Wheeler (same address as applicant). *Propane, in bulk, in tank vehicles* from Conway, Clay Center and McPherson, KS; Kearney, MO; and Geneva, NE to points in IA, MN, ND and SD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Land O'Lakes, Agricultural Service Division, Sue Johnson, Distribution Control Specialist, 2827 8th Avenue South, Fort Dodge, IA 50501. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th Street, Omaha, NE 68102.

MC 9812 (Sub-18TA), filed December 18, 1979. Applicant: C. F. KOLB TRUCKING COMPANY, INC., R.R. 1, Box 294, Mount Vernon, IN 47620. Representative: Constance J. Goodwin, Suite 800, Circle Tower, Five East Market Street, Indianapolis, IN 46204. (1) *Steel and steel articles,* from Vanderburgh County, IN to points in AZ, AR, CA, CO, CT, FL, GA, IL, IN, IA, KS, KY, LA, MD, MA, MI, MN, MS, MO, ND, NE, NV, NJ, NM, NY, NC, OH, OK, PA, SC, SD, TN, TX, UT, VA, WV, and WI, and (2) *Materials, equipment and supplies (except in bulk), used in the manufacture, distribution and sale of steel and steel articles,* from points in the named states to Vanderburgh County, IN for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Steel Company, 1321 Edgar Street, P.O. Box 3442, Evansville, IN 47733; Mesker Steel, Inc., First and Ingle Streets, P.O. Box 983, Evansville, IN 47706. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 11722 (Sub-71TA), filed December 13, 1979. Applicant: BRADER HAULING SERVICE, INC., P.O. Box 655, Zillah, WA 98953. Representative: Philip G. Skofstad, 1525 N. E. Weidler St., Portland, OR 97232. *Pneumatic tires and tubes* from Portland, OR to Yakima, Walla Walla, Wenatchee, Moses Lake, Ellensburg, Quincy and Ephreta, WA for 180 days. A corresponding ETA has been granted and a permanent will be filed. Supporting shipper(s): Bridgestone Tire Company, 2210 Riverside Way, Portland, OR 97211; Tire Sales & Service, 1411 S. 1st, Yakima, WA 98907. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114

Pioneer Courthouse, Portland, Oregon 97204.

MC 15242 (Sub-14TA), filed December 21, 1979. Applicant: CAUTHEN GIN & BAG CO., Rt. 4, Box 550, Monroe, NC 28110. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, NW, Washington, DC 20005. *Textile products* from the facilities of Knit, Tuck & Welt, Inc. located at or near Bayshore, NY to points in NC, SC and GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Richmond Fabrics, Inc., 440 Hempstead Turnpike, West Hempstead, NY 11552. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 31533 (Sub-17TA), filed April 13, 1979. Applicant: SOUTH BEND FREIGHT LINE, INC., 1200 South Oliver Street, South Bend, IN 46624. Representative: Alki E. Scopelitis, 1301 Merchants Plaza, Indianapolis, IN 46204. *General commodities* except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Michigan City, IN and Junction IN Hwy 15 and U.S. Hwy 6: From Michigan City over U.S. Hwy 35 to Junction U.S. Hwy 6, then east over U.S. Hwy 6 to Junction IN Hwy 15, and return over the same route, serving all intermediate points, (2) Between South Bend, IN and Walkerton, IN: From South Bend over IN Hwy 23 to Walkerton, and return over the same route, serving all intermediate points, (3) Between South Bend, IN and Warsaw, IN: From South Bend over U.S. Hwy 31 to Junction U.S. Hwy 30, then east over U.S. Hwy 30 to Warsaw, and return over the same route, serving all intermediate points, and the off-route point of Plymouth, IN, (4) Between Gary, IN and Junction U.S. Hwy 31 and U.S. Hwy 30: From Gary over Interstate Hwy 65 to Junction U.S. Hwy 30, then east over U.S. Hwy 30 to Junction U.S. Hwy 31, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, (5) Between Elkhart, IN and Warsaw, IN: From Elkhart over U.S. Hwy 33 to Goshen, then south over IN Hwy 15 to Warsaw, and return over the same route, serving all intermediate points, (6) Between Elkhart, IN and Shipshewana, IN: From Elkhart over U.S. Hwy 20 to Junction IN Hwy 5, then north over IN Hwy 5 to Shipshewana, and return over the same route, serving all intermediate points and the off-route point of Middlebury, IN. From Elkhart over IN Hwy 120 to Junction IN Hwy 5, then south over IN Hwy 5 to Shipshewana, and return over the same route, serving all intermediate points, (7) Between Nappanee, IN and Paw Paw, MI: From Nappanee over IN Hwy 19 to the IN-MI state line, then northeast over MI Hwy 205 to Junction U.S. Hwy 12, then east over U.S. Hwy 12 to Junction MI Hwy 40, then north over MI Hwy 40 to Paw Paw, and return over the same route, serving all intermediate points. Supporting shipper(s): There are 39 shippers, which can be examined at headquarters in Washington, DC or at ICC listed below. Send protests to: Annie Booker T/A, 219 South Dearborn Street, Chicago, IL 60604.

MC 47583 (Sub-120TA), filed December 21, 1979. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Road, Kansas City, Kansas 66044. Representative: D. S. Hults, P.O. Box 225, Lawrence, KS 66044. *Materials, equipment and supplies used in the production, manufacturing and distribution of fiberglass reinforced plastics;* from Los Angeles, CA: Oxnard, CA; Pryor, OK; Houston, TX; Deer Park, TX; Amarillo, TX; to Orlando, FL; Woodstock, IL; Goshen, IN; Dayton, OH. Restricted to traffic destined to the plantsite and storage facilities of the distribution centers of Great Lakes Terminal Transport located at the destination points above listed. Further restricted against distribution in tank vehicles and commodities in bulk, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Great Lakes Terminal & Transport, 1750 N. Kingsbury, Chicago, IL. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 61403 (Sub-279TA), filed December 31, 1979. Applicant: THE MASON AND DIXON TANK LINES, INC., P.O. Box 969, U.S. Hwy 11–W, Kingsport, TN 37662. Representative: James P. Ray (same address as applicant). *Lacquer, in bulk, in tank vehicles,* from Rochester, PA to Shawnee, OK and Newport, AR, for 180 days. Supporting shipper(s): Mobil Chemical Company, Chemical Coatings Division, (Div. of Mobil Oil Corp.), 1024 South Avenue, Plainfield, NJ 07062. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 64832 (Sub-9TA), filed December 26,1979. Applicant: MAGNOLIA TRUCK LINE, INC., 3097 Fontaine Road, Memphis, TN 38116. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, Jackson, MS 39205. *General commodities (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment).* (a) Between Alexandria, LA and New Iberia LA: From Alexandria, LA over US Hwy 71 to its junction with US Hwy 167 near Lecompte, LA; then over US Hwy 167 to Lafayette, LA, then over US Hwy 90 to its junction with LA Hwy 14 near New Iberia, LA; then over LA Hwy 14 to New Iberia, LA and return over the same route serving all intermediate points, and Church Point and Eunice, LA as off-route points; (b) Between Lafayette, LA and Crowley, LA; from Lafayette, LA over US Hwy 90 to Crowley, LA and return over the same route, serving all intermediate points, for 180 days. An underlying ETA was denied. Applicant intends to tack this authority to their authority held in MC 64832 and subs thereto and also intends to interline with other carriers at all points of common joinder, including Memphis, TN; Natchez and Vicksburg, MS; and Alexandria and Lafayette, LA and proposes to serve points in the commercial zones of the communities sought to be served. Supporting shipper(s): There are 68 certificates of support attached and these are on file with the Commission in Washington, DC or may be located at the Commission's office in Memphis, TN. Send protests to: Diana J. Porter, Suite 2006—100 N. Main St., Memphis, TN 38103.

MC 64932 (Sub-609TA), filed December 18, 1979. Applicant: ROGERS CARTAGE CO., 10735 South Cicero Avenue, Oak Lawn, IL 60453. Representative: William F. Farrell, 10735 South Cicero Avenue, Oak Lawn, Il 60453. *Refined Vegetable Oils,* in bulk, in tank vehicles, from Opelousas, LA to points in AR, IL, IN, KS, KY, MO, MI, MD, OH, PA & TN, for 180 days. Supporting shipper(s): Lou Ana Foods, Inc., P.O. Box 591, Opelousas, LA 70570. Send protests to: Transportation Assistant, I.C.C.—RM 1386, 219 S Dearborn, Chicago, IL 60604.

MC 107002 (Sub-568TA), filed January 11, 1980. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, US Hwy. 80 W., Jackson, MS 39205. Representative: Larry M. Ford, P.O. Box 1123, Jackson, MS 39205. *Hydrogen peroxide,* in bulk, in shipper owned tank vehicles from Memphis, TN to points in the US (except AK and HI), for 180 days. Supporting shipper(s): E.I. du Pont de Nemours & Co., Inc., 1007 Market St., Wimington, DE 19898. Send protests to: Alan Tarrant, D/S, Federal Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 107012 (Sub-482TA), filed November 14, 1979. Applicant: NORTH AMERICAN VAN LINES, P.O. Box 988, Ft. Wayne, IN 46801. Representative:

David D. Bishop (same address as applicant). *Restaurant equipment and supplies* from the facilities of Bell Food Service, Inc. at or near Norwalk, CA to points in AR, CO, KS, LA, MN, NM, OK and TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Bell Food Services, Inc., 17381 Red Hill Avenue, Irvine, CA 92714. Send protests to: ICC, 219 South Dearborn Street, Room 1386, Chicago, IL 60604.

MC 107012 (Sub-483TA), filed December 13, 1979. Applicant: NORTH AMERICAN VAN LINES, INC., P.O. box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant). *Lawn mowers, rotary tillers, lawn and garden tractors, snow throwers, powered lawn and garden equipment, and parts and accessories therefor,* from the facilities of MTD Products-Brownsville, at or near Brownsville, TN to the facilities of Montgomery Ward and Co., at or near Chicago, Franklin Park, North Lake and Peoria, IL; Mishawaka, IN; Davenport and Des Moines, IA; Wichita, KS; Baltimore and Landover, MD; Allen Park and Grand Ledge, MI; St. Paul, MN; Kansas City; MO; Albany, NY; Akron and Sharonville, OH; Oklahoma City, OK; New Stanton, PA; Norfolk, VA; and Green Bay, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Montgomery Ward and Co., 1 Montgomery Ward Plaza, Chicago, IL 60671. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 107103 (Sub-24TA), filed September 7, 1979. Applicant: ROBINSON CARTAGE CO., 2712 Chicago Drive SW, Grand Rapids, MI 49508. Representative: Donald Sterken (same as applicant). *Iron and steel and iron and steel articles;* from the facilities of Jones & Laughlin Steel Co., at or near Cleveland, OH, to points in Indiana, Illinois, Michigan and Wisconsin. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Jones & Laughlin Steel Co., 3341 Jennings Road, Cleveland, OH 44101. Send protests to: C. R. Flemming, D/S I.C.C., 225 Federal Bldg., Lansing, MI 48933.

MC 107403 (Sub-1305TA), filed December 17, 1979. Applicant: MATLACK, INC., Ten West Baltimore Ave., Lansdowne, PA 19050. Representative: Martin C. Hynes, Jr. (same as applicant). *Ground limestone,* in bulk, in tank vehicles, from Talladega County, AL to points in IN, for 180 days. Supporting shipper(s): Sylacauga Calcium Products, P.O. Box 330, Sylacauga, AL 35150. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 108223 (Sub-28TA), filed December 18, 1979. Applicant: CENTURY–MERCURY MOTOR FREIGHT, INC., P.O. Box 43050, St. Paul, MN 55164. Representative: Julius F. Bonello (same address as applicant). *General Commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment),* between St. Paul, MN and Davenport, IA as an alternate route in connection with carriers regular route operations, for operating convenience only, serving no intermediate points: From St. Paul, MN over I-Hwy 35 to the junction with U.S. Hwy 18 near Clear Lake, IA, thence over U.S. Hwy 218 to its junction with I-Hwy 380 near Cedar Rapids, IA, thence over I-Hwy 380 to its junction with I-Hwy 80, thence over I-Hwy 80 to its junction with I-Hwy 280, thence over I-Hwy 280 to Davenport, IA and return over the same route for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): "Supported by applicant." Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 110012 (Sub-69TA), filed December 11, 1979. Applicant: ROY WIDENER MOTOR LINES, INC., 707 North Liberty Hill Rd., Morristown, TN 37814. Representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004. (1) *New furniture and furniture parts and* (2) *returned shipments of new furniture and materials and supplies used in the manufacture of new furniture (except commodities in bulk in tank vehicles),* (1) from points in McMinn County, TN to points in the U.S. in and east of MI, IL, MO, AR, & TX, and (2) from the above-named destinations to above origin, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Athens Furniture, Inc., P.O. Box 929, Athens, TN 32303. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 110563 (Sub-312TA), filed December 10, 1979. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, Sidney, OH 45365. Representative: Victor J. Tambascia (same address as applicant). *Food stuffs,* except in bulk, from the warehouse facilities utilized by Rich Products Corp. located at or near Logansport, IN to points in OH, MI, IL, KY and MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Rich Products Corp., 1145 Niagara St., Buffalo, NY 14213. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 111432 (Sub-4TA), filed December 31, 1979. Applicant: FRANK J. SIBR & SONS, INC., 5240 West 123rd Place, Alsip, IL 60658. Representative: Douglas G. Brown, The INB Center, Suite 555, Springfield, IL 62701. *Contract carrier:* irregular routes: *Liquid calcium chloride,* from Lemont, IL to points in IN, IA, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sicalco, Ltd., 5240 W. 123rd Place, Alsip, IL 60658. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111812 (Sub-710TA), filed December 12, 1979. Applicant: MIDWEST COAST TRANSPORT, INC., 1600 E. Benson Road (P.O. Box 1233), Sioux Falls, SD 57104. Representative: Lamoyne Brandsma (same address as applicant) *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment due to size and weight),* from the facilities of Minnesota Mining and Manufacturing Company located at or near Ames, IA to points in CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Minnesota Mining & Manufacturing Co., 3M Center, St. Paul, MN 55101. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111812 (Sub-711TA), filed December 18, 1979. Applicant: MIDWEST COAST TRANSPORT, INC., 1600 E. Benson Road (P.O. Box 1233), Sioux Falls SD 57104. Representative: Lamoyne Brandsma (same address as applicant). *Frozen foods,* from the facilities of Packers Cold Storage located at Laramie, WY to points in IL, IN, IA, KS, MD, MA, MI, MN, MO, NE, NJ, NY, ND, OH, PA, SD, WI and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Idaho Frozen Foods Corporation, P.O. Box 128, Twin Falls, ID 83301. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111812 (Sub-712TA), filed December 18, 1979. Applicant: MIDWEST COAST TRANSPORT, INC., 1600 E. Benson Road (P.O. Box 1233), Sioux Falls, SD 57104. Representative: Lamoyne Brandsma (same address as applicant). *Confectioneries, dessert preparations and almonds,* from points in CA to the facilities of L.S. Heath & Sons, Inc. located at Robinson, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): L.S.

Heath & Sons, Inc., P.O. Box 679, 206 South Jackson, Robinson, IL 62454. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111812 (Sub-713TA), filed December 20, 1979. Applicant: MIDWEST COAST TRANSPORT, INC., 1600 East Benson Road (P.O. Box 1233), Sioux Falls, SD 57104 (57101). Representative: Lamoyne Brandsma, (same address as applicant). *Such commodities as are dealt in and distributed by retail home entertainment and music store outlets,* (1) from Los Angeles, CA and Commercial Zone to Indianapolis, Terre Haute and Richmond, IN; Bensenville, Pinckneyville, Jacksonville and Chicago, IL and Commercial Zone; and St. Louis, MO and Commercial Zone; and (2) from Los Angeles, CA and Commercial Zone; Indianapolis, Terre Haute and Richmond, IN; Bensenville, Pickneyville, Jacksonville and Chicago, IL and Commercial Zone; and St. Louis, MO and Commercial Zone to Minneapolis St. Paul, MN and Commercial Zone for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pickwick International, Inc., 7500 Excelsior Boulevard, Minneapolis, MN 55426. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111812 (Sub-714TA), filed December 26, 1979. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 1233, Sioux Falls, SD 57101. Representative: Lamoyne Brandsma, P.O. Box 1233, Sioux Falls, SD 57101. *Confectionary, NOI,* from points in CA to the facilities of Rose Confections, Inc. located at Plymouth, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Rose Confections, Inc., 700 Berkshire Lane, Plymouth, MN 55411. Send protests to: Transportation Assistant, ICC—Rm 1386, 219 S. Dearborn, Chicago, IL 60604.

MC 112713 (Sub-295TA), filed December 28, 1979. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, Shawnee Mission, KS 66207. Representative: William F. Martin, Jr., P.O. Box 7270, Shawnee Mission, KS 66207. *General Commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, and commodities requiring special equipment), serving the facilities of Wm. Wrigley Company at or near Flowery Branch, GA, as an off-route point in connection with carrier's otherwise authorized operations, for 180 days. Applicant intends to tack the authority sought with its authority in MC–112713. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wm. Wrigley Jr. Co., 410 N. Michigan Ave., Chicago, IL 60611. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 113362 (Sub-379TA), filed November 14, 1979. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. *such materials, equipment, ingredients, and supplies as are used in the manufacturing and distribution of veterinary supplies, animal drugs and medicines, feeds, and supplemental powders (except in bulk), when moving in vehicles equipped with protective service,* from points in MA, NY, NJ, MD, PA, VA, WV, and Charleston, SC, to Charles City, IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Salsbury Laboratories, 2000 Rockford Rd., Charles City, IA 50616. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 113362 (Sub-381TA), filed December 3, 1979. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. (1) *pet food mix (except in bulk)* from the facilities of Geo. A. Hormel & Co. at or near Davenport, IA, to points in IL, KS, MN, MO, NE, SD, and WI; and (2) *pork skins and trimmings* in the reverse direction, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Geo. A. Hormel & Co., P.O. Box 800, Austin, MN 55912. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 114273 (Sub-690TA), filed December 5, 1979. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core, (same address as applicant). *printed matter and materials, equipment, and supplies used in the manufacture and distribution of printed matter (except commodities in bulk)* (1) between Chicago, IL; Indianapolis, IN; Versailles and Lexington, KY; Taunton, MA; Ossining, NY; and Nashville, TN, and their commercial zones; and (2) between points in (1) above, on the one hand, and, on the other, points in CO, CT, DE, IL, IN, IA, KS, KY, ME, MD, MA, MI, MN, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI, and DC, for 180 days. An underlying ETA seeks 90 days authority. NOTE: Common control may be involved. Supporting shipper(s): Rand McNally & Company, 8255 N. Central Park Ave., Skokie, IL 60075. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 114273 (Sub-691TA), filed November 30, 1979. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core, (same address as applicant). *commodities (except in bulk) as are dealt in by wholesale, retail, and chain grocery and food business houses* from the facilities of the Drackett Company (1) at Urbana, OH, to Saylesville, RI; Elizabeth, NJ; Liverpool, NY; Richmond, VA; and Hanover and Philadelphia, PA; (2) from Franklin, KY, to Liverpool, NY; Saylesville, RI; and Hanover and Philadelphia, PA; and (3) from East Stroudsburg, PA, to Richmond, VA, for 180 days. An underlying ETA seeks 90 days authority. NOTE: Common control may be involved. Supporting shipper(s): The Drackett Company, Cincinnati, OH. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 116092 (Sub-8TA), filed January 21, 1980. Applicant: E. J. PERSONS TRANSPORT LTD, 411 Riviere, Cowansville, Quebec, Canada J2K 1N4. Representative: John de la Mare, (same address as applicant). *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the port of entry on the International Boundary Line between the United States and Canada, located at or near Highgate Springs, VT, on the one hand, and, on the other, Highgate Springs, VT for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Allied Air Freight Corporation, Williston, VT 05495. Central Vermont Railway, Inc., 2 Federal Street, St Albans, VT 05478. Send protests to: Carol A. Perry, TA, ICC, PO Box 548, Montpelier, VT 05602.

MC 118202 (Sub-148TA), filed December 18, 1979. Applicant: SCHULTZ TRANSIT, INC., 323 Bridge Street, Winona, MN 55987. Representative: Eugene A. Schultz, 323 Bridge St., P.O. Box 406, Winona, MN 55987. *Foodstuffs, except in in bulk in tank vehicles,* from the facilities of Sanna Division of Beatrice Foods Co. at Menomonie, Cameron, Vesper, Wisconsin Rapids and Eau Claire, WI to points in the U.S., except AK and HI. Restricted to the traffic of Sanna Division, Beatrice Foods Co., originating at the above origins and destined to the named destinations for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sanna, Division

of Beatrice Foods Co., P.O. Box 8046, 6501 Grand Teton Plaza, Madison, WI 53708. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 119493 (Sub-346TA), filed December 21, 1979. Applicant: MONKEN COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone, (same as applicant). *Lard in containers* from Carthage, MO and its commercial zone to New Orleans, LA and its commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Inland Products, Inc., 545 N. Main St., Carthage, MO 64836. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 119493 (Sub-347TA), filed January 2, 1980. Applicant: MONKEN COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone, P.O. Box 1196, Joplin, MO 64801. *Canned and preserved foodstuffs,* from facilities of Heinz USA at or near Muscatine and Iowa City, IA to points in KY and TN. Restricted to traffic originating at named facilities and destined to named states, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Heinz USA, P.O. Box 57, Pittsburgh, PA 15230. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 119702 (Sub-75TA), filed December 5, 1979. Applicant: STAHLY CARTHAGE CO., 119 S. Main St., P.O. Box 486, Edwardsville, IL 62025. Representative: E. Stephen Heisley, 666 Eleventh Street, N.W., Washington, D.C. 20001. *Liquid Fertilizer, in bulk, in tank vehicles,* from Fort Madison, IA and points within ten miles of Fort Madison, IA, to points in IL, IN, IA, KS, KY, MI, MN, MO, NB, ND, OH, SD, and WI for 180 days. Supporting shipper(s): FirstMiss Inc., P.O. Box 328, Fort Madison, IA 52627. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 123613 (Sub-20TA), filed December 10, 1979. Applicant: CLAREMONT MOTOR LINES, INC., 2800 N. Tryon St., Charlotte, NC 28206. Representative: D. R. Beeler, 9041 Executive Park Dr., Suite 110, Bldg. 100, Knoxville, TN 37919. *General commodities (except those of unusual value, requiring the use of special equipment because of size or weight, Classes A and B explosives and household goods as defined by the Commission)* from the facilities of the Empire State Shippers Association, located at or near Buffalo, NY to Atlanta, GA; Orlando, Jacksonville, Miami and Tampa, FL; and Dallas and Houston, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Empire State Shippers Association, PO Box 1185, Buffalo, NY 14240. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 126473 (Sub-45TA), filed December 7, 1979. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, IA 52580. Representative: Kenneth F. Dudley, P. O. Box 279, Ottumwa, IA 52501. *liquid fertilizer, in bulk, in tank vehicles,* from the facilities of First Miss, Inc. at or near Ft. Madison, IA, to points in IL, IN, IA, KS, KY, MI, MN, MO, NE, ND, OH, SD, and WI, for 180 days. Supporting shipper(s): First Miss, Inc., P.O. Box 328, Ft. Madison, IA 52627. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 126473 (Sub-46TA), filed November 30, 1979. Applicant: HAROLD DICKEY TRANSPORT, INC., Packwood, IA 52580. Representative: Kenneth F. Dudley, P. O. Box 279, Ottumwa, IA 52501. (1) *pet food mix (except in bulk)* from the facilities of Geo. A. Hormel & Co. at Davenport, IA, to points in IL, KS, MN, MO, NE, SD, and WI and (2) *hog and pig skins and trimmings* in the reverse direction, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Geo A. Hormel & Co., P. O. Box 800, Austin, MN 55912. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 126822 (Sub-79TA), filed January 3, 1980. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Highway, Olathe, KS 66061. Representative: Kenneth E. Smith, (same as applicant). (1) *Abrasive grain in containers, (2) materials and supplies used in the manufacture and distribution of the commodities in* (1) above between the facilities of Sunbelt Industries, Inc., at or near Little Falls, NY, on the one hand, and on the other, points in the U.S. (except AK and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sunbelt Industries, Inc., 200 N. Villa, P.O. Box 82823, Oklahoma City, OK 73148. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 127812 (Sub-28TA), filed December 12, 1979. Applicant: TYSON TRUCK LINES, INC., 185–5th Ave. S.W., New Brighton, MN 55112. Representative: ROBERT P. SACK, P.O. Box 6010, West St. Paul, MN 55118. *Meat, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses, as described in Sections A, B, C, and D of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk),* between the facilities of Dubuque Packing Company located at or near Dubuque, Vinton, Dennison, and LaMars, IA; Omaha, NE; Mankato and Wichita, KS; on the one hand, and points in MN, ND, Upper Peninsula of MI, and Ashland, Barron, Bayfield, Buffalo, Burnett, Clark, Chippewa, Douglas, Dunn, Eau Claire, Iron, Jackson, LaCrosse, Oneida, Pepin, Pierce, Polk, price, Rusk, Sawyer, St. Croix, Trempealeau, Washburn, and Vilas Counties, WI on the other hand for 180 days. Supporting shipper(s): Dubuque Packing Company, 16th & Sycamore St., Dubuque, IA 52001. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 128333 (Sub-3TA), filed January 8, 1980. Applicant: LES CALKINS TRUCKING, INC., 19501 North Highway 99, Acampo, CA 95220. Representative: Michael V. Thomas (same address as applicant). *Rock, Sand and Gravel, in specialized hi cube transfer equipment* from Dayton, NV to Sacramento, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Tecon-Pacific, Inc., 1980 South River Road, West Sacramento, CA. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 128333 (Sub-4TA), filed January 8, 1980. Applicant: LES CALKINS TRUCKING, INC., 19501 North Highway 99, Acampo, CA 95220. Representative: Michael V. Thomas (same address as applicant). *Rock, Sand and Gravel, and aggregates, in bulk, in special hi-side transfer equipment,* from Auburn, CA to all points in NV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Joe Chevreaux Ready Mix Concrete, 890 Grass Valley Road, Auburn, CA 95603. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA.

MC 128543 (Sub-22TA), filed October 1, 1979. Applicant: CRESCO LINES, INC., 13900 South Keeler Avenue, Crestwood, IL 60445. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Pulpboard, wallboard and fiberboard,* from the facilities used by Owens Corning Fiberglas Corporation at or near Meridian, MS to points in CT, IL, IN, NJ, NY, OH, & PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Owens Corning Fiberglas Corporation, Fiberglas Tower, Toledo, OH 43659.

Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 128573 (Sub-11TA), filed November 23, 1979. Applicant: BARNETT TRUCK LINES, INC., 3404 Wheat St., Kinston, NC 28501. Representative: Vaughan S. Winborne, 1108 Capital Club Building, Raleigh, NC 27601. *Lumber and lumber mill products, forest products, raw and manufactured, wood products and sawmill products* between points in NC, on the one hand, and points in VA, MD, DC, WV, KY, TN, SC and GA, on the other hand, for 180 days. Supporting shipper(s): Coastal Lumber Company, P.O. Box 829, Weldon, NC 27890. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 1341832 (Sub-39TA), filed December 26, 1979. Applicant: ALLIED TRANSPORTATION SERVICES, INC., P.O. Box 7424, Shawnee Mission, KS 66207. Representative: Tom B. Kretsinger, 20 East Franklin, Liberty, MO 64068. *Frozen foodstuffs, including vegetables, fruits, fish and prepared foods* from Seabrook and Vineland, NJ to points in PA, OH, IN, IL, MI, WV, KY, TN, MO and KS for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Seabrook Foods, Inc., Seabrook, NJ 08302. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

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MC 134282 (Sub-22TA), filed December 26, 1979. Applicant: ENNIS TRANSPORTATION CO., INC., P.O. Drawer 776, Ennis, TX 75119. Representative: William D. White, Jr., 4200 Republic National Bank Tower, Dallas, TX 75201. *Building materials/ (except in bulk) consisting of, but not limited to, asphalt roofing products, including shingles, rolled roofing, saturated felt and materials use in the installation and manufacturing of roofing products.* From the facilities of Elk Corporation of Texas at Ennis, TX to points, in AL, AZ, AR, CA, CO, IL, IA, KS, KY, LA, MS, MO, NE, NV, NM, OK, TN, and UT, for 180 days. Supporting shipper(s): Elk Corporation of Texas, P.O Box 500,, Ennis, TX 75119. Send protests to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600, Ft. Worth, TX 76102.

MC 145762 (Sub-11TA), filed December 26, 1979. Applicant: JOHN H. NEAL, INC., P.O. Box 3877, Ft. Smith, AR 72913. Representative: Don A. Smith, P.O. Box 43, Ft. Smith, AR 72902. Contract carrier over irregular routes: (1) *New furniture,* crated and uncrated, from Ft. Smith, AR to points in the U.S. (except AK and HI), (2) *Equipment, materials and supplies* used in the manufacture and distribution of the commodities in (1) from points in the U.S. (except AK and HI) to Ft. Smith, AR for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Garrison Furniture Company, Ft. Smith, AR 72901. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 135982 (Sub-30TA), filed January 9, 1980. Applicant: S. L. HARRIS, d.b.a. PBI, P.O. Box 7130, Longview, TX 75602. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. Contract, irregular; *Malt beverages, promotional advertising, pallets and dunnage, display materials and empty malt beverage containers* from the facilities of Miller Brewing Company located at Fort Worth, TX to the Baton Rouge Beer Agency at Baton Rouge, LA for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Baton Rouge Beer Agency, 7808 Airline Highway, P.O. Box 66414, Baton Rouge, LA 70896. Send protests to: Ruth Allport, TCS, ICC, 411 W. 7th Street, Suite 600, Fort Worth, TX 76102.

MC 136343 (Sub-201TA), filed December 10, 1979. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Herbert R. Nurick, P.O. Box 1166, Harrisburg, PA 17108. *Machine made lamp bulbs, glass,* from Wellsboro, PA to the facilities of Action Tungsram, Inc. at or near East Brunswick, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Action Tungsram, Inc., 11 Elkins Road, East Brunswick, NJ 08816. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 136343 (Sub-202TA), filed December 10, 1979. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Herbert R. Nurick, Esq., P.O. Box 1166, Harrisburg, PA 17108. *Nonfrozen foodstuffs, except in bulk,* from the facilities of Golden Dipt Co. Division of DCA Food Industries Inc., located at or near Millstadt and East St. Louis, IL to points at or near Camp Hill, Allentown, and Philadelphia, PA; Boston, Gloucester, and New Bedford, MA; Richmond and Norfolk, VA; Cambridge, MD; Atlanta, Brunswick, Montezuma and St. Simons Isle, GA; New York, NY (commercial zone), and Syracuse, NY; Perth Amboy, NJ; and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Golden Dipt Co., Division of DCA Food Industries, Inc., 919 Third Ave., New York, NY 10022. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 136553 (Sub-94TA), filed November 30, 1979. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th St., Dubuque, IA 52001. Representative: William L. Fairbank, 1980 Financial Ctr., Des Moines, IA 50309. *Books, paper, paper products, and printed material* from Dubuque, IA, to points in IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): William C. Brown Company, Publishers, 2460 Kerper Blvd., Dubuque, IA 52001. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136553 (Sub-95TA), filed November 30, 1979. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th St., Dubuque, IA 52001. Representative: William L. Fairbank, 1980 Financial Ctr., Des Moines, IA 50309. *Veneer* from Dubuque, IA, to points in IL, IN, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): R. S. Bacon Veneer Company, P.O. Box 773, Dubuque, IA 52001. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 136553 (Sub-96TA), filed November 30, 1979. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th St., Dubuque, IA 52001. Representative: William L. Fairbank, 1980 Financial Ctr., Des Moines, IA 50309. *Construction materials (except in bulk)* from Dubuque, IA, to points in IL, IN, lower MI, OH, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Celotex Corporation, 1500 North Dale Mabry, Tampa, FL 33607. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 138762 (Sub-51TA), filed December 11, 1979. Applicant: MUNICIPAL TANK LINES LIMITED, P.O. Box 3500, Calgary, AB, Canada T2P 2P9. Representative: D. S. Vincent (same as applicant). *Polyvinyl Chloride (PVC pellets),* in bulk, from ports of entry on the U.S.-Canada International Bounday line located in NY to Dover, DE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The B. F. Goodrich Chemical Group, 6100 Oak Tree Blvd., Cleveland, OH 44131. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 138882 (Sub-344TA), filed December 27, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Box 707, Troy, AL 36081. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, BA 22210. *Beverages (except in bulk),* from the facilities of Shasta

Beverages, Inc., located at or near Birmingham, AL, to points in GA, FL, LA, MS, and TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Shasta Beverages, Inc., 26901 Industrial Blvd., Hayward, CA 94545. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 138882 (Sub-345TA), filed January 2, 1980. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (address same as the address of the applicant). *Such commodities as are dealt in and sold by Wholesale Electric Storage Battery and Gold Cart distributorships (except commodities in bulk, in tank vehicles)*, between the plantsite of Dynacraft Corp. located at or near Troy, AL, on the one hand, and, on the other Atlanta, GA, Jacksonville and Miami, FL, Baton Rouge, LA, Wichita, KS, Charleston and Sumter, SC and Candler, Charlotte, and Raleigh, NC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Dynacraft Corp., Henderson Hwy. Industrial Park, Troy, AL 36081. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 140162 (Sub-4TA), filed December 7, 1979. Applicant: SCHNEIDER MOTORWAYS, INC., R.R. 1, Postville, IA 52162. Representative, Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309. (1) *cheese* from the facilities of Gunder Coop Cheese Factory at or near Postville, IA, to Plymouth, WI, and Van Wert, OH, and (2) materials and supplies used in the manufacture and distribution of cheese in the reverse direction, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gunder Coop Cheese Factory, R.R. 1, Box, 95, Postville, IA 52162. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 140612 (Sub-79TA), filed November 14, 1979. Applicant: ROBERT F. KAZIMOUR, P.O. Box 2207, Cedar Rapids, IA 52406. Representative: J. L. Kazimour (same address as applicant). (1) *such merchandise as is dealt in or used by wholesale, retail, institutional, industrial, and chain grocery and feed business houses and vending companies and (2) materials, equipment, supplies, and ingredients used in the manufacture, sale, and distribution of (1) above (except commodities in bulk, in tank vehicles)* between points in the United States in and west of MI, OH, KY, TN, NC, SC, GA, and FL, for 180 days, restricted to traffic originating at or destined to the facilities of the Carnation Co. An underlying ETA seeks 90 days authority. Supporting shipper(s): Carnation Co., 5045 Wilshire Blvd., Los Angeles, CA 90036. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 141932 (Sub-24TA), filed January 16, 1980. Applicant: POLAR TRANSPORT, INC., 176 King Street, Hanover, MA. 02339. Representative: A. C. Gardner, 176 King Street, Hanover, MA. 02339. *Lighting fixtures, lighting fixture parts and lighting fixture accessories*, from Cochran and Conyers, GA and Crawfordsville, IN to points in the United States in and east of MN, IA, MO, AR and TX, for 180 days. An underlying ETA seeks 90 days authority. *Restricted to shipments originating at the facilities of Lithonia Lighting Company. Supporting shipper(s): Lithonia Lighting Company, 1335 Industrial Blvd., Conyers, GA 30207. Send protests to: John B. Thomas, D/S, I.C.C., 150 Causeway Street, Boston, MA. 02114.

MC 142603 (Sub-22TA), filed January 2, 1980. Applicant: CONTRACT CARRIERS OF AMERICA, INC., P.O. Box 1968, Springfield, MA 01101. Representative: S. Michael Richards, P.O. Box 225, 44 North Avenue, Webster, NY 14580. Contract carrier: irregular routes: *Paper, computing machine; forms, circulars, books, booklets, leaflets, pamphlets, sheets, price lists, plastic binders and envelopes*, between Clifton, NJ and all points in AZ, CA, CO, CT, FL, GA, IL, IN, KS, LA, MD, MA, MI, MN, MO, NY, OH, OR, PA, RI, TN, TX and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Automatic Data Processing, Inc., 405 Route 3, Clifton, NJ 07015. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 142672 (Sub–117TA), filed January 4, 1980. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *Baked goods* from the facilities of Wortz Baking Company, at or near Ft. Smith, AR, to points in CA, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Wortz Company, Inc., P.O. Box 1059, Ft. Smith, AR 72901. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 143702 (Sub–10TA), filed December 28, 1979. Applicant: ALL FREIGHT SYSTEMS, INC., 1026 South 10th St., Kansas City, Kansas 66105. Representative: Donald J. Quinn, Suite 900, 1012 Baltimore, Kansas City, MO 64105. *Automotive parts and accessories*, and materials, supplies and equipment used in their manufacture and distribution between the facilities of Standard Motor Products, Inc., at Edwardsville, KS, on the one hand, and, on the other, Bronx, NY, Dallas and Houston, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Standard Motor Products, Inc., 845 South 9th St., Edwardsville, KS 66113. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 144472 (Sub–4TA), filed January 8, 1980. Applicant: TEXAS INTER-MOUNTAIN TRANSPORTATION, INC., 6161 W. 29th Place, Wheat Ridge, CO 80214. Representative: Edward C. Hastings, 666 Sherman St., Denver, CO 80203. *Paint and Paint Products*, from Houston, TX to points in OK and NM, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: PPG Industries, Inc., One Gateway Center, Pittsburgh, PA 15222. Send protests to: District Supervisor R.L. Buchanan. 492 U.S. Customs House, 721 19th St., Denver, CO 80202.

MC 144622 (Sub–137TA), filed December 31, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343 Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Lighters, lighter fuels and accessories, electrical appliances*, between facilities of Ronson, Inc. on the one hand, and on the other, Reno and Sparks, NV, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Ronson Corporation, One Ronson Rd., Woodbridge, NJ 07095. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub–138TA), filed January 3, 1980. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Such commodities* as are dealt in by wholesale, retail and chain grocery and food business houses (except frozen commodities and commodities in bulk), from the facilities of the Clorox Company at Houston, TX to points in LA, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: The Clorox Company, 1221 Broadway, Oakland, CA 94612. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145152 (Sub-168TA), filed January 4, 1980. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Representative: Don Garrison, P.O. Box

1065, Fayetteville, AR 72701. *Canned foods* from the facilities of Campbell Soup Company, at or near Paris, TX to point in IL, KY and MO, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Campbell Soup Company, P.O. Box 116, Paris, TX 75460. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145492 (Sub-3TA), filed January 4, 1980. Applicant: RICCIONI CORPORATION, 130 Cedar Grove Road, Somerville, NJ 08876. Representative: Martin M. Geffon, 155 Canterbury Road, Mt. Laurel, NJ 08054. Contract carrier, irregular routes for 180 days. Drugs, medicines, and proprietory pharmaceuticals (except in bulk) from the facilities utilized by Ciba-Geigy Corporation in NJ to facilitites utilized by Ciba-Geigy Corporation in IL. An underlying ETA seeks 90 days authority. Supporting shipper: Ciba-Geigy Corporation, Pharma, Div., 14 Henderson Drive, West Caldwell, NJ 07006. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 145513 (Sub-13TA), filed December 31, 1979. Applicant: SERVICE TRANSPORTATION, INC., P.O. Box 732, Fayette, ID 83661. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. *Coal in packages,* from the facilities of Rynco Industries, Inc., at or near Payette, ID to points in CA, NV, OR, UT & WA, for 180 days. An underlying ETA seeks 90 days authority. (Contract, irregular). Supporting shipper: Rynco Industries, Inc., P.O. Box 40, Fayette, ID 83661. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 145702 (Sub-5TA), filed December 21, 1979. Applicant: TRANSURFACE CARRIERS, INC., P.O. Box 271, Northboro, MA 01532. Representative: Bernard P. Rome, 31 Milk Street, Boston, MA 02109. Contract, Irregular, *buffing, polishing, cleaning, scouring, and washing compounds, wax, soap, paints, stains, varnishes, lacquers and shellac, (except in bulk)* from Marlborough, MA to points in AL, AR, CO, FL, GA, IL, IA, IN, KS, KY, LA, MI, MN, MS, MO, NE, NC, OH, OK, PA, SC, TN, TX, VA, WV, and WI under a continuing contract with The Butcher Polish Company of Marlborough, MA. For 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Butcher Polish Company, 120 Bartlett Street, Marlborough, MA 01752. Send protests to: John B. Thomas, D/S I.C.C., 150 Causeway Street, Boston, MA 02114.

MC 145753 (Sub-3TA), filed January 2, 1980. Applicant: C & K BROKERAGE, INC., d.b.a. NORTHERN TRANSPORTATION, RD. 1, Gouverneur, NY 13642. Representative: Dixie C. Newhouse, 1329 Pennsylvania Avenue, P.O. Box 1417, Hagerstown, MD 21740. *Contract carrier,* irregular routes. *Printing paper, waste paper, waste paper for recycling and processed waste paper, and materials and supplies* (except in bulk) *used in the manufacture and disribution thereof,* between Ogdensburg, NY and it commercial zone on the one hand, and, on the other, points in the US in and east of MN, IA, MO, AR, and LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: St. Lawrence Pulp and Paper Corp., P.O. Box 699, Ogdenburg, NY. Send protests to: Carol A. Perry, TA, ICC, P.O. Box 548, Montpelier, VT 05602.

MC 145842 (Sub-11TA), filed December 5, 1979. Applicant: SUNDERMAN TRANSFER, INC., P.O. Box 63, Windom, MN 56101. Representative: Carl E. Munson, 469 Fischer Building, Dubuque, IA 52001. *Meat and meat products,* from the facilities of John Morrell & Co., Estherville, IA, to points in FL for 180 days. Supporting shipper(s): John Morrell & Co., 208 S. LaSalle St., Chicago, IL 60604. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 146102 (Sub-8TA), filed January 17, 1980. Applicant: TAMWAY CORPORATION, P.O. Box 771, Simpsonville, SC 29681. Representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687. *(1) Hand tools, hand operated hoists, hand operated shop presses, and electric band saws; and (2) Materials, equipment and supplies used in the manufacture and sale of the commodities in (1) above (except commodities in bulk and commodities which because of size or weight require the use of special equipment),* between Greenville, SC, on the one hand, and, on the other, points in the United States (except AL and HI), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: International Tool & Equipment Co., Inc., P.O. Box 4254, Greenville, SC 29608. Send protests to: E. E. Strotheid, D/S, ICC, 866 Strom Thurmond Federal Building, 1835 Assembly Street, Columbia, SC 29201.

MC 146532 (Sub-2TA), filed January 3, 1980. Applicant: INTERWEST TRUCKING, INC., 7268 S. Broadway, Cortez, CO 81321. Representative: David E. Driggers, Suite 1600, Lincoln Center, 1660 Lincoln Street, Denver, CO 80264. *Sulphuric Acid, in bulk in tank vehicles,* from Thompson, UT and Morenci, AZ to Church Rock and Bluewater, NM, for 180 days. An underlying ETA requesting up to 90 days authorized. Supporting shipper: Chemical Marketing Services, Suite 300, 5680 S. Syracuse Circle, Englewood, CO 80111. Send protests to: District Supervisor H.C. Ruoff, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202.

MC 146643 (Sub-27TA), filed November 7, 1979. Applicant: DAVID CREECH TRANSPORTATION SYSTEMS, INCORPORATED, 655 E. 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier:* irregular routes: *Insulating materials and products used in the installation thereof,* from Alexandria, IN and Cameron, MO to points in IL, IN, IA, the Lower Peninsula of MI, MN, MO, OH & WI for 180 days. Supporting shipper: Rockwool Industries, Inc., P.O. Box 5170, Denver, CO 80217. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 146643 (Sub-28TA), filed November 6, 1979. Applicant: DAVID CREECH TRANSPORTATION SYSTEMS, INCORPORATED, 655 E. 114th St., Chicago, IL 60628. Representative: Marc J. Blumenthal, 39 S. LaSalle St., Chicago, IL 60603. *Contract carrier:* irregular routes: *Tin plate,* from points in IN and IL within the Chicago Commercial Zone to Lima, OH, for the account of Libby, McNeill & Libby, for 180 days. Supporting shipper: Libby, McNeill & Libby, 5555 W. 115th St., Worth, IL 60482. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn St., Rm. 1386, Chicago, IL 60604.

MC 147042 (Sub-1TA), filed January 8, 1980. Applicant: SEARS TRUCKING, INC., 8023 East Slauson Avenue, Montebello, CA 90640. Representative: Robert Evans (same address as above). *Brass, bronze or copper, namely strips bars rods or tubing,* from Los Angeles County, CA to points and places in Arizona and Nevada, for 180 days. Supporting shipper: Anaconda Co., Inc., Dist. Traffic Mgr., 14900 Garfield, Ave., Paramount, CA 90723. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 148662 (Sub-1TA), filed November 13, 1979. Applicant: RONALD J. VASEK TRUCKING, INC., P.O. Box 591, Hereford, TX 79045. Representative: Richard Hubbert, Sims, Kidd, Hubbert & Wilson, P.O. Box 10236, Lubbock, TX 79408. *Meat and bone meal and dry rendered tankage,* in bulk, from points in Hale and Parmer Counties, TX, to points in AR, KS, OK and MO, for 180 days. Underlying ETA filed. Supporting

shipper: MBPXL Corporation, Corporate Traffic Dept., P.O. Box 2519, Wichita, KS 67201. Send protests to: Marianne Minnich, TCS, ICC, Rm. 9A27 Fed. Bldg., 819 Taylor St., Fort Worth, TX 76102.

MC 148713 (Sub-1TA), filed November 20, 1979. Applicant: NATIONAL TOWING SERVICE, INC., 254 Frey's Gin Rd., P.O. Box 565, Marietta, GA 30061. Representative: Ariel V. Conlin, 53 Sixth St., N.E., Atlanta, GA 30308. *Wrecked and disabled tractors and trailers, including those designed to be drawn by passenger vehicles and trucks in secondary movements, between points in GA, on the one hand, and points in AL, SC, NC, TN, FL, MS, and KY, on the other hand for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Feld Truck Leasing, 610 Trusco Way, S.W., Atlanta, GA, Tip Top Poultry, P.O. Box 6338 Station A, Marietta, GA 30062. Send protests to: Sara K. Davis, ICC, 1251 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.*

MC 148772 (Sub-2TA), filed November 1, 1979. Applicant: PRYDE CARRIERS, INC., 12212 Oak Park Ave., Palos Heights, IL 60463. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. *Contract carrier:* irregular routes: *Animal and vegetable oils,* from Tama, IA to Chicago, IL; from Chicago, IL to Davenport, IA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Darling & Company, 4650 S. Racine Ave., Chicago, IL 60609. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 148782 (Sub-1TA), filed January 10, 1980. Applicant: JUR CORPORATION d.b.a. RAJOR, INC., P.O. Box 756, 100 Beta Dr., Franklin, TN 37064. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Fireplaces and chimneys,* from the facilities of Marco Manufacturing, Inc. at or near Louisville, KY to points in and east of ND, SD, NE, KS, OK, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Marco Manufacturing, Inc., 2520 Industry Way, Lynwood, CA 90262. Send protests to: Glenda Kuss, TA, ICC, Suite A–422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

MC 148843 (Sub-1TA), filed December 11, 1979. Applicant: B. G. HOOKER TRANSPORT COMPANY, P.O. Box 428, Tenaha, TX 75974. Representative: Wilber Clayton Farr, Jr. (same as applicant). *Butene-1, Butadiene and Butylene* in bulk, in tank vehicles from the facilities of Petro-Tex Chemical Company, located at or near Houston, TX to Lake Charles, LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Petro-Tex Chemical Corp., 8600 Park Place Blvd., Houston, TX 77017. Send protests to: John F. Mensing, DS, ICC, 515 Rusk Ave. No. 8610, Houston, TX 77002.

MC 148852 (Sub-1TA), filed November 30, 1979. Applicant: LINDSEY M. ROBISON, d.b.a. MIDWEST CARPET CARRIERS, 1312 South Glenstone, Springfield, MO 65804. Representative: Lindsey M. Robison, (same as applicant). (1) *Artifical flowers and artifically manufactured wreaths, sprays, and arrangements* between points in Polk County, MO, on the one hand, and, on the other points in GA. (2) *Floor and wall covering and materials and supplies used in installation thereof* (a) between points in AR and MO, on the one hand, and, on the other points in AL, GA, MS, and TN. (b) between Greene County MO, on the one hand, and, on the other points in AR. for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Rogers & Baldwin Co., 1939 East Florida, Springfield, MO 65803; C&C Floor Covering, Inc., 524 College, Springfield, MO 65806; Midwest Rug Company, 1312 S. Glenstone, Springfield, MO 65804; Midco Carpet Distributors, 330 N. Kansas, Springfield, MO 65804; Midwest Rug Company, P.O. Box 1634, Jonesboro, AR 72401; Teters Floral Products Co., 1425 Lillian Ave., Bolivar, MO 65613. Send protests to: Vernon V. Coble, DS, ICC, 911 Walnut St., Kansas City, MO 64106.

MC 148852 (Sub-2TA), filed November 30, 1979. Applicant: LINDSEY M. ROBISON, d.b.a. MIDWEST CARPET CARRIERS, 1312 South Glenstone, Springfield, MO 65804. Representative: Lindsey M. Robison (same as applicant). (1) *Artifical flowers and artifically manufactured wreaths, sprays, and arrangements* between points in Polk County, MO, on the one hand, and, on the other points in GA. (2) *Floor and wall covering and materials and supplies used in installation thereof* (a) between points in AR and MO, on the one hand, and, on the other points in AL, GA, MS, and TN. (b) between Greene County MO, on the one hand, and, on the other points in AR for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Midco Carpet Distributors, 330 N. Kansas, Springfield, MO 65804. Send protests to: Vernon V. Coble, DS, ICC, 911 Walnut St., Kansas City, MO 64106.

MC 148872 (Sub-2TA), filed December 28, 1979. Applicant: H.O.H. COMPANY, INC., P.O. Box 637, Rossville, GA 30741. Representative: Jack Pearce, 1000 Connecticut Ave., NW., Washington, D.C. 20036. *Contract* carrier—irregular routes—*floor covering, floor tile, and the material used in the manufacturing and distributing thereof* between points in GA and TN on the one hand, and on the other hand, CO, MO, ID, OR, WA and British Columbia for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Lowe's Carpet Corp., Lowy Dr., P.O. Box 97, Chatsworth, GA 30705; North Georgia Shippers Assoc., P.O. Box 3427, 205 Bear Creek Rd., Dalton, GA; Cascade Carpet Mills, Inc., P.O. Box 638, Highway 411 North, Chatsworth, GA 30705. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW., Rm. 300, Atlanta, GA 30309.

MC 148873 (Sub-3TA), filed January 3, 1980. Applicant: ROAD CON SYSTEMS, INC., 2500 83rd Street, North Bergen, NJ 07047. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract* carrier, irregular routes for 180 days. Canned hams, from Port Elizabeth and Springfield, NJ to points in the US (except AK and HI); from Elkhart, IN to Greenville, SC. Under a continuing contract or contracts with Plumrose, Inc., Springfield, NJ. An underlying ETA seeks 90 days authority. Supporting shipper: Plumrose, Inc., 66 Fadem Road, Springfield, NJ 07081. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 148962 (Sub-1TA), filed January 8, 1980. Applicant: MELVIN D. McCORD d.b.a. McCORD DISTRIBUTING, P.O. Box 1907, Ada, OK 74820. Representative: Dean Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. *Chemicals,* except in bulk (1) from the facilities of Union Chemical Specialties, Inc., at or near Ada, OK, to points in Uinta County, WY; and (2) from Brownfield, TX, to the facilities of Union Chemical Specialities, Inc., at or near Ada, OK, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Union Chemical Specialties, Inc., 1120 North Mississippi, Ada, OK 74820. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 148982 (Sub-1TA), filed December 10, 1979. Applicant: AVONDALE TRUCKING COMPANY, P.O. Box 9178, Bridge City, LA 70094. Representative: Edward A. Winter, 235 Rosewood Dr., Metairie, LA 70005. *Empty cargo containers* from Mobile, AL to Avondale and New Orleans, LA, for 180 days. Applicant has filed an underlying ETA seeking 90 days. Supporting shipper(s): Strachan Shipping Co., 1600 American Bank Bldg., New Orleans, LA 70130; TTT Ship Agencies, Inc., 2200 ITM Bldg., New Orleans, LA 70130; American President

Lines, Canal Place One, 345 Canal St., New Orleans, LA 70130. Send protests to: Robert J. Kirspel, DS, ICC, T–9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 148992 (Sub-1TA), filed January 4, 1980. Applicant: ERNEST W. JETT and JAMES R. BAREFOOT, d.b.a. J AND B PIGGYBACK SERVICE, P.O. Box 113, Seville, GA 31084. Representative: C. E. Walker, P.O. Box 1085, Martin Building, Columbus, GA 31902. *General commodities (except commodities in bulk), having prior or subsequent movement by rail in TOFC service* between railroad ramps in Cordele, GA, on the one hand, and on the other, points in Ben Hill, Bibb, Coffee, Crisp, Dodge, Dooly, Dougherty, Houston, Laurens, Macon, Peach, Pulaski, Sumter, Telfair, Tift, Toombs, Turner, Wilcox, Wheeler, and Worth Counties, GA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 7 supporting shippers. Their statements may be examined at the office listed below and headquarters. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 149002 (Sub-1TA), filed December 12, 1979. Applicant: CAMPBELL CARTAGE COMPANY, 1109 E. Second St., Maryville, MO 64468. Representative: Herman W. Huber, 101 East High St., Jefferson City, MO 65101. *General commodities,* except those of unusual value, Class A & B livestock, household goods, as defined by the Commission, commodities in bulk and commodities requiring special equipment between Maryville, MO and Kansas City, MO, from Maryville, MO over U.S. Hwy 71 to its junction with I–29, thence over I–29 to Kansas City and return over the same route, serving between Kansas City and Maryville and off route points in Nodaway County, MO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): 19 supporting statements that can be viewed at Kansas City field office or in Washington, D.C. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 149022 (Sub-1TA), filed November 30, 1979. Applicant: J. C. TRUCKING, 52621 Fir Road, Granger, IN 46530. Representative: Dennis P. Carrico, 2626 Northwood, Mishawaka, IN 46544. *Contract Carrier:* irregular routes: *Lumber and building materials* sold at retail by Wickes Lumber to its customers, from Huntertown, IN to its customers located within a radius of 75 miles thereof, with right of return of merchandise to the aforementioned outlets, for 180 days, for the account of Wickes Lumber. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wickes Lumber, Div. of Wickes Corp., 3226 Lafayette Road, Indianapolis, IN 46222. Send protests to: Transportation Assistant, I.C.C., Rm. 1386, 219 S. Dearborn, Chicago, IL 60604.

MC 149112F (TA), filed January 8, 1980. Applicant: FLORIDA-NEW ORLEANS EXPRESS, INC., 635 North Wabash St., Lakeland, FL 33801. Representative: Rudy Yessin, 314 Wilkinson St., Frankfort, KY 40601. *Fresh citrus products in bottles, cartons and cans* from the facility of Tropicana Products Co. in Nanatee County, FL, to New Orleans, LA, St. Louis, MO, Indianapolis, IN, Minneapolis, St. Paul and Hopkins, MN for 180 days. Supporting shipper(s): National Tea Company, 1807 Richmond Rd., Lakeland, FL 33803. Send protests to: Donna M. Jones, T/A, ICC–BOp, Monterey Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 149132 (Sub-1TA), filed December 26, 1979. Applicant: T&T HAULING, INC., 231 Bayou Sara Ave., Saraland, AL 36571. Representative: Terry Simison, address same as the address of the applicant. *Calcium chloride, brines, acids and drilling fluids,* in vacuum transports, between the facilities and jobsites of Dowell Division of Dow Chemical Corp. and Seachem Corp., in AL, FL, LA and MS, on the one hand, and, on the other, points in AL, FL, LA, and MS, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Dowell Division of The Dow Chemical Co., P.O. Box 11493, Chickasaw, AL 36611. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Brimingham, AL 35203.

MC 149162 (Sub-1TA), filed January 3, 1980. Applicant: A L N CHEMICAL PACKAGING CO., 581 Webb Industrial Drive, Marietta, GA 30062. Representative: William Addams, Ste. 212, 5299 Roswell Rd., N.E., Atlanta, GA 30342. *Contract* carrier—irregular routes *(1) chemicals for water treatment, in cartons, bags and metal drums, and (2) cleaning compounds, in cartons, bags and metal drums, and equipment for same* (1) from the facility of Calgon Corporation, at St. Louis, MO, to their warehouse at Atlanta, GA and (2) from the facility of Calgon Corporation at Elwood City, PA, to their warehouse at Atlanta, Ga for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Calgon Corporation, Box 1346, Pittsburgh, PA 15230. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

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MC 103993(Sub-1026TA), filed November 13, 1979. Applicant: MORGAN DRIVE AWAY, INC., 28651 US 20, Box 1168, Elkhart, IN 46515. Representative: James B. Buda (same address as applicant). (1) *Aluminum ingots and zinc alloy ingots* from the facilities of Aluminum Smelting and Refining Company, Inc., and/or Certified Alloys Company at or near Maple Heights, OH to points in the United States in and east of the states of ND, SD, NE, KS, OK, and TX, and (2) *Aluminum and zinc, materials, equipment, and supplies used in the manufacture of aluminum and zinc* from points in the United States in and east of the states ND, SD, NE, KS, OK, and TX to the facilities in (1) above, for 180 days. Supporting shipper(s): Aluminum Smelting & Refining Co., Inc., 5463 Dunham Road, Maple Heights, OH 44137. Send protests to: ICC, 219 S. Dearborn St., Room 1386, Chicago, IL 60604.

MC 107002 (Sub-567TA), filed December 14, 1979. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: Larry M. Ford (same as applicant). *Chemicals,* in bulk, from Birmingham, AL to points in GA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Crowley Chemical Co., 1261 Madison Ave., New York, N.Y. 10016. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

MC 108393 (Sub–146TA), filed December 18, 1979. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Avenue, Hinsdale, IL 60521. Representative: Thomas B. Hill, 201 East Ogden Avenue, Hinsdale, IL 60521. *Contract Carrier:* irregular routes: *Such commodities as are dealt in by Retail Department and Variety Stores,* except foodstuffs, those of unusual value, explosives, commodities in bulk, household movers gods and those requiring special equipment because of size or weight, between Baltimore, MD, Chicago, Des Plaines, IL, Memphis, TN, Minneapolis, MN, Dallas, TX, Seymour, IN, North Bergen, NJ, Kansas City, MO and Los Angeles, CA under a continuing contract or contracts with City Products Corp., its divisions and subsidiaries, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ben Franklin, 1700 So. Wolf Road, Des Plaines, IL 60018. Send protests to: Transportation Assistant, I.C.C., Rm 1386, 219 S. Dearborn, Chicago, IL 60604.

MC 111432 (Sub–3TA), filed November 14, 1979. Applicant: FRANK J.

SIBR & SONS, INC., 5240 W. 123rd Place, Alsip, IL 60658. Representative: DOUGLAS G. BROWN, P.C., The INB Center, Suite 555, Springfield, IL 62701. *Contract carrier:* irregular routes: *Petroleum and petroleum products, in bulk in tank vehicles,* from the plant site of Marathon Oil Company at Staley, IL to Benton County and Tippecanoe County, IN for the account of Texaco, Inc. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Texaco, Inc., P.O. Box 52332, Houston, TX 77052. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 111552 (Sub–4TA), filed November 9, 1979. Applicant: GERALD W. DUFFY d.b.a., S & S Trucking Co., 110 Pauline St., Crystal Lake, IL 60014. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. *Contract carrier:* irregular routes: *Concrete light poles:* from Menomonee Falls, WS to points in IL for 180 days. Supporting shipper(s): Great Lakes Concrete Products Corp., Box 157, Menomonee Falls, WS 53051. Send protests to: Transportation Assistant, ICC–219 S. Dearborn St., Rm 1386, Chicago, IL 60604.

MC 112822 (Sub–478TA), filed December 26, 1979. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, P.O. Box 1191, Cushing, OK 74023. Representative: Dudley G. Sherrill (same address as applicant). *Foodstuffs,* from Michigan City, IN and its commercial zone, to points in CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Party Cookies, Inc., 13153 S. Francisco, Blue Island, IL 60406. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 112822 (Sub–479TA), filed December 10, 1979. Applicant: BRAY LINES INCORPORATED, 1401 North Little Street, P.O. Box 1191, Cushing, OK 74023. Representative: Dudley G. Sherrill (same address as applicant). *Foodstuffs,* from the Chicago, IL commercial zone, to points in CA, KS, MO, OK, and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Party Cookies, Inc., 13153 S. Francisco, Blue Island, IL 60406; Fearn International, Inc., 9353 Belmont Ave., Franklin Park, IL 60131. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 114552 (Sub-247TA), filed December 19, 1979. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, SC 29108. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 2210. *Iron and Steel articles,* between the facilities of Oceana Corporation, at or near Darlington, SC, on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, KS, OK and TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Oceana Corporation, P.O. Box 273, Pawleys Island, SC 29585. Send protests to: E. E. Strotheid, D/S, ICC, 866 Strom Thurmond Fed. Bldg., 1835 Assembly St., Columbia, SC 29201

MC 114273 (Sub-689TA), filed November 14, 1979. Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core (same address as applicant). *Telephone equipment and materials and supplies used in the construction and maintenance of telephone systems* between the facilities of the Western Electric Company at or near Montgomery, AL; Chicago, IL; Indianapolis, IN; Underwood, IA; Goodard, KS; Baltimore, MD; Niles, MI; Omaha, NE; Kearny, NJ; Ramapo, NY; Columbus, OH; and Martinsburg (Tablers), WV, and points in CO, CT, DE, IA, IL, IN, KS, KY, MA, MI, MD, MN, MO, NE, NJ, NY, OH, OK, PA, RI, TX, VA, WI, WV, and DC, including points in the commercial zones of the above-mentioned cities, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Western Electric Company, P.O. Box 25000, Greensboro, NC 27420. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 116273 (Sub-251TA), filed November 14, 1979. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, IL 60650. Representative: William R. Lavery (same address as applicant). *Lubricating oil in bulk, in tank vehicles,* from Northville, MI, to points in IL, IN, NY, OH, and PA for 180 days. Supporting shipper(s): D. A. Stuart Oil, 2727 South Troy, Chicago, IL 60623. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 119752 (Sub-8TA), filed December 19, 1979. Applicant: G. & G. HAULAGE CO., INC., 215 Henderson Street, Jersey City, NJ 07303. Representative: Charles J. Williams, 1815 Front Street, Scotch Plains, NJ 07076. *Building and roofing materials* from New York, NY and points in its commercial zone to points in ME, MA, NH, OH, RI and VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Flintkote Company, 580 Decker Drive, Irving, TX 75062. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 123023 (Sub-15TA), filed December 21, 1979. Applicant: DiPIETRO TRUCKING CO., 2201 6th Avenue South, Seattle, WA 98134. Representative: George H. Hart, 1100 IBM Building, Seattle, WA 98101. *Canned vegetables,* from the facilities and plantsites of Rogers Walla Walla, Inc. located at Walla Walla, WA and Milton-Freewater, OR to points in Almeda, Contra Costa, Fresno, Los Angeles, San Diego, Solano, Sacramento and Riverside counties, all in the state of CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Rogers Walla Walla, Inc., P.O. Box 998, Walla Walla, WA 99362. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 123272 (Sub-44TA), filed November 5, 1979. Applicant: FAST FREIGHT, INC., 9651 Ewing Avenue, Chicago, IL 60617. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602. *Glass Containers,* from Lincoln, IL to points in IN, KY, MI, MO and OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Pierce Glass, 1200 N. Logan, Lincoln, IL 62656. Send protests to: Annie Livingston, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 124692 (Sub-324TA), filed December 20, 1979. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, MT 59806. Representative: James B. Hovland, P.O. Box 1680, Fargo, ND 58107. *Hardwood lumber* from McGregor, MN to Green Acres, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Challinor Wood Products, 540 Frontage Rd., Suite 231, Northfield, IL 60093. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101.

MC 125952 (Sub-47TA), filed December 13, 1979. Applicant: INTERSTATE DISTRIBUTOR CO., 8311 Durango St., S.W., Tacoma, WA 98499. Representative: George R. LaBissoniere, 1100 Norton Bldg., Seattle, WA 98104. *Contract carrier;* irregular routes; *Such merchandise as is dealth in by wholesale, and retail grocery establishments, food business houses and agricultural feed houses and soy products; equipment materials, ingredients and supplies used in the development and sale of the above products (except commodities in bulk).* Restricted to shipments originating at or destined facilities used by Ralston Purina Co., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protests to: Shirley M.

Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 126822 (Sub-73TA), filed November 30, 1979. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Highway, Olathe, KS 66061. Representative: Kenneth E. Smith (same as applicant). *Glassware, NOI,* from the facilities of Riekes Crisa at Laredo, TX, to points in MD, NJ, and NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Riekes Crisa, 1818 Leavenworth, Omaha, NE 68102. Send protests to: Vernon V. Coble, DS, ICC, 911 Walnut St., Kansas City, MO 64106.

MC 126822 (Sub-74TA), filed December 10, 1979. Applicant: WESTPORT TRUCKING CO., 15580 South 169 Highway, Olathe, KS 66061. Representative: Kenneth E. Smith (same as applicant). *Abrasive grain, in containers,* from the facilities of sunbelt Industries, Inc., at Oklahoma City, OK, to Los Angeles, CA, Dallas, Ft. Worth, and Corpus Christi, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sunbelt Industries, Inc., 200 N. Villa, P.O. Box 82823, Oklahoma City, OK 73148. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 126822 (Sub-75TA), filed December 5, 1979. Applicant: WESTPORT TRUCKING COMPANY, 15580 South 169 Highway, Olathe, KS 66061. Representative: Kenneth E. Smith (same as applicant) *Brick* from the facilities of L.B. Industries, Inc., at or near Los Angeles, CA, to Orlando, FL, Oklahoma City, OK, Houston and Dallas TX, Wilmington, DE, and Seattle, WA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): L. B. Industries, Inc., 4545 Brazil St., Los Angeles, CA 90039. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO. 64106.

MC 127303 (Sub-69TA), filed December 31, 1979. Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326. Representative: Norman T. Fowlkes III, 805 McLachlen Bank Bldg., 666 Eleventh Street, N.W., Washington, D.C. 20001. (a) *Cellulose insulation,* from Milledgeville, IL to points in IN, IA, MN, MO, NE, ND, OH, SD and WI, and (b) *Materials, equipment and supplies used in the manufacture, distribution and sale of cellulose insulation,* from points in IN, IA, MN, MO, NE, ND, OH, SD, and WI, to Milledgeville, IL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Super Thermal Fibre Co., P.O. Box 550, Milledgeville, IL 61051. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 127303 (Sub-70TA), filed December 7, 1979. Applicant: ZELLMER TRUCK LINES, INC., P.O. Box 343, Granville, IL 61326. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Bldg., 666 Eleventh Street, N.W., Washington, D.C. 20001. *Malt beverages,* from Peoria, IL, Evansville, IN, and Belleville, IL to Richmond, MO, and Independence, MO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Inter-City Beverage Co., Inc., 14909 East Truman Road, Independence, MO 64050. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 127902 (Sub-15TA), filed December 7, 1979. Applicant: DIETZ MOTOR LINES, INC., P.O. Box 1427, Hickory, NC 28601. Representative: John R. Sims, Jr., 915 Pennsylvania Building, 425 13th St., NW, Washington, D.C. 20004. *Sugar, in containers,* from Gramercy and Kenner, LA to points in NC and SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Colonial Sugars, Inc., Gramercy, LA 70052. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm CC516, Charlotte, NC 28205.

MC 128273 (Sub-379TA), filed December 21, 1979. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, KS 66701. Representative: Elden Corban (address same as applicant) *Cleaning solutions, cleaning compounds and air fresheners,* From the facilities of Blue Cross Laboratories at North Hollywood, CA, to points in the states of CT, MD, MA, MS, and NY. Restricted to traffic originating at the named facilities, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Blue Cross Laboratories, Vice President of Operations, Marketing and Finance, 7376 Greenbush Ave., North Hollywood, CA 91605. Send protests to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600 Fort Worth, TX 76102.

MC 129032 (Sub-122TA), filed December 4, 1979. Applicant: TOM INMAN TRUCKING, INC., 5656 South 129th East Avenue, Tulsa, OK 74145. Representative: David R. Worthington (same address as applicant) *Small arms ammunition,* from the facilities of Remington Ammunition Company located at or near Lonoke, AR, to points in Hermiston, Eugene and Clackamas, and/or Spokane, WA, restricted to traffic originating at the above named origin and destined to the above named destinations, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): All Sports Supply, Inc., 5111 S.E. 26th Ave., Portland, OR 97202; Phil Sherrell Distributing, 745 View Dr., Hermiston, OR 97838; and Evergreen Supply, E. 4 Nora, Spokane, WA 99207. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 129712 (Sub-28TA), filed December 13, 1979. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Contract carrier:* irregular routes: (1) *Iron and steel, and iron and steel articles and (2) materials, equipment and supplies used in the manufacture and distribution of iron and steel and iron and steel articles,* between the facilities of North Star Steel Company, located at or near Monroe, MI, and all points in WI, IL, IN, OH, PA, NY, MA, ME, NH, NJ, RI, CT, VT, MD, WV, VA, DE, KY, TN, GA, FL, SC, NC, MS, AL, and LA under a continuing contract(s) with North Star Steel Company, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): North Star Steel Company, 2901 Metro Dr., Minneapolis, MN 55420. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 133182 (Sub-3TA), filed December 17, 1979. Applicant: JOSEPH H. IRBY and LEON E. CROENNE, a partnership, d.b.a. MISSISSIPPI COAST LIMOUSINE SERVICE, P.O. Box 222, Gulfport, MS 39501. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205. *Passengers and their baggage* between points in Hancock, Harrison and Jackson Counties, MS, on the one hand, and, on the other, the Mobile, AL Airport, for 180 days. Supporting shipper(s): There are 13 statements in support attached to this application which may be examined at the I.C.C. in Washington, D.C. or copies of which may be examined in the field office named below. Send protests to: Alan Tarrant, D/S, ICC, Fed. Bldg., Suite 1441, 100 W. Capitol St., Jackson, MS 39201.

Note.—Restricted to the transportation of passengers having a prior or subsequent movement by air. An underlying ETA seeks 90 days authority.

MC 135803 (Sub-9TA), filed November 1, 1979. Applicant: WALLACE TRANSPORT, 9290 E. Hwy 140, Planada, CA 95365. Representative: L. C. DesLauriers, 2901 S. Sunol, Vernon, CA 90023. Contract carrier; irregular routes: *Waste paper, paperboard, fibreboard* and *various paper products* for repulping purposes: from points in AZ and NV, on the one hand, and on the

other, points in CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sassoon, Scherman Fibers Co., 2500 S. Santa Fe Ave., Los Angeles, CA 90058. Send protests to: D/S N. C. Foster, 211 Main, Suite 500, San Francisco, CA 94105.

MC 136553 (Sub-93TA), filed November 15, 1979. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th St., Dubuque, IA 52001. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Hides* from Maquoketa, IA, to points in the Chicago, IL, commercial zone, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hide Company, 305 Jacobsen Drive, South, Maquoketa, IA 52060. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 138493 (Sub-7TA), filed January 8, 1980. Applicant: JAKUM TRUCKING, INC., Rural Route 2, Miley Road, Sheboygan Falls, WI 53085. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *Contract carrier:* irregular routes: *Foodstuffs,* from Chicago, IL; Ames, IA; Logan, UT; and points in WI to the facilities of Monterey Cheese Co. at or near South San Francisco, CA under a continuing contract or contracts with Monterey Cheese Co. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Monterey Cheese Co., 468 Littlefield Ave., P.O. Box 2487, So. San Francisco, CA 94080. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 138772 (Sub-8TA), filed December 18, 1979. Applicant: ALL WAYS FREIGHT LINES, INC., 215 N. 18th St., Leavenworth, KS 66048. Representative: Marvin D. Robertson, P.O. Box 2426, Kansas City, KS 66110. Common, regular routes; *General commodities (except those of unusal value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment),* (1) between Beatrice, NE and Marysville, KS with service to all intermediate points, from Beatrice, NE, over NE Hwy 4 to jct NE Hwy 103, then over NE Hwy 103 to NE Hwy 41, then over NE Hwy 41 to U.S. Hwy 81, then over U.S. Hwy 81 to KS Hwy 9, then over KS Hwy 9 to KS Hwy 15, then over KS Hwy 15 to U.S. Hwy 36, then over U.S. Hwy 36 to Marysville, KS and return over the same route; (2) between Marysville, KS and Belleville, KS serving all intermediate points, from Marysville, KS over U.S. Hwy 36 to Belleville, KS and return over the same route; (3) between Beatrice, NE and Hebron, NE, serving all intermediate points, from Beatrice, NE over U.S. Hwy 136 to Hebron, NE and return over the same route; (4) between the junction of NE Hwy 15 and NE Hwy 41, and NE Hwy 41, and the junction KS Hwy 15W and U.S. Hwy 36, serving all intermediate points, from junction NE Hwy 15 and NE Hwy 41 over NE Hwy 15–KS Hwy 15W to junction KS Hwy 15W and U.S. Hwy 36, and return over the same route; (5) serving the off-route points in Marshall; Washington; Republic; Cloud Counties, KS and the off-route points in Jefferson and Thayer Counties, NE and those in Fillmore and Saline Counties, NE, lying south of NE Hwy 41, east of U.S. Hwy 81 and west of NE Hwy 103; (6) between Leavenworth, KS and St. Joseph, MO, as an alternate route for operating convenience only, from Leavenworth, KS over KS Hwy 92 to its junction with MO Hwy 45, then over MO Hwy 45 to its junction with U.S. Hwy 59, then over U.S. Hwy 59 to St. Joseph, MO and return over the same route, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): 19 supporting shippers. Send protests to: Ruth Allpart, TCS, ICC, 411 West 7th St., Suite 600, Ft. Worth, TX 76102.

MC 138882 (Sub-336TA), filed October 5, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: James W. Segrest (address is same as the address of the applicant). *Ground up scrap battery cases,* from the facilities of Sapp Battery Services, Inc. located at or near Alford, FL and Sanders Lead Co., Inc. located at Troy, AL to points in and east of MN, IA, MO, AR, and LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sapp Battery Service, Inc., Route 2, Box 119, Alford, FL 32431. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616—2121 Bldg., Birmingham, AL 35203.

MC 138882 (Sub-337TA), filed December 17, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: John J. Dykema (address same as the address of the applicant). *Flour and corn products,* from the facilities of J. R. Short Milling Company at or ner Kankakee, IL and Mt. Vernon, IN, to points in AL, IN, IA, KS, KY, LA, MS, MO, NE, OH, OK, TN, TX, FL, SC, NC, and GA, for 180 days. Supporting shipper(s): J. R. Short Milling Company, 233 South Wacker Drive, Sears Tower, Chicago, IL 60606. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616—2121 Bldg., Birmingham, AL 35203.

MC 138882 (Sub-338TA), filed December 20, 1979. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Drawer 707, Troy, AL 36081. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210. *Petroleum resins (except in bulk),* from the facilities of Southern Resins Division, Lawter Chemicals, Inc., at or near Moundville, AL, to points in CA, MN, MO, IL, IN, MI, OH, PA, DE, NJ, NY, MA, RI, CT, IA, MD, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Southern Resins Division, Lawter Chemicals, Inc., P.O. BOx 128, Moundville, AL 35474. Send protests to: Mr. Clifford W. White, DS, I.C.C., Room 1616—2121 Bldg., Birmingham, AL 35203.

MC 141532 (Sub-60TA), filed December 18, 1979. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 E. Valley Road, Renton, WA 98055. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Pipe and pipe fittings,* from the facilities of Wheeling Machine Products at or near Wheeling, WV and Cambridge, OH to points in the commercial zones of Los Angeles and Woodlake, CA and Vancouver, WA, for 180 days. Supporting shipper(s): Wheeling Machine Products Co., Box 6463, Wheeling, WV 26003. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 141532 (Sub-61TA), filed December 19, 1979. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 East Valley Road, Renton, WA 98055. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Construction materials,* from the facilities of J & P Petroleum Products, Inc., at or near Lewisville, AR and Dallas, TX to points in AZ, CA, ID, MT, MN, OR, UT, WA and WY, for 180 days. Representative destination points include all major metropolitan areas within the destination territory. An underlying ETA seeks 90 days authority. Supporting Shipper(s): J & P Petroleum Products, Inc., P.O. Box 4206 Station A, Dallas, TX 74208. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 141532 (Sub-62TA), filed December 20, 1979. Applicant: PACIFIC STATES TRANSPORT, INC., 3328 E. Valley Road, Renton, WA 98055. Representative: Henry C. Winters, 525 Evergreen Building, Renton, WA 98055. *Olivene sand in bags,* from Hamilton, WA to points in Alameda, Contra Costa, San Francisco and Santa Clara Counties, CA for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Industrial &

Foundry Supply, Div. of C.E. Industrial Products, 2401 Poplar St., Oakland, CA 94607. Send protests to: Shirley M. Holmes, T-A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 14843 (Sub-2TA), filed November 9, 1979. Applicant: BOND TRANSPORTATION, INC., P.O. Box 233, 155 Smith Street, Keasbey, NJ 08832. Representative: Edward L. Nehez, P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006. Residual fuel oil, in bulk, in tank vehicles, from Bradford, PA to points in NJ, on and north of NJ Highway 528, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Raritan Oil Co., Inc., U.S. Highway No. 1, Edison, NJ 08817. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 142672 (Sub-110TA), filed December 14, 1979. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry AR 72947. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *Finished automotive timing components and metal castings,* from the facilities of Cloyes Gear Company, at or near Paris, AR on the one hand, and on the other, points in MI, NY, OH and UT, for 180 days. Supporting Shipper(s): Cloyes Gear Company, 615 W. Walnut St., Paris, AR 72855. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142672 (Sub-111TA), filed December 18, 1979. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC. Post Office Drawer F, Mulberry, AR 72947. Representative: Don Garrison, Esq., P.O. Box 1065, Fayetteville, AR 72701. *Such commodities as are dealt in by wholesale, retail and chain grocery and food business houses (except frozen commodities and commodities in bulk)* from French Lick, IN; and, West Chester and Kennett Square, PA to the facilities of the Clorox Company, at or near Houston, TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): The Clorox Company 1221 Broadway, Oakland, CA 94612. Send protests to: William H. Land, DS, 3108 Federal Bldg. Little Rock AR 72201.

MC 142672 (Sub-112TA), filed December 13, 1979. Applicant: DAVID BENEUX PRODUCE & TRUCKING, INC., P.O. Drawer F, Mulberry, AR 72947. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *New wooden furniture,* in cartons, from Trumann, AR to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY, for 180 days. Supporting shipper(s): Singer Furniture Company, P.O. Box 5337, Roanoke, VA 24012. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 142703 (Sub-25TA, filed September 22, 1979. Petitioner: INTERMODAL TRANSPORTATION SERVICES, INC., 750 West Third Street, Post Office Box 14072, Cincinnati, Ohio 45214. Representative: Michael Spurlock, 275 East State Street, Columbus, Ohio 43215. Temporary authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment,* between Alexandria, Virginia (and its Commercial zone) on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia and Washington, D.C. RESTRICTED to transportation of shipments having a prior or subsequent rail or water movement. See file for support statements: They may be examined at Headquarters in Washington, DC or ICC listed below: Send protest to: T/A Davis, ICC (CAC) Philadelphia.

MC 144003 (Sub-1TA), filed December 12, 1979. Applicant: TIEDT TRUCKING CO., Lemont and Bluff Roads, Lemont, IL 60439. Representative: Leonard R. Kofkin, 39 South LaSalle St., Chicago, IL 60603. *Clay products and refractories and materials and supplies used in the installation of clay products and refractories (except commodities in bulk),* from the facilities of Clow Corporation at Carol Stream, IL to points in IN, IA, MI, MN, MO, OH and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Clow Corporation, 300 South Gary Avenue, Carol Stream, IL 60187. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 144122 (Sub-67TA), filed December 14, 1979. Applicant: CARRETTA TRUCKING, INC., S 160 Route 17, Paramus, NJ 07652. Representative: Joseph Carretta, President, S 160 Route 17, Paramus, NJ 07652. (1) *Paint, cleaning compounds and chemicals* and (2) *materials, supplies and equipment* used in the manufacture, distribution and sale thereof (except in bulk) between the facilities of Standard T Chemical at Chicago Heights, IL and Richmond County, NY for 180 days. Supporting shipper(s): Standard T Chemical Co., Inc., Joe Orr Road, Chicago Heights, IL. Send protests to: Joel Morrows, D/S, ICC, 744 Broad St., Room 522, Newark, NJ 07102.

MC 144303 (Sub-14TA), filed December 12, 1979. Applicant: YOUNGBLOOD TRUCK LINES, INC., US Highway 25S, PO Box 1048, Fletcher, NC 28732. Representative: Charles Ephraim, Suite 600, 1250 Connecticut Ave, NW., Washington, DC 20036. *Contract* carrier-Irregular routes: *Copper rods and copper wire, drawn, extruded or rolled, covered, insulated or plain, in straight or mixed shipments* from the manufacturing and/or warehouse facilities of The Essex Group, Inc., located at Three Rivers, MI, Ft. Wayne, IN; Marion, IN; and Vincennes, IN to points in the states of GA, NC and SC, for 180 days: An underlying ETA seeks 90 days authority. Supporting shipper(s): Essex Group, PO Box 1216, Ft. Wayne, IN 46801. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm. CC516, Charlotte, NC 28205.

MC 144363 (Sub-8TA), filed December 3, 1979. Applicant: HIRSCHBACH MOTOR LINES, INC., 5000 South Lewis Boulevard, P. O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach (same address as applicant). Contract carrier, irregular routes: *Such commodities as are dealt in or used by retail department stores (except foodstuffs and commodities in bulk)* (1) from points in AL, CA, FL, GA, KY, LA, MS, NC, SC, TN and TX to Minneapolis, MN; and (2) from Minneapolis, MN to Sioux Falls, SD for 180 days. An underlying ETA seeks 90 days authority. RESTRICTION: Service is limited to a transportation service to be performed under a continuing contract(s) with Dayton's. Supporting Shipper(s): Dayton's, Charles E. Dunnum, Director of Transportation, 700 On The Mall, Minneapolis, MN 55402. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 144442 (Sub-10TA), filed December 20, 1979. Applicant: ESSEX EXPRESS, INC., 1200 Hammondville Rd., Pompano Beach, FL 33060. Representative: Don A. Allen, 2550 M St., N.W., Washington, D.C. 20037. Contract Carrier—Irregular Route: *Alcoholic beverages* from Brooklyn, NY to points in Miami, Jacksonville, Tampa and Orlando, FL for 180 days. Supporting Shipper(s): Monarch Wines, 4500 2nd Ave., Brooklyn, NY 11232. Send protests to: Donna M. Jones, T/A, ICC—BOP, Montery Bldg., Suite 101, 8410 N.W. 53rd Ter., Miami, FL 33166.

MC 144622 (Sub-126TA), filed December 10, 1979. Applicant: GLENN BROS. TRUCKING, INC., P. O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National

Bank Bldg., Minneapolis, MN 55402. *Tobacco products* from the facilities of Phillip Morris U.S.A. in Richmond, VA, Chester, VA, and Louisville, KY to points in TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): Phillip Morris U.S.A., P. O. Box 26603, Richmond, VA 23261. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub-127TA), filed December 18, 1979. Applicant: GLENN BROS. TRUCKING, INC., P. O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). *Fire retardant roofing materials* between the facilities of Trim Products located in Torrance, CA, on the one hand, and, on the other, points in TX, OK, and AR, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Trim Products Mfg. Inc., 2321 Abalone Avenue, Torrance, CA 90501. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub-128TA), filed December 18, 1979. Applicant: GLENN BROS. TRUCKING, INC., P. O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). *General commodities (except commodities in bulk, household goods as defined by the Commission, articles of unusual value (classes A & B explosives and commodities which because of size or weight requires the use of special equipment)* between the facilities of Lareco Transportation and Warehouse located at Santa Fe Springs, CA, on the one hand, and, on the other, points in NJ, NY, and PA, for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): Lareco Transportation & Warehouse, 15305 Valley View Ave., Santa Fe Springs, CA. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

Notice No. 261

February 6, 1980.

MC (Sub-366TA) (republication), filed May 7, 1979, previously noticed in the FR issue of August 15, 1979. Applicant: RISS INTERNATIONAL CORPORATION, 903 Grand Avenue, Kansas City, MO 64106. Representative: Ivan E. Moody (same address as above). *Containers and container closures,* from Denver and Golden, CO, to points in NE, IA, MN MO, IL, IN, MI, OH, TN and KY, for 180 days. Supporting shipper: The Continental Group, Inc., 5401 W. 65th St., Chicago, IL 60638. Send protests to: John V. Barry, 600 Federal Bldg., 911 Walnut St., Kansas City, MO 64106.

Note.—The purpose of this republication is to indicate the correct scope of authority sought.

MC 531 (Sub-437TA), filed December 27, 1979. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, TX 77021. Representative: Wray E. Hughes (address same as applicant). *Liquid Chemicals, in bulk, in tank vehicles.* From Atlanta, GA; Baltimore, MD; Chicago, IL; Newark and Carteret, NJ; Greensboro and High Point, NC; St. Louis, MO; Philadelphia and Pittsburgh, PA; Detroit, MI; Kingsport, TN; and Indianapolis, IN, to Houston (Deer Park), TX, for export, subsequent movement by water, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper: General Plastic Corp., 1330 Beacon St, Brookline, MA 02146. Send protests to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 2421 (Sub-30TA), filed December 12, 1979. Applicant: NEWTON TRANSPORTATION COMPANY, INC., P.O. Box 678, Lenoir, NC 28645. Representative: Charles H. Keller, 510 Geer Circle, SW, Lenoir, NC 28645. *New furniture and furniture parts* from the plantsites and warehouse facilities of Broyhill Furniture Industries, Inc. Located in Catawba and Alexander Counties, NC to points in KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Broyhill Industries, Lenoir, NC 28633. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 10881 (Sub-6TA), filed January 9, 1980. Applicant: DALE MEYER TRUCKING CO., P.O. Box 3548, Odessa, TX 79760. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408. *Oil field equipment and supplies, pursuant to the Mercer description,* between points in that portion of TX which lies on and west of U.S. Hwy 81 from Ringgold to San Antonio, and U.S. Hwy 181, from San Antonio to Aransas Pass and points in the States of NM, OK, KS, TX, LA, CO, WY and UT for 180 days. Supporting shipper: Parker Drilling Company, 8 E. 3rd St., Tulsa, OK 74103. Send protests to: Ruth Allport, TCS, ICC, 411 W. 7th St., Suite 600, Ft. Worth, TX 76102.

MC 16831 (Sub-34TA), filed November 20, 1979. Applicant: MID SEVEN TRANSPORTATION COMPANY, 2323 Delaware Ave., Des Moines, IA 50317. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Irrigation systems and agricultural equipment and parts, materials, and supplies used in the manufacture of irrigation systems and agricultural equipment* between the facilities of Olson Bros. Manufacturing Company at or near Atkinson, NE, on the one hand, and, on the other, points in IL, IN, IA, KY, MI, MN, MO, OH, and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Olson Bros. Manufacturing Company, Inc. Atkinson, NE 68713. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 29910 (Sub-247TA), filed December 31, 1979. Applicant: ARKANSAS-BEST FREIGHT SYSTEM, INC., 301 S. 11 St., Ft. Smith, AR 72901. Representative: Joseph K. Reber (same address as applicant). Common carrier over regular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Ballanoff Home Products at or near Columbiana, OH as an off-route point in connection with carrier's regular route operations between Youngstown and Canton, OH for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Ballandoff Home Products, Div. of Pentron Industries, P.O. Box 22260, Beachwood, OH 44122. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 35320 (Sub-512TA), filed December 20, 1979. Applicant: T.I.M.E.-DC, Inc., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas, P.O. Box 2550, Lubbock, TX 79408. *General commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, Commodities in bulk, and those requiring special equipment* between San Diego, CA, and its commercial zone, and El Centro, CA, and its commercial zone. From San Diego over Interstate 8 to El Centro and return over the same route for 180 days. Carrier will tack and interline. Underlying ETA seeks 90 days authority. Supporting shipper: None—gateway elimination sought. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Ft. Worth, TX 76102.

MC 35320 (Sub-513TA), filed December 26, 1979. Applicant: T.I.M.E.-DC, Inc., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas, P.O. Box 2550, Lubbock, TX 79408. Common, regular, *general commodities, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in*

bulk, and those of unusual value, between Cincinnati, OH and its commercial zone and Knoxville, TN and its commercial zone. From Cincinnati, OH over Interstate 75 to Knoxville, TN and return over the same route. An underlying ETA seeks 90 days authority. Supporting shipper: None. Send protests to: Marianne Minnich, TCS, ICC, Suite 600, 411 W. 7th St., Fort Worth, TX 76102.

MC 35320 (Sub-514TA), filed December 26, 1979. Applicant: T.I.M.E.-DC, Inc., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas, P.O. Box 2550, Lubbock, TX 79408. Common, regular, *General commodities, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment),* between Detroit, MI and its commercial zone and Toledo, OH and its commercial zone, serving no intermediate points. From Detroit, MI over Interstate 75 and return over the same route, for 180 days. Underlying ETA filed, for 90 days. Supporting shipper: None—Fuel savings only. Send protests to: Marianne Minnich, TCS, ICC, Suite 600, 411 W. 7th St., Fort Worth, TX 76102

MC 61231 (Sub-166TA), filed November 15, 1979. Applicant: EASTER ENTERPRISES, INC. d.b.a. ACE LINES, INC., P.O. Box 1351, Des Moines, IA 50305. Representative: William L. Fairbank, 1980 Financial Ctr., Des Moines, IA 50309. *Wood shavings* from Crook County, WY, to points in IA, MN, MO, NE. and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Nieman Sawmill, Inc., P.O. Box 219, Hulett, WY 82720. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 78400 (Sub-80TA), filed January 10, 1980. Applicant: BEAUFORT TRANSFER COMPANY, P.O. Box 151, Gerald, MO 63037. Representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, MO 63101. *Books, periodicals, pamphlets and printed matter* from Owensville, MO to all points in the U.S. except AK and HI for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Custom Printing Company, 920 Maple Street, Owensville, MO 65066. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th Street, Suite 600, Fort Worth, TX 76102.

MC 78400 (Sub-81TA), filed December 31, 1979. Applicant: BEAUFORT TRANSFER COMPANY, P.O. Box 151, Gerald, MO 63037. Representative: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis, MO 63101. *Plastic articles (except in bulk)* from Owensville, MO to points in AR, CA, IL, IN, KY, MA, MI, MD, NC, OH, OK, PA, TN, TX, VA and WV, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Polytech Incorporated, 708 W. Madison, Owensville, MO 65066. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th Street, Suite 600, Fort Worth, TX 76102.

MC 108380 (Sub-104TA), filed January 10, 1980. Applicant: JOHNSTON'S FUEL LINERS, INC., P.O. Box 100, Newcastle, WY 82701. Representative: Truman A. Stockton, Jr., The 1650 Grant Street Bldg., Denver, CO 80203. *Bulk salt,* from manufacturing points at or near Salt Lake City, UT to points in Campbell, Weston, Crook and Converse Counties, WY for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Frost Construction Company, P.O. Box 457, Lovell, WY 82431. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Room 105 Federal Building and Court House, 111 South Wolcott, Casper, WY 82601.

MC 108380 (Sub-105TA), filed 1–10–80. Applicant: JOHNSTON'S FUEL LINERS INC., P.O. Box 100, Newcastle, WY 82701. Representative: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, CO 80203. *Crude oil,* from near Lantry, SD to or near Newcastle, WY for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Skinner Service Co., Inc., P.O. Box 306, Newcastle, WY 82701. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Room 105 Federal Building & Court House, 111 South Wolcott, Casper, WY 82601.

MC 110420 (Sub-845TA), filed December 14, 1979. Applicant: QUALITY CARRIERS, INC., 100 Waukegan Road, P.O. Box 1000, Lake Bluff, IL 60044. Representative: MICHAEL V. KANEY (same address as applicant). *Cooking Wine, in bulk, in tank vehicles,* from Guasti, CA to Walworth, WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Kikkoman Foods, Inc., P.O. Box 69, Walworth, WI 534184. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 110841 (Sub-20TA), (Republication) filed July 20, 1979, previously noticed in the **Federal Register** issue of September 26, 1979. Applicant: PORT NORRIS EXPRESS CO., INC., 28 North High Street, Port Norris, NJ 18349. Representative: William P. Jackson, Jr., 3426 North Washington Boulevard, Arlington, VA 22210. *Silica sand and silica products* from the facilities of or utilized by Ottawa Silica Company at or near North Stonington, CT to points in DE, IL, IN, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, VA, WV, WI and DC, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to include WI as a destination state. Supporting shipper(s): Ottawa Silica Company, P.O. Box 577, Ottawa, IL 61350. Send protests to: Joel Morrows, DS, ICC, 744 Broad Street, Room 522, Newark, NY 07102.

MC 111201 (Sub-49TA), filed December 26, 1979. Applicant: J. N. ZELLNER & SON TRANSFER COMPANY, P.O. Box 91247, East Point, GA 30364. Representative: Archie B. Culbreth, 2200 Century Parkway, Suite 202, Atlanta, GA 30345. *Metal containers, container ends and closures and materials, equipment and supplies used in the manufacture or distribution of metal containers, container ends and closures (except in bulk)* from the facilities of Crown Cork and Seal Company, Inc., at or near Atlanta, GA to Martinsville, VA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Crown Cork and Seal Comapny, Inc., 125 Ottley Dr., Atlanta, GA 30324. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW., Rm 300, Atlanta, GA 30309.

MC 114890 (Sub-100TA), filed December 31, 1979. Applicant: COMMERCIAL CARTAGE CO., 343 Axminster Drive, Fenton, MO 63026. Representative: David A. Cherry, P.O. Box 1540, Edmond, OK 73034. *Gasoline, in bulk, in tank vehicles,* from the facilities of ARCO Refining Co., at or near Woodriver, IL, and the facilities of Phillips Petroleum Co. at or near East St. Louis, IL, to the facilities of Star Petroleum and Service Co. at or near Wentzville, Cuba, and Jonesburg, MO, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Star Petroleum and Service Co., 166 Weldon Parkway, Maryland Heights, MO 63043. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 114890 (Sub-101TA), filed December 21, 1979. Applicant: COMMERCIAL CARTAGE CO., 343 Axminster Drive, Fenton, MO 63026. Representative: David A. Cherry, P.O. Box 1540, Edmond, OK 73034. *Hydrochloric acid, in bulk, in tank vehicles,* from St. Louis, MO to points in IL, IA, MI, IN, and KY for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): S & B Services, P.O. Box 1182, Henderson, KY

42420. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Ft. Worth, TX 76102.

MC 115311 (Sub-385TA), filed December 21, 1979. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. *(1) Alcohol anti-freeze, anti-freeze proprietory compounds, deicing proprietory, windshield washer solvent (except in bulk, in tank vehicles), containers and enclosures* from points in Montgomery County, AL to points in the US in and east of ND, SD, NE, KS, OK and TX; and *(2) materials, supplies and equipment as are used in the manufacture, sale and distribution of the commodities named above (except in bulk, in tank vehicles)* from points in the US in and east of ND, SD, NE, KS, OK and TX to points in Montgomery County, AL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kinpak, Incorporated, P.O. Box 3594, Montgomery, AL 36109. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 115331 (Sub-530TA), filed December 26, 1979. Applicant TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Missouri 63131. Representative: Steven Vogt, 11040 Manchester Road, St. Louis, MO 63122. *Cement,* from Marquette Cement Company in Cape Girardeau, Missouri, to points in Arkansas, Illinois, Tennessee and Kentucky, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): The Marquette Company, 2200 1st American Center, Nashville, TN 37238. Send protest to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 115331 (Sub-531TA), filed December 26, 1979. Applicant TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Missouri 63131. Representative: Steve Vogt, 11040 Manchester Road, St. Louis, Missouri 63122. *Flour, in bulk* from Teutopolis, Illinois to Cedar Rapids, Iowa for 180 days. Supporting shipper(s): Siemer Milling Company, P.O. Box 607, Teutopolis, IL 62467. Send protest to: Ruth Allport, TCS, ICC, 411 West 7th Street, Suite 600, Fort Worth, TX 76102.

MC 118831 (Sub-191TA), filed December 13, 1979. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 7007, High Point, NC 27264. Representative: Ben H. Keller, III, P.O. Box 7007, High Point, NC 27264. *Hexamethylene diamine in bulk, in tank vehicles,* from Orange & Victoria, TX to Chattanooga, TN, Camden, SC, Seaford, DE, Richmond, Waynesboro & Martinsville, VA and Parkersburg, WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): E.I. Du Pont de Nemours & Co., Inc., 1007 Market St., Wilmington, DE 19898. Send protest to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 119741 (Sub-251TA), filed November 20, 1979. Applicant GREEN FIELD TRANSPORT COMPANY, INC., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D.L. Robson, (same address as applicant). *Foodstuffs (except in bulk, in tank vehicles)* from the facilities of Newark Freezer Center at Newark, DE, to points in the United States (except AK and HI), for 180 days, restricted to the transportation of traffic originating at the named origin and destined to the indicated destinations. An underlying ETA seeks 90 days authority. Supporting shipper(s): Newark Freezer Center, 2000 S. 9th St., Louisville, KY 40208. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 119741 (Sub-252TA), filed November 19, 1979. Applicant GREEN FIELD TRANSPORT COMPANY, INC., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D.L. Robson (same address as applicant). *Foodstuffs* from Reading, PA, to the facilities of Bachman Foods, Inc. at or near Omaha, NE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bachman Foods, Inc., 2200 South 24th St., Omaha, NE 68106. Send protest to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 119741 (Sub-253TA), filed November 13, 1979. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address as applicant). *Corn products (except in bulk, in tank vehicles)* from the facilities of Lincoln Grain, Inc. at or near Atchison, KS, to points in AL, AR, CO, GA, IL, IN, IA, KY, LA, MI, MN, MS, MO, NE, NM, ND, OH, OK, SD, TN, TX, WI, and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Lincoln Grain, Inc., P. O. Box 436, Atchison, KS 66002. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg. Des Moines, IA 50309.

MC 120310 (Sub-3TA), filed January 3, 1980. Applicant: B & L TRUCK & TRANSFER CO., M 4366 East 26th Street, Los Angeles, CA 90023. Representative: R. Y. Schureman, 1545 Wilshire Boulevard, Los Angeles, CA 90017. *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment)* reference is made to "Territory Description" attached hereto, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting Shipper(s): There are approximately seven (7) supporting shippers. Statements of support may be examined at Headquarter or the office listed below. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 127840 (Sub-155TA), filed fled December 14, 1979. Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Drive, Lansing, IL 60438. Representative: WILLIAM H. TOWLE, 180 North LaSalle Street, Chicago, IL 60601. *Animal fats, in bulk, in tank vehicles,* from Rapid City, SD to Denver, CO for 180 days. Supporting Shipper(s): The Pillsbury Company, 608 Second Avenue South, Minneapolis, MN 55402. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 128951 (Sub-29TA), (republication) filed October 17, 1979, previously notice in the FR issue of December 5, 1979. Applicant: ROBERT H. DITTRICH, d.b.a. Bob Dittrich Trucking, 1000 N. Front St., New Ulm, MN 56073. Respresentative: Rodney H. Jeffery (Same address as applicant). *Feed and feed ingredients, in bulk, in tank vehicles,* between New Ulm, Blue Earth, Renville, Austin, MN and points in the Minneapolis-St. Paul, MN Commerical Zone and points in IA, for 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to add Renville, MN to the territorial description. Supporting Shipper(s): Knappen Molasses Co., 2225 Childs Rd., St. Paul, MN 55106, Tri-State Grease and Tallow, 1220 S. Valley, New Ulm, MN 56073. Agri Trading Corp., Box 457, Hutchinson, MN 55350. Send protests to: Judith L. Olson, TA, ICC, 414 Federal Building, 110 S. 4th St., Minneapolis, MN 55401.

MC 128951 (Sub-35TA), filed December 19, 1979. Applicant: Robert H. Dittrich, d.b.a. BOB DITTRICH TRUCKING, 1000 N. Front St., New Ulm, MN 56073. Respresentative: RODNEY H. JEFFERY (Same address as applicant). *Feed and feed ingredients, grain, soybean and seed products and by-products (except comodities in bulk, in tank vehicles),* from the facilities of Archer Daniels Midland, Co., located at Red Wing, MN to points in IN and OK for 180 days. An underlying ETA seeks

90 days authority. Supporting Shipper(s): Archer Daniels Midland Co., Box 74, Red Wing, MN 55066. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 129031 (Sub-7TA), filed January 3, 1980. Applicant: KLAUSNER TRANSPORTATION CO. INC., 101 North Avenue 18, Los Angeles, CA 90031. Representative: William Davidson, 2455 East 27th Street, Los Angeles, CA 90058. *Contract;* Irregular; *Garments on hangers loose: and cut goods, cut for assembly into garments, and related findings and articles thereto, in open containers, alone or in mixed loads,* Los Angeles, CA and Salt Lake City, Utah between Salt Lake City, Utah and El Paso, Texas; and between Salt Lake City, Utah and El Paso, Texas, with a stop in transit at Los Angeles, CA to unload/and load, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Pyke Manufacturing Company, Inc., Director of Distribution, 1025 South 700 West, S.L.C., Utah. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 135070 (Sub-139TA), filed December 31, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Foodstuffs,* (a) from the facilities of Gentry Foods, Inc. at or near Gilroy, CA to Irving, TX; (b) from the facilities of Foremost Foods, A division of Foremost-McKesson, Inc. at or near Willows, CA to Fort Worth, TX and Shreveport, LA; and (c) from the facilities of Foremost Foods, A Division of Foremost-McKesson Inc. at or near Los Banos, CA to Dallas, TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Foremost-McKesson, Inc., One Post St., San Francisco, CA 94104. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 135070 (Sub-140TA), filed December 31, 1979. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Confectionery and confectionery products,* from Bethlehem, PA to points in AR, AZ, CA, CO, ID, KS, LA, MT, NM, NV, OK, OR, TX, UT, WA and WY for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Just Born, Inc., 1300 Stefko Blvd., Bethlehem, PA 18018. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 135070 (Sub-141TA), filed January 2, 1980. Applicant: JAY LINES, INC., P.O. Box 30180, Amarillo, TX 79120. Representative: Gailyn L. Larsen, P.O. Box 82816, Lincoln, NE 68501. *Unexpose photographic color paper and film and video and audio tape and microfilm* (1) from Los Angeles, CA to Chicago, IL; Dallas, TX; and Carlstadt, NJ; and (2) from Carlstadt, NJ to Atlanta and Augusta, GA; Charlotte, NC, Orlando and Hialeah, FL, Chicago, IL; Dallas, TX and Los Angeles, CA for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Fuji Photo Film USA Inc., 341 Michell Pl., Carlstadt, NJ 07072. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 135111 (Sub-4TA), filed December 10, 1979. Applicant: REESE TRUCKING, INC., P.O. Box 99, Dover, OH 44622. Representative: William J. Lavelle, Esq., 2310 Grant Bldg., Pittsburgh, PA 15219. Contract carrier-irregular routes, *chemicals, and equipment, materials and supplies used in the manufacture, sale and distribution of chemicals (except commodities in bulk),* between points in the United States in and east of MN, LA, MO, AR and TX, restricted to a transportation service to be performed under a continuing contract or contracts with Betz Laboratories, Inc., Betz Entec, Inc., Betz Process Chemicals, Inc. or Betz International, Inc., and restricted to the transportation of shipments either originating at or destined to the facilities of Betz Laboratories, Inc., Betz Entec, Inc., Betz Process Chemicals, Inc. or Betz International, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Betz Entec, Inc., 508 Prudential Rd., Horsham, PA 19044. Betz Process Chemicals, Inc., 2203 Timberlock Place, Woodlands, TX 77380. Betz Laboratories, Inc., 4636 Somerton Rd., Trevose, PA 19047. Betz International, Inc., 4636 Somerton Rd., Trevose, PA 19047. Send protests to: ICC, Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 135231 (Sub-42TA), filed December 18, 1979. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1 Highway 1 and 59 West, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Cleaning and polishing compounds, textile softeners, lubricants, hypochlorite solution, deodorants, disinfectants, paints, stains, varnishes, plastic bags, and filters (except commodities in bulk),* from Woodbridge, NJ and Joliet, Il to Hanover, PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Economics Laboratory, Inc., Osborn Building, St. Paul, MN 55102. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 135691 (Sub-40TA), filed December 26, 1979. Applicant: DALLAS CARRIERS CORP., P.O. Box 402626, Dallas, TX 75240. Representative: J. Max Harding, P.O. Box 82028, Lincoln, NE 68501. Contract, Irregular; *Insecticides and pesticides, in containers,* from the facilities utilized by Texize at or near Memphis, TN to Dallas, TX; Mauldin, SC; Jacksonville, FL; and Birmingham, AL. Restriction: Restricted to a transportation service to be performed under a continuing contract(s) with Texize, Division of Morton-Norwich, for 180 days. Underlying ETA for 90 days has been filed. Supporting shipper(s): Texize, Division of Morton-Norwich, Director of Division Services, P.O. Box 368, Greenville, SC 29602. Send protests to: Ruth Allport TCS, ICC, 411 West 7th St., Suite 600, Ft Worth, TX 76102.

MC 138941 (Sub-39TA), filed January 9, 1980. Applicant: COUNTRY WIDE TRUCK SERVICE, INC., 1110 South Reservoir Street, Pomona, CA 91766. Representative: K. Edward Wolcott, P.O. Box 56387, Atlanta, GA 30343. Contract: Irregular; *Unexposed photographic film and chemicals (except in bulk) in vehicles equipped with mechanical refrigeration,* from Rochester, NY to points in CA and TX, for 180 days. Supporting shipper(s): E. I. du Pont de Nemours & Co. Inc., Freight Traffic Manager, 1007 Market St., Wilmington, DE 19898. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 141981 (Sub-1TA), filed July 13, 1979. Applicant: BATES TRUCK LINE, INC., 507 Slocum St., Lancaster, OH 43130. Representative: John L. Alden, 1396 W. Fifth Ave., Columbus, OH 43212. Contract carrier: Irregular routes: (1) *Paper products* from Newark, OH, to Winchester, IN, and (2) *Glass containers and accessories* from Winchester, IN, to Columbus, Marysville, Orrville, Akron and Sunbury, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Anchor Hocking Corp., 109 North Broad St., Lancaster, OH 43130. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 142080 (Sub-10TA), filed January 9, 1980. Applicant: LITE TRANSPORT, INC., 480 Neponset Street, Canton, MA. 02021. Representative: Frederick T. O'Sullivan, P.O. Box 2184, Peabody, MA. 01960. Contract; *Such commodities as are dealt in by manufacturers, distributors and converters of paper, paper products, woodpulp, cellulose flour and plastic articles and materials,*

equipment and supplies used in connection therewith (except commodities in bulk, in tank vehicles) between Edgely, PA, Parchment and Kalamazoo, MI, Nashua, Berlin and Gorham, NH, and Lowell and Lawrence, MA, on the one hand, and, on the other, points in the United States in and east of MI, IL, MO, AR and LA, under continuing contract(s) with Brown Company of Kalamazoo, MI. An underlying ETA seeks 90 days authority. Supporting shipper(s): Brown Company, 243 East Paterson Street, Kalamazoo, MI 49007. Send protests to: John B. Thomas, D/S, I.C.C., 150 Causeway Street, Boston, MA. 02114.

MC 142941 (Sub-53TA), filed October 5, 1979. Applicant: SCARBOROUGH TRUCK LINES, INC., 1313 N. 25th Ave., P.O. Box 6716, Phoenix, AZ 85005. Representative: Lewis P. Ames, 111 W. Monroe, 10th Floor, Phoenix, AZ 85003. *Alcoholic beverages,* from Detroit, MI, and its commercial zone, Lynchburg, TN and Clermont, KY to Phoenix and Tucson, AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shippers: United Liquor Co., 2121 N. 23rd Ave., Phoenix, AZ 85009. United Liquor Supply, Inc., 3485 E. Golf Links Rd., Tucson, AZ 85713. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 143411 (Sub-1TA), filed January 2, 1980. Applicant: VALLEY CONTRACT CARRIERS, INC., P.O. Box 3479, McAllen, TX 78501. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. Contract, irregular; *Fruit and vegetable juices and concentrates (except commodities in bulk),* from points in Cameron and Hildalgo Counties, TX to points in AR, CA, CO, IA, IL, IN, KS, LA, MN, MI, MO, MS, MT, NE, NV, NM, OK, OR, SD, TN, UT, WA and WI, under a continuing contract(s) with Texas Citrus Exchange, for 180 days. Underlying ETA filed for 90 days. Supporting shipper(s): Texas Citrus Exchange, Sales Manager, P.O. Box 793, Mission, TX 78572. Send protests to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600 Ft Worth, TX 76102.

MC 143570 (Sub-18TA), filed December 18, 1979. Applicant: D & G TRUCKING, INC., 4420 East Overland Road, Meridian, Idaho 83642. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. *Salt,* from the facilities of American Salt Company, at or near Grantsville, UT to points in ID on or south of the southern boundary of Idaho County, and Malheur County, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): American Salt Company, 3142 Broadway, Kansas City, MO 64111. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 144621 (Sub-17TA), filed January 8, 1980. Applicant: CENTURY MOTOR LINES, INC., P.O. Box 15246, 1720 East Garry Avenue, Santa Ana, CA 92705. Representative: Jack B. Wolfe, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. *Candy and confectionery,* from the facilities of New England Confectionery Co. at or near Cambridge, MA, to Seattle, WA; Salt Lake City, UT; Dallas, TX; and San Francisco and Los Angeles, CA, and their respective commercial zones, (2) from points in Alameda County, CA, to the facilities of New England Confectionery Co., at or near Cambridge, MA, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): New England Confectionery Co., Traffic Manager, 254 Massachusetts Avenue, Cambridge, MA 02139. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 144621 (Sub-18TA), filed January 3, 1980. Applicant: CENTURY MOTOR LINES, INC., P.O. Box 15246, 1720 East Garry Avenue, Santa Ana, CA 92705. Representative: James P. Beck, 717–17th Street, Suite 2600, Denver, CO 80202. *Wine (except in bulk),* from the facilities of Sebastiani Vineyards at or near Sonoma, California to points in Texas, and points in and East of Wisconsin, Iowa, Illinois, Kentucky, Tennessee and Mississippi, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Sebastiani Vineyards, Traffic Manager, P.O. Box AA, Sonoma, California 95476. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 144821 (Sub-6TA), filed December 31, 1979. Applicant: FREEDOM FREIGHTWAYS, INC., P.O. Box 5850, St. Louis, MO 63134. Representative: Raymond Ellsworth (address same as applicant). *Materials and supplies as are used in the manufacturing of paper cores and tubes.* From Rockton, IL to Louisiana, MO, restricted to shipments originating at and destined to facilities utilized by Sonoco Products Co., for 180 days. Underlying ETA filed for 90 days. Supporting shipper(s): Sonoco Products Co., Hartsville, SC 29550. Send protests to: Ruth Allport, TCS, ICC, 411 West 7th St., Suite 600, Ft. Worth, TX 76102.

MC 145240 (Sub-6TA), filed December 31, 1979. Applicant: L. D. BRINKMAN TRUCKING CORP., 529 N. Wildwood, Irving, TX 75060. Representative: Lawrence A. Winkle, Suite 1125, Exchange Park, Dallas, TX 75235. Contract, irregular *(1) merchandise as dealt in by wholesale, retail, chain grocery and food business houses; (2) materials, ingredients and supplies used in the manufacture, distribution and sale of the products referred to in (1) above* from the facilities of the Ralston Purina Company located at or near Oklahoma City, OK to points in AR, LA and TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston Purina Company, 13700 N. Lincoln Blvd., Edmond, OK 73034. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 145300 (Sub-3TA) (Republication) filed October 5, 1979, previously noticed in the FR issue of December 5, 1979. Applicant: MINUTE MAN TRANSIT, INC., 24 Williams Street, Dedham, MA 02026. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108. *Drugs, chemicals, medicines, and toilet preparations (except in bulk)* from the facilities of Miles Laboratories, Inc. at West Haven, CT to points in ME, MA, NH, RI and VT. For 180 days. An underlying ETA seeks 90 days authority. The purpose of this republication is to include NH as a destination state. Supporting shipper(s): Miles Laboratories, Inc., P.O. Box 40, Elkhart, IN 46515. Send protests to: John B. Thomas, District Supervisor, I.C.C., 150 Causeway Street, Boston, MA 02114.

MC 146360 (Sub-15TA) (republication) filed September 13, 1979, previously noticed in the FR issue of December 5, 1979. Applicant: FLOYD SMITH JR. TRUCKING, INC., P.O. Box 816, Meridian, ID 83701. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. *Building materials, from the facilities of Metalbestos Systems,* at or near Logan, OH to points in KS, CO, NE, SD, ND, MN, WI, IA, MO, IL & TX, for 180 days. The purpose of this republication is to correct the origin point to read "Logan, OH" in lieu of, Logan, UT. Supporting shipper(s): Metalbestos Systems, Inc., P.O. Box Drawer 957, Logan, OH 43188. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 145421 (Sub-4TA), filed January 8, 1980. Applicant: ED BURNS, d.b.a. ED BURNS & SONS TRUCKING, Rural Route #1, Denver, IN 46926.

Representative: Robert A. Kriscunas, 1301 Merchants Plaza, Indianapolis, IN 46204. *Contract carrier:* irregular routes: *Animal and poultry feed and feed ingredients,* between the facilities of Ralston Purina Company at Lansing, MI and Milford Junction, IN, on the one hand, and on the other, points in IL, IN, KY, MI, NY, OH and PA. Restricted to a contract or continuing contracts with Ralston Purina Company for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ralston Purina Company, 1503 Wabash Avenue, Lafayette, IN 47902. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 145481 (Sub-16TA), filed December 10, 1979. Applicant: COYOTE TRUCK LINE, INC., 501 Sam Ralston Road, Lebanon, IN 46052. Representative: John T. Wirth, 717—17th Street, Suite 2600, Denver CO 80202. *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment),* between the facilities utilized by Terminal Freight Cooperative Association at Los Angeles, CA on the one hand, and, on the other, Greensboro, NC, Memphis, TN; Jacksonville, FL; and Atlanta, GA. Restriction: Restricted to traffic which is at the time moving on bills of lading of a non-profit shipper association (operating pursuant to 10562(3) of the Interstate Commerce Act (formerly 402(c)) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Terminal Freight Cooperative Association, 1430 Branding Lane, Downers Grove, IL 60515. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 145610 (Sub-3TA), filed January 2, 1980. Applicant: TRUCK AIR OF GEORGIA, INC., 576 Lake Mirror Rd., College Park, GA 30349. Representative: Robert E. Born, Suite 508, 1447 Peachtree St., N.E., Atlanta, GA 30309. *General commodities (except articles of unusual value, household goods as defined by the Commission, Classes A and B explosives, and commodities requiring special equipment),* between Hartsfield International Airport, Atlanta, GA; Birmingham Municipal Airport, Birmingham, AL; and Huntsville-Madison County Airport, Huntsville, AL, on the one hand, and, on the other, points in AL; GA (except Chatham and Glynn Counties); John F. Kennedy International Airport, Jamaica, NY; La Guardia Airport, New York, NY; Newark International Airport, Newark, NJ; Logan International Airport, Boston, MA; O'Hare International Airport, Chicago, IL; Lambert International Airport, St. Louis, MO; Kansas City International Airport, Kansas City, MO-KS; Dayton International Airport; Vandalia, OH; New Orleans International Airport, New Orleans, LA; Knoxville Municipal Airport, Knoxville, TN; Lovell Field Airport, Chattanooga, TN; Nashville Metropolitan Airport, Nashville, TN; Memphis International Airport, Memphis, TN; and Tri Cities Airport, Bristol, Kingsport and Johnson City, TN for 180 days. An underlying ETA seeks 90 days authority. Restricted to the transportation of shipments having an immediately prior or subsequent movement by air. Supporting shipper(s): There are (166) shippers. Their statements may be examined at the office listed below and Headquarters. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 145950 (Sub-68TA), filed January 9, 1980. Applicant: BAYWOOD TRANSPORT, INC., P.O. Box 2611 Route 6, Waco, Texas 76706. Representative: E. Stephen Heisley, 666 Eleventh St. N.W., Washington, D.C. 20001. *Glassware products and earthenware products* from Dunkirk, IN; Scio, Lancaster, Toledo, OH; Sapulpa, OK; and Jeannette, PA and points in their Commerical Zones to the facilities of Trendco, Inc. at/or near Austin, TX for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper(s): Trendco, Inc., 9416 Neils Thompson Drive, Austin, TX 78759. Send protests to: Marianne Minnich, TCS, ICC,411 W. 7th Street, Suite 600, Fort Worth, TX 76102.

MC 145950 (Sub-69TA), filed December 31, 1979. Applicant: BAYWOOD TRANSPORT, INC., Route 6, Box 2611, Waco, TX 76706. Respresentative: Michael D. Bromley, 805 McLachlen Bank Building, 666 Eleventh Street, N.W., Washington D.C. 20001. *Paper and paper products* from the facilities of Boise Cascade Corporation, at or near Elizabeth, LA to points in and east of ND, SD, NE, KS, OK and TX. An underlying ETA seeks 90 days authority. Supporting shipper(s): Boise Cascade Corporation, P.O. Box 7747, Boise, ID 83707. Send protests to: Marianne Minnich, TCS, ICC, 411 W. 7th St., Suite 600, Ft. Worth, TX 76102.

MC 145950 (Sub-70TA), filed January 4, 1980. Applicant: BAYWOOD TRANSPORT, INC., 2611 University Parks Drive, Waco, TX 76706. Representative: E. Stephen Heisley, 666 Eleventh St. NW, Waco, TX 76706. *Agricultural fungicides (non-hazardous)* from the facilities of Kocide at Houston, Texas to Stockton, CA, Orlando, FL, Portland, OR, Edgewater, NJ, Brooklyn, NY, Tampa, FL; San Jose, Modesto and Mercedes, CA for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Kocide Chemical Corp., 12701 Almeda Rd., Houston, TX 77045. Send protests to: Marianne Minnich, TCS, I.C.C., 411 W. 7th St., Fort Worth, TX 76102.

MC 147161 (Sub-6TA), filed January 4, 1980. Applicant: MASS TRANSIT, INC., 2450 Orange St., Signal Hill, CA 90806. Representative: Ronald C. Chauvel, 100 Pine Street, Suite 2550, San Francisco, CA 94111. *Contract:* Irregular: *Wrought steel pipe and pipe fittings,* between points in the states of UT, AZ, NM, NV, CA and CO, under continuing contract(s) with Kelly Pipe Company, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Kelly Pipe Company, 11700 Bloomfield Ave., Santa Fe Springs, CA 90670. Send protests to: Irene Carlos, T/A, I.C.C., Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012.

MC 147170 (Sub-4TA), filed January 7, 1980. Applicant: K & L TRUCK SERVICE, 461 S. Harbor Blvd., La Habra, CA 90631. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. *Contract:* Irregular: *Adhesives, boiler cleansing compounds, organic compounds, inedible fatty alcohols, textile softening compound, paint additives, synthetic plastic erosol resins, leather finishing materials, and fireproofing flame retardant compounds.* (a) from the facilities of Henkel Corporation located at Hoboken, NJ, to the facilities of Henkel Corporation located at Hawthorne, CA; (b) from the facilities of Henkel Corporation located at Hawthorne, CA, to Little Rock, AR, Miami, FL, Wichita, KS, Everett, MA, Byhalia, MS, St. Louis, MO, Reno, NV, Hoboken, NJ, Columbus, OH, Beaverton and Portland, OR, Frisco, PA, Dallas, Houston, Midland, Odesa and Tyler, TX; and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk and requiring special equipment) from Little Rock, AR, Miami, FL, Atlanta, GA, McCook and Chicago, IL, St. Louis, MO, Reno, NV, Hoboken and Bridgeport, NJ, Columbus, OH, and Seattle, WA, to the facilities of Henkel Corporation, located at Hawthorne, CA, under a continuing contract(s) with Henkel Corporation of Hawthorne, CA; for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Henkel Corporation, 12607

Cerise Ave., Hawthorne, CA 90250. Send protests to: Irene Carlos, T/A, I.C.C., 300 N. Los Angeles St., Rm. 1321, Los Angeles, CA 90012.

MC 148490 (Sub-3TA), filed December 18, 1979. Applicant: C & N EVANS TRUCKING CO., INC., Rt. 2, Box 39–E, Stoneville, NC 27048. Representative: Clarence B. Evans, Rt. 2, Box 39–E, Stoneville, NC 27048. *Metal containers and packing material on return* from facilities of National Can Corp. at Winston-Salem, NC to Bishopville, SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): National Can Corp., Rt. 287, Piscataway, NJ 08854. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd/Rm CC516, Charlotte, NC 28205.

MC 149051 (Sub-TA), filed November 30, 1979. Applicant: L&M TRUCK BROKERS, INC., 930 Newton Bridge Rd., Athens, GA 30607. Representative: Frank D. Hall, Suite 713, 3384 Peachtree Rd., N.E., Atlanta, GA 30326. *Foodstuffs, restricted to shipments moving in mechanically refrigerated equipment* from the plantsite & warehouse facilities of Standard Brands, Inc., located at or near Chicago, IL, to points in AL, GA, and FL for 180 days. Supporting shipper(s): Standard Brands, Inc., 3401 Mount Prospect Rd., Franklin Park, IL 60131. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 149061 (Sub-1TA), filed September 12, 1979. Applicant: STEMPEL MANUFACTURING CO., Airport Rd., Coleman, TX 76834. Representative: Robert K. Frisch, 4555 First National Bank Bldg., Dallas, TX 75202. Contract carrier, irregular routes, *office equipment, institutional furnishings in containers, parts materials and supplies used in the manufacture of office equipment and institutional furniture (except commodities in bulk)* from points in CA, DE, IN, KY, MD, MI, NY, OH, PA, and RI to points in TX for 180 days. Supporting shipper(s): Expanko Cork Co., Inc., P.O. Box 384, West Chester, PA 19380. Send protests to: Opal M. Jones, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 149280 (Sub-TA), filed November 19, 1979. Applicant: M & A TRANSPORT, INC., 4117 Terminal Dr., Box 393, McFarland, WI 53558. Representative: Frank Coyne, 25 W. Main St., Madison, WI 53703. *Liquid fertilizer in tank trucks* (a) from E. Dubuque, Marseille & Cordova, IL to points in IA & WI, (b) Clinton, IA to points in IL & WI; (c) from Winona, MN to points in IL, IA & WI; (d) from Lacrosse, WI to points in MN, IL & IA, for 180 days. Supporting shipper(s): Kaiser Chemical Co., P.O. Box 494, W. Des Moines, IA 50265. Send protests to: Gail Daugherty, TA, ICC, 517 E. Wisconsin Ave., Rm. 619, Milwaukee, WI 53202.

Passengers

MC 148841 (Sub-1TA) filed December 13, 1979. Applicant: HAYDEN BUS SERVICE, INC., P.O. Box 31A, ST. Louis, MO 63166. Representative: L. W. Ward, P.O. Box 31A, St. Louis, MO 63166. Passengers and their baggage, in the same vehicle with passengers in round-trip charter and special operations, beginning and ending in Adams, Tazewell, Sangamon, St. Clair, Jackson and Fayette Counties, IL; those points on Interstate Hwy. 70 between St. Louis, Mo and Terre Haute, IN, including St. Louis, MO and Terre Haute, IN, and points in St. Louis County, MO, extending to points in the US (including AK but excluding HI), restricted to service to be provided for the account of Presley Tours, Inc., of Makanda, IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Presley Tours, Inc., Makanda, IL 62958. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, Mo 63101.

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MC 144622 (Sub-129TA), filed December 19, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Meat and meat by-products* from the facilities of Consolidated Pet Foods, Inc. in Amarillo, TX to Columbus, OH; Crete, NE; Denver, CO; Ft. Dodge, and Muscatine, IA; Kankakee, IL; Long Beach and Los Angeles, CA; Omaha, NE; Topeka, KS, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Consolidated Pet Foods, Inc., P.O. Box 30488, Amarillo, TX 79120. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144622 (Sub-130TA), filed December 26, 1979. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Foodstuff and food ingredients, materials* used in the manufacture, distribution and sales of food products, between facilities of Morton Foods at or near Crozet, VA; Searcy and Russellville, AR, on the one hand and on the other, points in AR, AL, CT, FL, GA, KY, ME, MD, MA, MS, NH, NJ, NY, NC, OH, PA, RI, SC, TN VA, VT, and WV, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Morton Frozen Foods Division, ITT Continental Baking Company, Inc., P.O. Box 97, Crozet, VA 22932. Send protests to: William H. Land, DS, 3108 Federal Bodg., Little Rock, AR 72201.

MC 144702 (Sub-2 TA), filed December 17, 1979. Applicant: ASHEVILLE-NEW YORK MOTOR EXPRESS, INC., P.O. Box 9907, Asheville, NC 28805. Representative: Eric Meierhoefer, Suite 423, 1511 K Street, NW, Washington, DC 2005. *Heat transfer print paper* from New York, NY and points in its commercial zone to Mountain City, TN and points in its commercial zone and points in SC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Transporint International, 1450 Broadway, New York, NY 10018. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Mart Office Building, Charlotte, NC 28205.

MC 145152 (Sub-161TA), filed December 13, 1979. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *Office partitions, school furniture, lockers and shelving,* from points in MI, MO, MS, OH, TN, TX, and WI, to the facilities of Northern Corporation, at or near Woburn, MA, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Northern Corporation, 35 Industrial Parkway, Woburn, MA 01801. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145152 (Sub-162TA), filed December 18, 1979. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764 Respresentative: Don Garrison, Esq., P.O. Box 1065, Fayetteville, AR 72701. *Such commodities as are dealt in or used by wholesale and retail grocery and variety stores (except in bulk)* from the facilities of Southern Sugars, Inc., at points in LA, on the one hand, and on the other, points in AL, AR, FL, GA, IL, IN, KS, KY, MO, MS, NE, OK, TN, and TX for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Southdown Sugars, Inc., 1821 Tidewater Place, New Orleans, LA 70112. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145152 (Sub-163TA), filed December 19, 1979. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Respresentative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *Candy* from the facilities of Tyler Candy Company,

Inc., at or near Tyler, TX on the one hand, and on the other, points in AR, LA, and OK for 180 days. Supporting Shipper: Tyler Candy Company, Inc., P.O. Box 6556, Tyler, TX 75711. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145152 (Sub-164TA), filed December 20, 1979. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Respresentative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. *Such commodities* as are dealt in by wholesale, retail and chain grocery and food business houses and *equipment, materials and supplies* used in the conduct of such businesses, between the facilities of Campbel Soup Company, at or near Omaha, NE and points in AR, CA, CO, DE, GA, IA, IL, IN, KS, MD, MI, MN, MO, NC, ND, NJ, NY, OH, PA, SC, SD, TN, TX, UT, WI, and WY, for 180 days. Supporting Shipper: Campbell Soup Company 1202 Douglas Street, Omaha, NE 68102. Send protests to: William H. Land, DS, 3108 Federal Bldg. Little Rock, AR 72201.

MC 145152 (Sub-165TA), filed December 10, 1979. Applicant: BIG THREE TRANSPORTATION, INC., P.O. Box 706, Springdale, AR 72764. Respresentative: Don Garrison, P.O. Box 1065, Fayettevile, AR 72701. *Such commodities as are dealt in or used by wholesale and retail discount and variety stores,* from points in AR, CT, FL, GA, IL, MA, MI, MO, NC, NJ, NY, OK, PA, TN, TX, VA, and WI, to the facilities of Hart Stores, Inc. at or near Columbus, OH, for 180 days. Underlying ETA seeks 90 days authority. Supporting Shipper: Hart Stores, Inc., 770 West Goodale Blvd., Columbus, OH 43212. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 145582 (Sub-5TA), filed August 20, 1979. Applicant: DENMARK TRUCKING, INC., 730 Main Street, Greenville, MS 38701. Representative: Harold H. Mitchell, Jr., P.O. Box 1295, Greenville, MS 38701. Authority to operate as a *contract carrier* by motor vehicle over irregular routes transporting: metal wire products and hinges between the facilities of Hager Hinge & Sons Co., Inc. located at or near Anniston, AL, St. Louis, MO, and Greenville, MS, on the one hand, and, on the other, Feasterville, PA, Los Angeles, CA, St. Louis, MO, Denver, CO, Tacoma, WA, Dallas, TX, Greenville, MS, Anniston, AL and Atlanta, GA (Restricted against service between Greenville, MS and Los Angeles, CA), for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper: Hager Hinge & Sons Co., Inc., 139 Victor Avenue, St. Louis, MO 63101. Send protests to: Alan C. Tarrant DS, ICC, Suite 1441, Federal Building, 100 West Capitol St., Jackson, MS 39201.

MC 145593 (Sub-6TA), filed December 31, 1979. Applicant: HAROLD SHULL TRUCKING, INCORPORATED, P.O. Box 1533, Hickory, NC 28601. Representative: Harold D. Shull, Curley Fish Camp Rd. Hildebran, NC 28637. *Furniture and furniture parts* from Mitchell County, NC to MI and OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper: Henredon Furniture Ind., Inc., P.O. Box 70, Morgantown, NC 28655. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd, Rm. CC516, Charlotte, NC 28205.

MC 145623 (Sub-6TA), filed September 26, 1979. Applicant: O K MESSENGER SERVICE, INC., 9107 Telegraph Road, Taylor, MI 48180. Representative: Edwin M. Snyder, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167. *Contract carrier:* irregular routes: *Structural steel beams, angles, channels, and plates,* from Plymouth, MI to points in AL, AR, FL, GA, ID, IA, KS, LA, MD, MN, MS, MO, NE, NH, NJ, OK, RI, SC, TX, and UT under a continuing contract with Federal Pipe and Steel Corporation for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper: Federal Pipe and Steel Corporation, 41600 Joy Road, Plymouth, MI. Send protests to: Annie Booker, TA, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 146553 (Sub-9TA), filed November 20, 1979. Applicant: ADRIAN CARRIERS, INC., 1826 Rockingham Rd., Davenport, IA 52808. Representative: James M. Hodge, 1980 Financial Ctr., Des Moines, IA 50309. *Internal combustion engine parts* from the facilities of Airesearch Industrial Division, Garrett Corporation, at Harbor City, CA, to Flint and Pontiac, MI, and Lima, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Airesearch Industrial Division, Garrett Corporation, 1661 West 240th St., Harbor City, CA 90710. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 146743 (Sub-3TA), filed December 28, 1979. Applicant: YAGER TRUCKING, INC., 1116 Gum Avenue, Woodland, CA 9569. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. *Canned goods* from facilities of Rogers Walla Walla, Inc., at Walla Walla, WA and Milton-Freewater, OR to points in CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Rogers Walla Walla, Inc., P.O. Box 998, Walla Walla, WA 99362. Send protests to: A. J. Rodriguez, 211 Main Street, Suite 500, San Francisco, CA 94105.

MC 146782 (Sub-28TA), filed December 12, 1979. Applicant: ROBERTS CONTRACT CARRIER CORPORATION, 300 First Avenue, South, Nashville, TN 37201. Representative: Stephen L. Edwards, 806 Nashville Bank & Trust Bldg., Nashville, TN 37201. *(1) Wire, rod and wire and rod products, and (2) equipment, materials, and supplies used in the manufacture of wire, rod and wire and rod products (except commodities in bulk),* between the facilities of Coastal Wire Company, Inc., located in Georgetown County, SC, on the one hand, and, on the other points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, for 180 days. Restriction: Restricted to traffic originating at or destined to the facilities of Coastal Wire Company, Inc. An underlying ETA seeks 90 days authority. Supporting shipper: Coastal Wire Company, Inc., P.O. Box 823, East Gapway Rd., Andrews, SC 29510. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 146972 (Sub-2TA), filed December 27, 1979. Applicant: BLUE STAR TRUCKING, INC., 140 Jackson Avenue, Edison, NJ 08817. Representative: Thaddeus C. Raczkowski, Gruber and Raczkowski, 3288 Route #27, P.O. Box 9, Kendall Park, NJ 08824. Contract carrier, irregular routes for 180 days. Foodstuffs (except in bulk) and materials, supplies and equipment used in the manufacture, sale and distribution thereof between all points in the states of MD, NJ and PA, on the one hand, and, on the other, the facilities of Ragu Foods in Manchester and Rochester, NY. Supporting shipper: Ragu Foods, Inc., 33 Benedict Place, Greenwich, CT 06830. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 147062 (Sub-8TA), filed December 17, 1979. Applicant: EXPRESS TRANSPORTATION COMPANY, P.O. Box 789, Chattanooga, TN 37401. Representative: Ralph B. Matthews, P.O. Box 56387, Atlanta, GA 30343. *Water meters,* from the facilities of Neptune Water Meter Company at or near Tallassee, AL to Los Angeles, CA, for 180 days. Supporting shipper: Neptune Water Meter Company, P.O. Box 458, Tallassee, AL 36078. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 147152 (Sub-10TA), filed December 11, 1979. Applicant: GENERAL CARRIERS CORPORATION, 12425 East Florence Avenue, Santa Fe

Springs, CA 90670. Representative: Miles L. Kavaller, Mandel & Kavaller, 315 South Beverly Drive, Suite 315, Beverly Hills, CA 90212. *General commodities (except those of unusual value, commodities in bulk, Classes A & B explosives, household goods as defined by the Commission, and those requiring special handling or equipment)* between points in Alameda, Contra Costa, Los Angeles, Marin, Orange, and San Francisco Counties, CA, on the one hand, and, on the other, points in IL, MI, NJ, OH, PA, and VA, restricted to traffic moving on the bills of lading of Major Shippers Association, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper: Major Shippers Association, Inc., President, P.O. Box 3045, Santa Fe Springs, CA 90670. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 147213 (Sub-3TA), filed December 13, 1979. Applicant: T & T TRUCKING, INC., 11603 8th South, Seattle, WA 98168. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Heavy machinery requiring special lowboy equipment,* between the facilities of Hertz Equipment Rental, Inc. at Seattle, WA and points in OR on and west of U.S. Highway 97, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Hertz Equipment Rental, 3838 4th Ave. South, Seattle, WA 98134. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle WA 98174.

MC 147343 (Sub-9TA), filed November 26, 1979. Applicant: TREADWAY CARRIERS, INC., P.O. Box 364, Westfield, IN 46074. Representative: Orville G. Lynch (same address as applicant). *Radio receiving sets, and phonographs or tape or wire recorders, separate or combined, or materials used in the manufacture of radio receiving sets and phonographs or tape or wire recorders* (1) from Los Angeles, CA, Santa Claus, IN and New York, NY to points in the U.S. and (2) materials used in the manufacture of radio receiving sets and phonographs or tape or wire recorders, from points in the U.S. to the origin points named in (1) above for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Soundesign Corp., 34 Exchange Place, Jersey City, NJ. Send protests to: ICC, 219 South Dearborn Street, Chicago, IL 60604.

MC 147343 (Sub-10TA), filed December 12, 1979. Applicant: TREADWAY CARRIERS, INC., P.O. Box 364, Westfield, IN 46074. Representative: Orville G. Lynch (same address as applicant). *Cabinets, Housings, or Shells, Business or office machine, or materials used in the manufacture thereof (except in bulk),* between Evansville, IN, on the one hand, and on the other, points and places in the U.S. for 180 days. Supporting shipper: Craddock Furniture Corp., 1400 West Illinois Street, Evansville, IN 47710. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 147413 (Sub-4TA), filed January 3, 1980. Applicant: SUNRICH TRANSPORTATION COMPANY, 303 S. Santa Fe, Pueblo, CO 81002. Representative: William J. Lippman, 50 S. Steele, Suite 330, Denver, CO 80209. *Alcoholic Beverages and Wine,* from points in CA to Pueblo, CO, for 180 days. Restricted to transportation of traffic destined to the facilities of Mike Diodosio Wholesale Liquor Co. under a continuing contract with Mike Diodosio Wholesale Liquor Co. An underlying ETA requesting up to 90 days. Supporting shipper: Mike Diodosio Wholesale Liquor Co., 3130 N. Freeway, P.O. Box 2187, Pueblo, CO 81004. Send protests to: District Supervisor H. C. Ruoff, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202.

MC 147752 (Sub-1TA), filed November 7, 1979. Applicant: SIKO A & WILSON, INC., d.b.a. EAST-WEST EXPRESS, 7900 N. Frontage Rd., Hinsdale, IL 60521. Representative: Robert J. Gill, 410 Cortez Rd. W., Suite 406, Bradenton, FL 33507. *Candy, confectionaries, novelties, display materials and advertising matter in temperature controlled trailers, except commodities in bulk,* between the facilities of E. J. Brach and Son in the Chicago Commercial Zone, Sullivan, IL, and North Reno, NV, on the one hand, and, on the other, points in CA, AZ, ID, NV, OR, UT, WA, and NM, for 180 days. Supporting shipper: E. J. Brach & Son, 4656 W. Kinzie, Chicago, IL 60644. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn St., Rm. 1386, Chicago, IL 60604.

MC 148143 (Sub-1TA), filed October 16, 1979. Applicant: MID-AMERICA FARM LINES, INC., MPO Box 71, Springfield, MO 65801. Representative: Wm. L. Peterson, Jr., Century Center, Suite 250, 100 West Main, Oklahoma City, OK 73102. *Contract, Irregular* General commodities, except: those of unusual value, classes A, B, and C explosives, household goods, commodities in bulk and those requiring special equipment, between the plant sites, warehouses and facilities of Mead Johnson & Company in or near Evansville and Mount Vernon, IN on the one hand, and on the other points in the United States, except AK, HI, and IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Mead Johnson & Co., 2404 Pennsylvania Ave, Evansville, IN 47721. Send protests to: Vernon V. Coble, DS, I.C.C., 600 Federal Bldg., 911 Walnut St., Kansas City, MO 64106.

MC 148183 (Sub-15TA), filed December 20, 1979. Applicant: ARROW TRUCK LINES, INC., P.O. Box 432, Gainesville, GA 30501. Representative: Pauline E. Myers, Suite 348, Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004. *Meat, meat products, meat by-products, (except hides and commodities in bulk), in refrigerated vehicles* from the facilities of The Rath Packing Company at Columbus Junction, IA; Waterloo, IA and Indianapolis, IN to points in AL, GA, NC, SC, and TN on and east of Hwy. 65 for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: The Rath Packing Company, P.O. Box 330, Waterloo, IO 50704. Send protests to: Sara K. Davis, T/A, ICC, 1252 W. Peachtree St., NW., Rm. 300, Atlanta, GA 30309.

MC 148442 (Sub-2TA), filed December 7, 1979. Applicant: SOUTHEASTERN FOOD DISTRIBUTORS, INC., d.b.a., SOUTHEASTERN TRANSPORT COMPANY, 607 10th Avenue, North, Nashville, TN 37202. Representative: Lawson L. Turk (same address as applicant). *Dairy Products,* from the facilities of Borden Foods in Atlanta, GA and Memphis, TN to points in AR, AL, MS, GA, MO, and KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Borden Foods, Div. Borden, Inc., 180 E. Broad, Columbus, OH 43215. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 148522 (Sub-3TA), filed October 29, 1979. Applicant: PAUL E. ACE TRUCKING, INC., 930 Clay Ave., Stroudsburg, PA 18360. Representative: Joseph F. Horay, 121 S. Main St., Taylor, PA 18517. (1) *Cabinets for use in the installation of electronic equipment* from East Stroudsburg, PA to Framingham, MA; Nashua, NH; Bristol, TN; Fort Lauderdale and Tampa, FL; Newark, Christina, and Glasgow, DE; (2) *Metal used in the manufacture of (1) above* from Jersey City, NJ and Sparrows Point, MD to East Stroudsburg, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Trumatic, Inc., R.D. #2, P.O. Box 214, E. Stroudsburg, PA 18301. Send protests to: I.C.C., Fed. Res.

Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 148522 (Sub-4TA), filed December 10, 1979. Applicant: PAUL E. ACE TRUCKING, INC., 930 Clay Ave., Stroudsburg, PA 18360. Representative: Joseph F. Hoary, 121 South Main St., Taylor, PA 18517. *Malt beverages, in containers,* from South Volney Township, NY to Milton, PA, Point Pleasant Beach, NJ and Elizabeth, NJ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Point Pleasant Distributors, Inc., 319 Hawthorne Ave., Point Pleasant Beach, NJ 08742; Kristen Distributing, Inc., 590 Bereick St., Elizabeth, NJ; West Branch Bev., Co., Inc., R.D. #1, Milton, PA. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 148613 (Sub-1TA), filed November 2, 1979. Applicant: I. PETERS TRANSPORT, LTD., 95 Douglas Road, Winnipeg, Manitoba, Canada R2J 3B8. Representative: Robert S. Lee, 1000 First National Bank Building, Minneapolis, MN 55402. *Fertilizer,* between points in MN and ND, on the one hand, and, on the other, points on the United States-Canada Border in MN and ND, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Fert-L-Flow, Division of Grand Forks Seed Co., 1226 S. Main, Crookston, MN 56716. Send protests to: H. E. Farsdale, DS, ICC, Room 268, Fed. Bldg. and U.S. Post Office, 657 2nd Avenue North, Fargo, ND 58102.

MC 148403 (Sub-1TA), filed December 21, 1979. Applicant: BATR, INC. d.b.a. BATR TRUCKING, INC., 1820 W. Acoma Blvd., Lake Havasu City, AZ 86403. Representative: David Robinson, Attorney at Law, 3003 N. Central Ave., Suite 2500, Phoenix, AZ 85012. *Construction materials, equipment, machinery, and steel; freight used or designed for construction and/or landscaping; recyclable materials and items used in connection with transportation, installation, operation or removal of such commodities,* between points in Mohave County, AZ on the one hand, and on the other hand, points in CA, OR, NV, CO and NM, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Island Dev. Corp, d.b.a. Desert Steel, Welding & Supply Co., 1863 Commander Dr., Lake Havasu City, AZ 86403; Blue Water Eng. & Mfg., 750 N. Havasu Ave., Lake Havasu City, AZ; B & R Auto Salvage, 1555 Dover Dr., Lake Havasu City, AZ 86403; and Desert Valley Wood Products, Inc., 2130 Price Dr., Lake Havasu City, AZ 86403. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 148752 (Sub-1TA), filed December 5, 1979. Applicant: H & H SERVICES, INC., P.O. Box 155, Rock Springs, WY 82901. Representative: Harold M. Hood (same address as applicant). (1) Machinery, materials, equipment and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by products, and (2) machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof. Restricted against the transportation of complete oil drilling rigs, between points in UT, ID, WY, NE, CO, NM, ND, SD and MT for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: There are eight (8) shippers. Their statements may be examined at the office shown below or at Headquarters Office. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Rm 105 Federal Bldg. & Crt House, 111 South Wolcott, Casper, WY 82601.

MC 148793 (Sub-1TA), filed November 16, 1979. Applicant: M & L MESSENGER SERVICE, INC., Jewel Lane, New Fairfield, CT 06810. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Common carrier:* irregular routes: *packages, not exceeding more than fifty pounds per package,* between Bethel, Brookfield, Danbury and New Fairfield, Connecticut, on the one hand, and, on the other, Boston, Massachusetts; Keene, New Hampshire; New York, New York; Philadelphia, Pennsylvania; points on Long Island, New York and points in New Jersey, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Twelve attached. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Hartford, CT 06103.

MC 148832 (Sub-1TA), filed December 13, 1979. Applicant: DELTA MOTOR FREIGHT, INC., 1616 Rowe Blvd., Poplar Bluff, MO 63901. Representative: Frank W. Taylor, Jr., 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105. *Common, regular, General commodities* (except those of unusual value, classes A and B explosives household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between Poplar Bluff, MO and its commercial zone, on the one hand, and, on the other, Memphis, TN and its commercial zone, as follows: (1) from Poplar Bluff over U.S. Hwy 67 to its junction with U.S. Hwy 63; then over U.S. Hwy 63 to its junction with Interstate Hwy 55; then over Interstate Hwy 55 to Memphis, TN and return over the same route; (2) from Poplar Bluff over MO Hwy 53 to its junction with MO Hwy 25; then over MO Hwy 25 to its junction with MO Hwy 84; then over MO Hwy 84 to its junction with Interstate Hwy 55; then over Interstate Hwy 55 to Memphis, TN, and return over the same route, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: There are 13 supporting shippers. Send protests to: P. E. Binder, DS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

MC 148833 (Sub-1TA), filed December 6, 1979. Applicant: REBEL EXPRESS, INC., Box 98, Dawson, IA 50066. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in Sections A, B, and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk)* from the facilities of Swift & Company at Chicago, Rochelle, St. Charles, and Bradley, IL; Sioux City, Glenwood, and Marshalltown, IA; Omaha, NE; and Kansas City, KS, to points in AZ, CA, and NV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Swift & Company, 115 W. Jackson Blvd., Chicago, IL 60604. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 148842 (Sub-1TA), filed November 29, 1979. Applicant: KENNETH E. MORGAN & STEPHEN J. MCLEOD, d.b.a. SPEEDY DELIVERY, P.O. Box 415, Pullman, WA 99163. Representative: Timothy Stivers, P.O. Box 162, Boise, ID 83701. *Human blood, emergency equipment and medical supplies, packages and parcels, (except radioactive materials),* between points in Latah and Nez Perce Counties, ID on the one hand, and, on the other, points in WA within 15 miles of Pullman, WA, including Pullman, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gritman Memorial Hospital, 710 South Main, Moscow, ID 83843. The Washington Water Power Company, P.O. Box 605, Pullman, WA 99163. Memorial Hospital, Washington Ave., Pullman, WA 99163. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 148862 (Sub-1TA), filed December 18, 1979. Applicant: ANGELTOWN CHARTER LINES, INC., 2029 S. State College Blvd., Anaheim, CA 92806. Representative: John M. Clark (same address as above). *Passengers and their baggage*, points in Los Angeles and Orange Counties to and between Arizona, Nevada , and Utah, for 180 days. An underlying ETA seeks up to 90 days authority. Supporting shipper(s): Western Leisure, President, 5075 Warner Avenue, Huntington Beach, CA 92649. Fremont Hotel & Casino, Director of Bus Promotions, 300 East Fremont Street, Las Vegas, NV. Silverbird Hotel & Casino, Manager of Special Events, 2755 Las Vegas Blvd., South L.V., NV 89109. Corporation, Sec.-Treasurer, 23010 Lake Forrest Drive, Lagana Hills, CA. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 148872 (Sub-1TA), filed December 14, 1979. Applicant: H.O.H. COMPANY, INC., P.O. Box 637, Rossville, GA 30741. Representative: James B. Hovland, 414 Gate City Bldg., P.O. Box 1680, Fargo, ND 58107. *Contract carrier:* irregular routes: (1) *Carpet*, from points in GA. and (2) *hard surface flooring*, from Oneida, TN to New Brighton, MN, Ankeny, IA, and St. Louis, MO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Lowy Enterprises, Inc., 1565 First Ave., N.W., New Brighton, MN 55112. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 148973 (Sub-1TA), filed January 2, 1980. Applicant: ELSBERRY TRANSPORT, INC., P.O. Box 3, Albert City, IA 50510. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Sunflower meal and mill feed in bulk* from Minneapolis and Red Wing, MN to points in IA, IL, NE and SD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Agri Industrial Div., The Pillsbury Company, Richard A. Fischer, Traffic Manager, 608 Second Avenue, South, Minneapolis, MN 55402. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 148973 (Sub-2TA), filed January 2, 1980. Applicant: ELSBERRY TRANSPORT, INC., P.O. Box 3, Albert City, IA 50510. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Dry meat and bone meal scraps and bloodmeal, in bulk* (1) from Sioux City, Eagle Grove, Fort Dodge, Storm Lake, Cherokee and LeMars, IA to points in AR, KS, MN, MO, OK, NE and SD; and (2) from Dakota City, Omaha, LaPlatte and Bellevue, NE to points in AR, IA, KS, MN, MO, OK and SD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper:: Agri Industrial Div., The Pillsbury Company, Richard A. Fischer, Traffic Manager, 608-2nd Avenue South, Minneapolis, MN 55402. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 148973 (Sub-3T), filed January 2, 1980. Applicant: ELSBERRY TRANSPORT, INC., P.O. Box 3, Albert City, IA 50510. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Feed, feed ingredients, grain, soybean and seed products and by-products, except in bulk in tank vehicles* from the facilities of Archer Daniel Midland Company at Red Wing, MN to points in IA, IL, KS, MO, NE and SD for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Archer Daniel Midland Company, Thomas Brokl, Merchandising Manager, 118 Main Street, Red Wing, MN 55066. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 148993 (Sub-1TA), filed December 12, 1979. Applicant: TILMON YEARWOOD, 14927 S. Millard Ave., Midlothian, IL 60445. Representative: Anthony E. Young, 29 S. LaSalle St., Suite 350, Chicago, IL 60603. *Such commodities as are mfg., dealt in, or used by manufacturers and distributors of paper, plastic, paper products, and plastic products (except commodities in bulk)*, from the facilities of American Can Co. at Schaumburg, IL to points in IN, WI, MI and IA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: American Can Co., 1375 Mitchell Blvd., Schaumburg, IL 60193. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn St., Rm. 1386, Chicago, IL 60604.

MC 149003 (Sub-1TA), filed December 14, 1979. Applicant: WILLIAM E. BROWN, an individual, Halfway, MO 65663. Representative: Willard C. Reine, 235 E. High St., Jefferson City, MO 65101. *Sand in bulk in dump trucks* from a 10 mile radius of Edwardsville, Kansas to Lowry City, Halfway, Bolivar, Stockton and Buffalo in MO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Tap Jack Home Center, Highway 32 West, Bolivar, MO 65613. Stewart Concerete Prod., Halfway, MO 65663. Lowry City Building Supply, Lowry City, MO 64763. Buffalo Supply, Buffalo, MO 65622. Stockton Building Supply, Stockton, MO 65725. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 149032 (Sub-1TA), filed December 26, 1979. Applicant: 81,000 CANADA LTD, P.O. Box 543, Dorval Airport, Dorval, Quebec, Canada. Representative: Adrien R. Paquette, 200 St James Street West, Suite 900, Montreal, Quebec, Canada H2y 1M1. *Contract carriers*, irregular routes, *Electronic, communications and sports equipment*, (in specially designed air containers, in air ride trailer vans equipped with retractable roller bed equipment), between the port of entry on the International Boundary Line between the United States and Canada, at Champlain, NY on the one hand, and, on the other Clinton, Essex and Franklin Counties, NY, (sites of 1980 Winter Olympic Games) for the account of B.G.L. Brokerage Ltd, Montreal, Quebec, for 180 days. Restricted to traffic originating at or destined to the airports at Dorval and Mirabel, Quebec. An underlying ETA seeks 90 days authority. Supporting shipper: B.G. L. Brokerage Ltd, Dorval, Quebec, Canada. Send protests to: Carol A. Perry, TA, ICC, P.O. Box 548, Montepelier, VT 05602.

MC 149052 (TA), filed November 28, 1979. Applicant: FIRST FLIGHT AIR CHARTER, INC., 28478 Highland Road, Romlus, MI 48174. Representative: Fred E. Willis (same address as applicant). *General commodities except bulk, class a and b explosives, household goods, as defined by the Commission. No authority is sought for transportation in bulk, of commodities, in tank vehicles or the above exceptions*, between Detroit Metropolitan Airport/Willow Run Airport, Detroit, MI/Ypsilanti, MI and O'Hare International Airport/Midway Airpot, Chicago, IL. Regular route autority is sought to travel via Interstate 94/Interstate 80, to and from the above locations for 180 days. Supporting shipper(s): There are 7 supporting shippers. Their application can be reviewed at the address below or headquarters. Send protests to: Transportation Assistant, ICC, 219 S. Dearbor, Room 1386, Chicago, IL 60604.

MC 149062 (TA), filed December 19, 1979. Applicant: WILLMS TRUCKING CO., INC., 4900 Banco Road, Charleston Heights, SC 29405. Representative: Lucas C. Padgett, Jr., Esq., 141 East Bay Street, Charleston, SC 29401. *Sand, gravel and crushed stone (asphalt aggregates)*, between Charleston, SC and points in SC, NC, and GA, for 180 days. Supporting shipper: Banks Construction Company, P.O. Box 71505, Charleston Heights, SC 29405. Send protests to: E. E. Strotheid, D/S, ICC, 866

Strom Thurmond Fed. Bldg., 1835 Assembly St., Columbia, SC 29201.

MC 149062 (Sub-1TA), filed December 19, 1979. Applicant: WILLMS TRUCKING CO., INC., 4900 Banco Road, Charleston Heights, SC 29405. Representative: Lucas C. Padgett, Jr., Esq., 141 East Bay Street Charleston, SC 29401. *Fertilizer and fertilizer material, in dump trucks,* between Charleston, SC and points in SC, NC and GA, for 180 days. Supporting shipper(s): Estech General Chemicals Corp., 340 Interstate No. Pkwy., Suite 150 Atlanta, GA. W. R. Grace & Co., P.O. Box 368, Wilmington, NC. Maybank Fertilizer Corp., P.O. Box 123, Ravenel, SC 29470. Send protests to: E. E. Strotheid, D/S, ICC, 866 Strom Thurmond Fed. Bldg., 1835 Assembly St., Columbia, SC 29201.

MC 149083 (TA), filed January 7, 1980. Applicant: J. R. OSBORNE, INC., Upper City Rd. (Box 200), Pittsfield, NH 03263. Representative: Charles A. DeGrandpre, 40 Stark St., Manchester, NH 03105. Malt beverages and carbonated beverages in containers, from points in MD, PA, NY, NJ, ME, VT, MA, CT, and RI, to points in NH, for 180 days. Supporting shipper(s): Dumais Beverages, Inc., Jericho Rd., Berlin, NH 03570. White Mountain Distributors, Inc., Jericho Rd., Berlin, NH 03570, Tri-County Distributors, Inc., RFD 1, Jericho Rd., Berlin, NH 03570. New Hampshire Distributors, Inc., 1 Horseshoe Pond Ln., Concord, NH 03301. Send protests to: Ross J. Seymour, DS, ICC, Rm. 3, 6 Loudon Rd., Concord, NH 03301.

MC 149133 (Sub-1TA), filed December 31, 1979. Applicant: DIST/TRANS MULTI-SERVICES, INC. d.b.a. TAHWHEELALEN EXPRESS, INC., P.O. Box 7191, Charlotte, NC 28217. Representative: Wyatt E. Smith, 1333 Nevada Boulevard, Charlotte, NC 28217. *Such general commodities as are dealt in or distributed by public warehouse customers, consolidation customers or pool distribution customers of Dist/Trans Multi-Services, Inc., except Class A and B explosives, household goods, commodities in bulk or in tank vehicles,* (1) between Dist/Trans Multi-Services, Inc.'s consolidation and warehousing facilities in Dalton, GA and Charlotte, NC and (2) between Dist/Trans Multi-Services, Inc.'s Clients' manufacturing locations, retail stores, vendors and customer locations located in NC, SC, GA, TN and VA, for 180 days. Restriction: Restricted to the transportation of shipments originating in, destined to or handled through Dist/Trans Multi-Services plant sites located in Dalton, GA and Charlotte, NC such shipments belonging to customers and clients who utilize said facilities for warehousing, pool distribution or consolidation of their products or merchandise. Supporting shipper(s): There are 5 supporting shippers. Their statements may be examined at the office listed below or Headquarters. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm CC516, Charlotte, NC 28205.

MC 149113 (TA), filed December 28, 1979. Applicant: INTERIOR TRANSPORT, LTD., Box 7, Group 200, R.R. 2, Winnipeg, Manitoba Canada. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. *Contract carrier:* irregular routes: *Stone products,* from the ports of entry on the International Boundary Line between the United States and Canada located in MN and ND to points in MN and ND for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Steel Brothers of Canada, Ltd., 1325 Ellice Avenue, Winnipeg, Man. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Room 1386, Chicago, IL 60604.

MC 149172 (Sub-1TA), filed January 8, 1980. Applicant: GARY HOFFMAN, 2807 Desirae, Chickasha, OK 73018. Representative: David A. Cherry, P.O. Box 1540, Edmond, OK 73034. *Contract* carrier: *Irregular* route: *Iron and steel articles,* from Tulsa, Chickasha, and Muskogee, OK, and Lone Star and Houston, TX, to points in CO, KS, NE, OK, & TX, under a continuing contract or contracts with Steel and Pipe Supply Company, Inc., and Hoffman Pipe and Steel Company, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Steel and Pipe Supply Company, Inc., P.O. Box 703, Manhattan, KS 66502. Hoffman Pipe and Steel Company, Old Hwy 81 North, Chickasha, OK 73018. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 149183 (Sub-1TA), filed January 15, 1980. Applicant: MARION D. KELSO d.b.a. KELSO TRUCKING, 706 Upland Boulevard, Las Vegas, NV 89107. Representative: (same as applicant). Contract carrier: irregular routes: *Institutional foods and supplies including frozen foods, canned foods, paper products and restaurant and hotel supplies* between points in California, Oregon and Nevada, Under a continuing contract with International Foodservice/Las Vegas, Inc., Las Vegas, Nevada, for 180 days. Supporting shipper: International Foodservice/Las Vegas, Inc., 4425 Alde Baran Avenue, Las Vegas, NV 89114. Send protests to: W. J. Huetig DS, I.C.C., 705 North Plaza Street, Carson City, NV 89701.

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MC 2962 (Sub-71TA), filed Nobember 14, 1979, and published in the FR issue of January 7, 1980, and republished as corrected this issue. Applicant: A & H TRUCK LINE, INC., 1111 East Louisiana Street, Evansville, IN 47711. Representative: Robert H. Kinker, P.O. Box 202, Frankfort, KY 40602. Common carrier; regular routes; *general commodities,* except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Cincinnati, OH and Terre Haute, IN serving the junction of Interstate Hwy 465 and Indiana Hwy 37 for the purpose of joinder only as an alternate route for operating convenience only, in connection with carrier's existing regular-route operations, serving no intermediate points, from Cincinnati, OH over Interstate Hwy 74 to the junction of Interstate Hwy 465, then over Interstate Hwy 465 to the junction of Interstate Hwy 70 and then over Interstate Hwy 70 to Terre Haute, IN and return over the same route, for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack. Supporting shipper(s): A & H Truck Line, Inc., 1111 East Louisiana Street, Evansville, IN 47711. Send protests to: Beverly J. Williams, ICC, 429 Federal Bldg., 46 E. Ohio Street, Indianapolis, IN 46204. The purpose of this republication is to show the applicant intends to tack this authority.

MC 82492 (Sub-249TA), filed October 2, 1979, and published in the FR issue of January 7, 1980, and republished as corrected this issue. Applicant: MICHIGAN & NEBRASKA TRANSIT, INC., 2109 Omstead Road, Kalamazoo, MI 49003. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Ave., Park Ridge, IL 60068. *Magazines and catalogs and parts thereof,* from the facilities of Printing Division, Meredith Corporation at Des Moines, IA to points in IN, KY, the lower Peninsula of MI, MN, points in NY on and west of Interstate 81, OH, points in PA on and west of U.S. 219, WI and Altoona, PA and Wheeling, IL and points in their commercial zones, for 180 days. The purpose of this republication is to completely show the authority request.

MC 119493 (Sub-339TA), filed November 28, 1979, and published in the FR issue of January 28, 1979 and republished as corrected this issue. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, MO 64801. Representative: Thomas D. Boone (same as applicant). *Paints, stains, varnishes, materials, supplies, equipment used in*

the manufacturing and distributed and installation thereof (except commodities in bulk) between Parlin, NJ on the one hand, and, on the other St. Louis, MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): E. H. Fischer, Inc., 826 So. 18th St., St. Louis, MO 63103. Send protests to: Vernon V. Coble, DS, ICC, 911 Walnut St., Kansas City, MO 64106. The purpose of this republication is to completely show the authority requested by applicant.

MC 134872 (Sub-15TA), filed November 29, 1979, and published in the FR issue of January 14, 1980 and republished as corrected this issue. Applicant: GOSSELIN EXPRESS, LTD., 141 Smith Blvd., Theford Mines, QUE G6G 5R7. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. *Snowmobiles,* from points in NE to ports of entry on the International Boundary line between the United States and Canada located in MI and NY, for 180 days. Supporting Shipper(s): Kawasaki Motor Corp., U.S.A., 5500 NW 27th St., Lincoln, NE 68521. Send protests to: Ross J. Seymour, DS, ICC, Rm. 3, 6 Loudon Rd., Concord, NH 03301.

MC 135743 (Sub-4TA), filed August 20, 1979, and published in the FR issue of October 31, 1979 as MC 135756 Sub 2TA as corrected this issue. Applicant: HAROLD WILLIAMS d.b.a. WILLIAMS MOVING COMPANY, P.O. Box 518, Dexter, MO 63841. Representative: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, MO 63101. The purpose of this republication is to correctly identify the correct docket MC number assigned as MC 135743 Sub 4TA in lieu of MC 135756 Sub 2TA which was previously published. The request of authority remains the same as previously published.

MC 141522 (Sub-1TA), filed September 26, 1979, and published in the FR issue of December 28, 1979 and republished as corrected this issue. Applicant: NORTH WEST COMMERCIAL HAULING, LTD, 10753–180th Street, Edmonton, AB, Canada T5S 1G6. Representative: Ray F. Koby, 314 Montana Bldg., Great Falls, MT 59401. Authority sought to operate as a *contract carrier* over irregular routes transporting *new construction equipment* from points in IA, IL and MO to ports of entry on the International Boundary line between the U.S. and Canada for 180 days. An Underlying ETA seeks 90 days authority. Supporting shipper(s): North West Commercial Sales (1973) Ltd., 10940 166A Street, Edmonton, AB, Canada T5P 3V5. Send protests to: Paul J. Labane, DS, ICC, 2602 First Avenue North, Billings, MT 59101. The purpose of this republication is to show the applicant's request for contract authority.

MC 144572 (Sub-31TA), filed November 1, 1979, and published in the FR issue of December 28, 1979 and republished as corrected this issue. Applicant: MONFORT TRANSPORTATION CO., P.O. Box G, Greeley, CO 80631. Representative: John T. Wirth, 717 17th Street, Suite 2600, Denver, CO 80202. *Automobile parts and accessories and advertising and packaging materials,* from the facilities of Chrysler Corp., Service and Parts Division, located at Center Line, Marysville, and Warren, MI, to Denver, CO, for 180 days. Authority sought for underlying 90-day ETA. Supporting shipper(s): Chrysler Corporation, Service & Parts Division, 26311 Lawrence Avenue, Center Line, MI 48105. Send protest to: R. L. Buchanan, DS, 492 U.S. Customs House, 721 19th Street, Denver, CO 80202. The purpose of this republication to include the destination of "Denver, CO" which was previously omitted.

MC 138882 (Sub-328TA), filed November 9, 1979, and published in the FR issue of January 28, 1979, and republished as corrected this issue. Applicant: WILEY SANDERS TRUCK LINES, INC., P.O. Box Drawer 707, Troy, AL 36081. Representative: James W. Segrest (same address as applicant). (1) Furniture parts, components and accessories thereto between the facilities of Leggett and Platt Incorporated its divisions, and subsidiaries located at St. Louis, MO; Winchester, KY; Ennis, TX; Oklahoma City, OK: Phoenix, AZ; Springfield, MO; Dalton, IL; Lawrence, MA; Kenyon, MN; Carthage, MO; Social Circle, GA; Houston, TX; Litchfield, MI; Hominy, OK; Atlanta, GA; Mason, OH; Orlando, FL; Nashville, TN; Birmingham, AL; Independence, LA; Jersey Ctiy, NJ; Memphis, TN; Austin, TX; Miami, FL; Kansas City, KS; Middlefield, OH; Cherry Hill, NJ; University City, MO; Edwardsburgh, MI; Newton, KS; Highpoint, NC; Jacksonville, FL; Nicholasville, KY; Ferndale, MI; Simpsonville, KY; Dallas, TX; Little Rock, AR; Maxton, NC; Tupelo, MS; Newton, NC; Linwood, NC; Grafton, WI; Forest City, NC; and points in and east of ND, SD, NE, KS, OK, and TX; and (2) Materials equipment and supplies used in the manufacture and processing of furniture parts and components from points in and east of ND, SD, NE, KS, OK, and TX to the facilities of Leggett and Platt, Incorporated its divisions and subsidiaries located at St. Louis, MO; Winchester, KY; Ennis, TX; Oklahoma City, OK; Phoenix, AZ; Springfield, MO; Dalton, IL; Lawrence, MA; Kenyon, MN; Carthage, MO; Social Circle, GA; Houston, TX; Litchfield, MI; Hominy, OK; Atlanta, GA; Mason, OH; Orlando, FL; Nashville, TN; Birmingham, AL; Independence, LA; Jersey City, NJ; Memphis, TN; Austin, TX; Miami, FL; Kansas City, KS; Middlefield, OH; Cherry Hill, NJ; University City, MO; Edwardsburgh, MI; Newton, KS; Highpoint, NC; Jacksonville, FL; Nicholasville, KY; Ferndale, MI; Simpsonville, KY; Dallas, TX; Little Rock, AR; Maxton, NC; Tupelo, MS; Newton, NC; Linwood, NC; Grafton, WI; Forest City, NC. Restricted against commodities in bulk in tank vehicles and commodities which, because of size or weight, require the use of special equipment. Further restricted to shipments originating at or destined to the indicated territory. The purpose of this republication is to correctly identify "NS" as "ND" and to show the correct spelling of "subsidiaries". Supporting shipper(s): Leggett & Platt, Incorporated, 18th Road, Carthage, MO 64836. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616–2121 Building, Birmingham, AL 35203.

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MC 2229 (Sub-231TA), filed December 6, 1979. Applicant: RED BALL MOTOR FREIGHT, INC., 3177 Irving Blvd., Dallas, TX 75247. Representative: Jackie Hill (address same as applicant). *Machinery* from Grand Prairie, TX to all points in the states of CA, FL, IL, IA, NV, OR, WA and WY for 180 days. Supporting shipper(s): Clary Corp., 917 Parkway Drive, Grand Prairie, TX 75050. Send protests to: Opal Jones, TCS, ICC, 411 W. 7th St., Suite 600, Ft. Worth, TX 76102.

MC 2998 (Sub-28TA), filed December 4, 1979. Applicant: WOLVERINE EXPRESS, INCORPORATED, 1920 West First St., Winston-Salem, NC 27104. Representative: David F. Eshelman, PO Box 213, Winston-Salem, NC 27102. *Common* carrier-*Regular* routes; *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)* between Traverse City, MI and Charlevoix, MI, serving the facilities of Freedman Artcraft Engineering Corp. at or near Charlevoix, MI in conjunction with carrier's presently authorized regular route operations; from Traverse City over US Highway 31 to Charlevoix, and return over the same route, for 180 days. An underlying ETA seeks 90 days

authority. Applicant intends to tack authority here applied for with MC-31389. Applicant also intends to interline with other carriers at all points. Supporting shipper(s): Freedman Artcraft Engineering Corp., P.O. Box 228, Charlevoix, MI 49720. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd-Rm-CC516, Charlotte, NC 28205.

MC 8958 (Sub-36TA), filed November 29, 1979. Applicant: THE YOUNGSTOWN CARTAGE COMPANY, 825 West Federal St., Youngstown, OH 44501. Representative: Philip J. Cianciolo (same as applicant). *Iron and steel articles and articles used in the manufacturing of iron and steel articles,* between the plantsite of Bethlehem Steel Corporation, Strongsville, OH and points in KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bethlehem Steel Corporation, Bethlehem, PA 18016. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 42828 (Sub-18TA), filed December 12, 1979. Applicant: THEODORE ROSSI TRUCKING CO., INC., 9 South Vine Street, Barre, VT 05641. Representative: William L. Rossi (same address as applicant). Marble (export shipments only), from Danby, VT to Camden, NJ, for 180 days. Supporting shipper(s): Hub Shipping Co., Inc., PO Box 232, Cohasset, MA 02025. Send protests to: Carol A. Perry, TA, ICC, PO Box 548, Montpelier, VT 05602.

MC 52709 (Sub-380TA), filed December 11, 1979. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). *Mineral fiber, mineral fiber products, and insulating materials* From the facilities of the United States Gypsum Co. at Tacoma, WA to points in CA, ID, MT and UT for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): United States Gypsum Company, 101 So. Wacker Dr., Chicago, IL 60606. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 52709 (Sub-381TA), filed December 11, 1979. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). *Plastic Bottles* from Denver, CO to Sweetgrass, MT for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): Hoover Universal, 4990 Ironton St., Denver, CO 80239. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 52709 (Sub-382TA), filed December 11, 1979. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207 Representative: Rick Barker (same address as applicant). *Mineral wool products, vis: insulation* from Pueblo, CO to points in KS, MT, NE, ND, SD, and WY for 180 days. Underlying ETA filed seeking 90 days authority. Supporting Shipper(s): Rockwool Industries, Inc., 7400 S. Alton Ct., Denver, CO. Send protests to: R.. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 52709 (Sub-383TA), filed December 11, 1979. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same address as applicant). *Insulation material* from McPherson, KS to points in CO for 180 days. Underlying ETA filed seeking 90 days authority. Supporting Shipper(s): Johns-Manville Corp., Ken-Caryl Ranch, P.O. Box 5108, Denver, CO 80217. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 52579 (Sub-200TA), filed December 10, 1979. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, NJ 07094. Representative: Julius Saltzman, One Gilbert Drive, Secaucus, NJ 07094. *Wearing apparel, on hangers and in cartons, and materials, supplies and accessories used in the manufacture of wearing apparel* between Clifton, TN and New York, NY for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Robyn Sue Fashions, 1350 Broadway, New York, NY 10018. Send protests to: Robert E. Johnston, DS, ICC 744 Broad Street, Room 522 Newark, NY 07102.

MC 56679 (Sub-151TA), filed December 7, 1979. Applicant: BROWN TRANSPORT CORP., 352 University Ave., SW., Atlanta, GA 30310. Representative: Leonard S. Cassell, 352 University Ave., SW., Atlanta, GA 30310. *Appliances, appliance parts or supplies and equipment necessary for installation or maintenance* from facilities of the Maytag Company, Newton, IA to points in AL, GA, FL, KY, MS, NC, SC and TN for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): The Maytag Company, Newton, IA 50208. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree ST., NW., RM. 300, Atlanta, GA 30309.

MC 56679 (Sub-158TA), filed December 5, 1979. Applicant: BROWN TRANSPORT CORP., 352 University Ave., SW, Atlanta, Ga 30310. Representative: Leonard S. Cassell, 352 University Ave., SW., Atlanta, GA 30310. *General commodities, with usual exceptions,* (1) between Dothan, AL and Memphis, TN serving points within fifteen (15) miles of Memphis, TN; from Dothan, over US Hwy 231 to junction US Hwy 31, then over US Hwy 31 to junction US Hwy 72, then over US Hwy 72 to Memphis, TN; (2) between Atlanta, GA and Birmingham, AL; from Birmingham over Interstate Hwy 20 to Atlanta, GA; (3) between Phenix City, AL and Montgomery, AL; from Phenix over US Hwy 80 to Montgomery, AL; (4) between Birmingham, AL and Memphis, TN; From Birmingham, AL over US Hwy 78 to Memphis, TN; (5) between Montgomery, AL and Tupelo, MS; from Montgomery, AL over US Hwy 82 to junction US Hwy 45, then over US Hwy 45 to Tupelo, MS, serving Tupelo for purpose of joinder only; serving all points in AL as intermediate or off-route points, For 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): There are 60 statements of support. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., NW., Rm. 300, Atlanta, GA 30309.

MC 58828 (Sub-10TA), filed December 4, 1979. Applicant: SOUTHEASTERN MOTOR FREIGHT, INC., 4320 Hessmer Avenue, Metairie, LA 70010. Representative: Harold R. Ainsworth, 2307 American Bank Bldg., New Orleans, LA 70130. Common carrier; regular routes: *General commodities (except those of unusual value, classes A and B explosives, household goods* as defined by the Commission, commodities which because of size or weight require the use of special equipment. Commodities moving in vehicles equipped with mechanical refrigeration). Commodities in bulk are limited to liquid commodities, in shipper-owned or water-carrier owned trailers or containers, 1. Between New Orleans, LA and Baton Rouge, LA. From New Orleans, LA over Interstate 10 to Baton Rouge, LA and return over the same route serving all intermediate points. 2. Between New Orleans, LA and Baton Rouge, LA. From New Orleans, LA over US Highway 61 to Baton Rouge, LA and return over the same route serving all intermediate points. 3. Between the intersection of Interstate Highway 55 and Interstate Highway 10 and Gonzales, LA. From the intersection of Interstate Highway 55 and Interstate Highway 10 over LA Highway 44 to Gonzales, LA and return over the same route serving all intermediate points. 4. Between Donaldsonville, LA and Sorrento, LA. From Sorrento, LA and LA Highway 70 to its intersection with LA Highway 18 thence over LA Highway 18

to Donaldsonville, LA and return over the same route serving all intermediate points. 5. Between the intersection of LA Highway 75 and LA Highway 70. From the intersection of LA Highway 75 and LA Highway 70 to Plaquemine, LA over LA Highway 75 and return over the same route serving all intermediate points. 6. Between Geismer, LA and Baton Rouge, LA. From Geismer, LA over LA Highway 30 to Baton Rouge, LA and return over the same route serving all intermediate points. 7. Between Gonzales, LA and St. Gabriel, LA. From Gonzales, LA over LA Highway 74 to St. Gabriel and return over the same route serving all intermediate points. 8. Between New Orleans, LA and Baton Rouge, LA. From New Orleans, over the Greater Mississippi bridge thence over the Westbank Expressway to its intersection with LA Highway 18 thence over LA Highway 18 to its intersection with LA Highway 1 thence over LA Highway 1 to its intersection with Interstate Highway 10 and Port Allen, LA thence over Interstate Highway 10 to Baton Rouge, LA and return over the same route serving all intermediate points, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Witco Chemical Corp., P.O. Box 308, Gretna, LA 70054; Biehl and Co., 416 Common Street, New Orleans, LA 70114; Dow Chemical USA, P.O. Box 150, Plaquemine, LA 70764, Godchaux's Inc., 1500 Main Street, Baton Rouge, LA 70821; Illinois Central Gulf Railroad Co., 233 North Michigan Ave., Chicago, IL. (There are 4 other supporting shippers). Send protests to: Robert J. Kirspel, DS, ICC, T–9038 Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 77129 (Sub-11TA), filed December 4, 1979. Applicant: RAYMOND H. PUFFER, INC., Box 15, R.D. 1, Vernon, VT 05354. Representative: Morton E. Kiel, Suite 1832–2 World Trade Center, New York, NY 10048. #6 Fuel Oil, in bulk in tank vehicles from New Haven, CT, to Ashuelot and Hinsdale, NH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wyatt Inc., 900 Chapel St., New Haven, CT 06507. Send protests to: Harold F. Wyman, DS, ICC, P.O. Box 548, Montpelier, VT 05602.

MC 73688 (Sub-111TA), filed December 5, 1979. Applicant: SOUTHERN TRUCKING CORPORATION, 1500 Orenda Ave., Memphis, TN 38107. Representative: Thomas C. Larson, 1500 Orenda Avenue, Memphis, TN 38107. *Meat and meat by-products,* from Mason City, IA to points in TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Armour Food Company, Greyhound Tower, Phoenix, AZ 85077. Send protests to: Floyd A. Johnson, Suite 2006, 100 N. Main St., Memphis, TN 38107.

MC 96839 (Sub-2TA), filed December 11, 1979. Applicant: PALMER TRUCKING CO., INC., 239 Park Street, Palmer, MA 01069. Representative: Mr. James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103. (1) *Sanitary pad internal type Tampons, with applicator, (2) equipment, materials and supplies used in the manufacture, sale and distribution of commodities in (1) above,* between points in CT, MA, ME, NH, NY, RI and VT, restricted to traffic originating at or destined to the facilities of Tampax, Incorporated, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Tampax Incorporated, Palmer, MA 01069. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 97658 (Sub-3TA), filed November 19, 1979. Applicant: N & B EXPRESS, INC., Deerfield Industrial Park, South Deerfield, MA 01373. Representative: James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103. *General commodities (except those of unusual value, Classes A & B Explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment),* between points in MA, CT, Bennington and Windham Counties, VT, Cheshire County, NH, and Providence County, RI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wing Industries Inc., 180 Prestige Park Rd., East Hartford, CT; Victor Mfg. & Distr. Co., 29 Darcy St., West Hartford, CT 06110; Girard Dist. Inc., Railroad Place, Athol, MA 01331; David Rosenthal Associates, Inc., 130 Prestige Park Rd., East Harttford, CT; Riveto Inc., 36 South Main St., Orange, MA; Communication Cable, Inc., 5 Glen Road, Manchester, CT 06040; Mirror Stove Pipe Co., Inc., 11 Britton Drive, Bloomfield, CT 06002; All Nighter Stove Works Inc., 80 Commerce St., Glastonbury, CT 06033. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 106398 (Sub-1040TA), filed December 4, 1979. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Irvin Tull (same address as applicant). *Mobile homes,* from Henderson, NC, to points in DE, MD, SC, VA, & WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Wick Building Systems, Inc., U.S. Bypass 1, Henderson, NC 27536, and Gemini Homes, Inc., 1525 Montgomery Street, Henderson, NC 27536. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 106398 (Sub-1041TA), filed December 12, 1979. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson (same address as applicant). *Plastic, plastic articles, plastic pipe, tubing connections and commodities as used in the installation of such commodities,* from the facilities of Robintech, Inc., at Vestal, NY, to points in TX, FL, MI, OH, IN, IL, CT, MA, VT, NJ, ME and RI, for 180 days. Supporting shipper(s): Robintech, Inc., P.O. Box 174, Binghampton, NY 13902. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 106398 (Sub-1042TA), filed December 12, 1979. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Gayle Gibson, (same address as applicant). *Plastic, plastic articles,* from the facilities of Robintech, Inc., at Danville, IL, to points in AZ, CO, CA, MA, CT, FL, MD, TX, NJ, AL, GA, SC, MI, & OH, for 180 days. An underyling ETA seeks 90 days authority. Supporting shipper(s): Robintech, Inc., 74 Eastgate Road, Industrial Park, Route 5, Danville, IL 61832. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 107478 (Sub-58TA), filed October 15, 1979. Applicant: OLD DOMINION FREIGHT LINE, INC., P.O. Box 2006, High Point, NC 27261. Representative: C. T. Harris, P.O. Box 999, Wilson, NC 27893. *Gravel or stone group, artificial cast stone, (concrete cast stone), natural stone, prestressed and pre-cast concrete, or pre-stressed and pre-cast concrete products, including beams, blocks, columns, conduits, cross ties, girders, joists, panels, piling, pipe, posts, slabs or pieces* thereof between Raleigh, NC, on the one hand, and points in MD and VA, on the other, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cast-A-Stone Products Company, 1309 Kirkland Rd., Raleigh, NC 27603. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd—Rm CC516, Charlotte, NC 28205.

MC 107839 (Sub-183TA), filed December 5, 1979. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 2121 East 67th Avenue (P.O. 16106), Denver, CO 80216. Representative: David E. Driggers, 1660 Lincoln Street, Denver, CO 80264. *Meats, meat products, meat by-products and articles distributed by meat packinghouses,* from Plainview and

Amarillo, TX to points in AL, FL, GA, LA, MS, NC, SC and TN, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Cudahy Foods Company, P.O. Box 43612, Atlanta, GA 30336. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 108859 (Sub-80TA), filed August 31, 1979. Applicant: CLAIRMONT TRANSFER CO., 1803 Seventh Avenue North, Escanaba, MI 49829. Representative: Elmer J. Wery, P.O. Box 3548 (2666 Gross Avenue), Green Bay, Wisconsin 54303. *Paper making machinery and plant construction materials* (except commodities in bulk); between the port of entry, on the international boundary line between the United States and Canada, at or near Sault Ste. Marie, MI, on the one hand, and, on the other the facilities of Medtec Paper Corp. at or near Kimberly, Outagamie County, WI. An underlying ETA seeks 90 days authority. Supporting shipper(s): Medtec Paper Corporation, Kimberly, WI 54136. Send protests to: C. R. Flemming, D/S, I.C.C., 225 Federal Building, Lansing, MI 48933.

MC 109448 (Sub-27TA), filed November 26, 1979. Applicant: PARKER TRANSFER COMPANY, Telegraph Road, R.D. No. 1, P.O. Box 256, Elyria, OH 44035. Representative: Robert W. Gardier, Jr., 100 East Broad St., Columbus, OH 43215. *Steel, steel products, and brass stock* between Elyria, OH, and points in the states of IL, IN, MI, PA, and NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stanadyne, Incorporated, Western Cold Drawn Steel Div., 301 North Taylor Rd., Garrett, IN 46738. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 109818 (Sub-77TA), filed November 8, 1979. Applicant: WENGER TRUCK LINE, INC., P.O. Box 3427, Davenport, IA 52804. Representative: Larry D. Knox, 600 Hubbell Bldg., Des Moines, IA 50309. *Battery acid, windshield washer solvents, gas line antifreeze, and brake and hydraulic fluids, in containers,* from the facilities of Scholle Corporation at Raytown, MO, to points in IA, KS, and NE, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Schoole Corporation, 200 West North Ave., Northlake, IL 60164. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 109818 (Sub-76TA), filed November 5, 1979. Applicant: WENGER TRUCK LINE, INC., P.O. Box 3427, Davenport, IA 52808. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309. *Nuts and bolts* from Northbrook, IL, to Edina, MN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Heads and Threads Company, 2727 Shermer Rd., Northbrook, Il 60062. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 109238 (Sub-20TA), filed November 21, 1979. Applicant: DE HART MOTOR LINES, INC., Highway 64–70 West, Conover, NC 28613. Representative: Joe W. Flowers, P.O. Box 368, Conover, NC 28613. *New furniture* between points in NC bounded by a line beginning at Henderson, and extending along U.S. Hwy 1 to Raleigh, thence along U.S. Hwy #64 to Asheboro, thence along NC Hwy 49 to Charlotte, thence along U.S. Hwy #74 to Rutherfordton, thence along U.S. Hwy #221 to Marion, thence along U.S. Hwy #70 to Morganton, thence along NC Hwy 18 to North Wilkesboro, thence along U.S. Hwy #421 to Winston-Salem, thence along U.S. Hwy #158 to Henderson, the point of beginning, including all points on the specified portions of the indicated highways, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Century Furniture Co., P.O. Box 608, Hickory, NC 28601; Trend Line Furniture Corp., P.O. Box 188, Hickory, NC; U.S. Industries, Inc., P.O. Box 760, Lenoir, NC 28645; and Hickory Fry Furniture Co., Inc., P.O. Box 818, Hickory, NC 28601. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 111548 (Sub-27TA), filed December 7, 1979. Applicant: SHARPE MOTOR LINES, INC., P.O. Box 517, Hildebran, NC 28537. Representative: Edward G. Villalon, 1032 Penn. Bldg., Penn. Ave. and 13th St., NW., Washington, DC 20004. *Such merchandise as are dealt in by wholesale, retail, chain grocery and food business houses (except in bulk)* from the facilities of A. E. Staley Mfg. at Chicago, IL and its commercial zone to points in WV and TN, east of Hwy. 65 but including all of Nashville, TN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): A. E. Staley Manufacturing Company, 2222 Kensington Ct., Oak Brook, IL 60540. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm CC516, Charlotte, NC 28205.

MC 113528 (Sub-48TA), filed November 30, 1979. Applicant: MERCURY FREIGHT LINES, INC., P.O. Box 1247, Mobile, AL 36601. Representative: Joy Stephenson, P.O. Box 1247, Mobile, AL 36601. *Common carrier,* routes, *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Dallas, TX and points in Dallas commercial area, and Baton Rouge, LA, from Dallas over Interstate Hwy. 20 to junction U.S. Hwy. 71, at or near Shreveport, LA, (also over U.S. Hwy. 80 to junction U.S. Hwy. 71 at or near Shreveport, LA), then over U.S. Hwy. 71 to junction U.S. Hwy. 190, at or near Krotz Springs, LA, then over U.S. Hwy. 190 to Baton Rouge, and return over the same route, serving those intermediate points within 15 miles of Baton Rouge, (2) serving points within a 15-mile radius of Baton Rouge, LA, as off-route points in connection with carrier's regular route operations authorized in (1) above, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 51 shipper supporting this application all of which can be examined in the Birmingham, AL, Field Office or Washington, DC, ICC office. Send protests to: Mable E. Holston, ICC Room 1616, 2121 Building, Birmingham, AL 35203.

Note.—Applicant intends to tack to other authorities and interline.

MC 113528 (Sub-52TA), filed November 13, 1979. Applicant: MERCURY FREIGHT LINES, INC., 67 Midtown Park, E., Mobile, AL 36606. Representative: Joy Stephenson (same address as above). *General commodities (with the usual exceptions),* from the facilities of Taxas Refinery Corporation at or near Fort Worth, TX to Church Point and LaFayette, LA and points in their commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Texas Refinery Corporation, One Refinery Place, Fort Worth, TX 76101. Send protests to: Mabel E. Holston, T/A, ICC, Room 1616, 2121 Building, Birmingham, AL 35203.

MC 113658 (Sub-27TA), filed December 14, 1979. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport, Commerce City, CO 80216. Representative: Richard J. Loose (same address as applicant). *Potassium phosphate, calcium phosphate, sodium phosphate NOI, soda ash, sodium sesquicarbonate, phosphoric acid, except in bulk,* from Carteret, NJ to Chicago, IL, Denver and Boulder, CO for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper(s): FMC Corporation Industrial Chemical Group, 2000 Market St., Philadelphia, PA 19103. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80202.

MC 113678 (Sub-857TA), filed December 14, 1979. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO. Representative: Roger L. Shaner (same address as above). *Sugar, and products used in the manufacture thereof* (except in bulk) from Brighton, Eaton, Fort Morgan, Greeley, Johnstown, Longmont, Loveland, Ovid, and Sterling, CO; Goodland, KS; Billings, MT; and Bayard, Gering, Mitchell, and Scottsbluff, NE, to points in and west of MI, OH, KY, MO, and LA (except AK and HI) (see attachment for specific destinations), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Great Western Sugar Company, P.O. Box 5308 T.A., Denver, CO 80217. Send protests to: H. Ruoff, 492 U.S. Customs House, Denver, CO 80202.

MC 113828 (Sub-280TA), filed November 30, 1979. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, DC 20014. Representative: William P. Sullivan, 1320 Fenwick Lane, Silver Spring, MD 20910. *Sodium nitrate*, from Chesapeake, VA to Bessemer, AL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Chilean Nitrate Sales Corp., P.O. Box 1217, Chesapeake, VA 23320. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 114569 (Sub-353TA), filed November 28, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Foodstuffs (except in bulk, in tank vehicles)*, from Menomonie, Cameron, Vesper, Wisconsin Rapids and Eau Claire, WI to points in AZ, CA, CO, KS, MO, NE, OK, OR, TX and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sanna, 6501 Grand Teton Plaza, Madison, WI 53719. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 114569 (Sub-355TA), filed November 2, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Expanded No. 1 honeycomb celular panels, boards, blocks*, from Michigan City, IN and Park Forest South, IL to points in AL, LA, FL, IA, GA, PA, KY, TN, WV, NY, NJ, and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): International Honeycomb Corp., 1149 Central Ave., Park Forest South, IL 60466. Send protests to: I.C.C., 101 N. 7th St., Philadelphia, PA 19106.

MC 114569 (Sub-356TA), filed November 7, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Compressed fireplace logs*, from Suffolk, VA to points in the states of AL, AZ, FL, GA, KY, LA, MD, NC, NM, PA, SC, WV and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Gold Kist Peanut, Division of Gold Kist, Inc., P.O. Box 1629, 303 S. Saratoga, Suffolk, VA 23423. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 114569 (Sub-357TA), filed November 13, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Wood burning stoves and fireplace accessories*, from San Marcos, CA and Detroit, MI and their commercial zones to Parkesburg, PA and Manheim, PA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Samuel S. Magargal, Inc., P.O. Box 544, Drexel Hill, PA 19026. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 114569 (Sub-358TA), filed November 13, 1979. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingstown, PA 17072. Representative: N. L. Cummins (same as applicant). *Foodstuffs* (except in bulk), from Garnegie, PA to points in MN, IL, FL and GA, restricted to traffic originating at the facilities of Viviano Macaroni Co. at the named origin, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Viviano Macaroni Co., Box 547, Carnegie, PA 15016. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 116299 (Sub-2TA), filed December 5, 1979. Applicant: THE BRIDGEPORT UNITED DELIVERY COMPANY, 80 Central Avenue, Bridgeport, CT 06607. Representative: Gerald A. Joseloff, 80 State Street, Hartford, CT 06103. *Common carrier:* irregular routes: such commodities as are dealt in or used by retail department stores, between the facilities of the Outlet Company in Coventry, Rhode Island, on the one hand, and, on the other, points in Connecticut, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Outlet Company, 176 Weybosset Street, Providence, RI 02902. Send protests to: J. D. Perry, Jr., District Supervisor, Interstate Commerce Commission, 135 High Street, Hartford, CT 06103.

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MC 117519 (Sub-6TA), filed Dec. 10, 1979. Applicant: TRANSPORTATION, INC., P.O. Box 362, Ottawa, KS 66067. Representative: Bruce C. Harrington, 1010 Tyler St., Suite 110L, Topeka, KS 66612. *Expanded shale aggregate*, in bulk, in dump vehicles, from facilities of Buildex, Inc., Ottawa and Marquette, KS, to Cheyenne, WY. For 180 days, contract, irregular. Supporting shipper: Buildex, Inc., P.O. Box 15, Ottawa, KS 66067. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202. An underlying ETA seeks 90 days authority.

MC 118318 (Sub-46TA), filed December 12, 1979. Applicant: IDA-CAL FREIGHT LINES, INC., P.O. Drawer M, Nampa, ID 83651. Representative: Timothy R. Stivers, P.O. Drawer 162, Boise, ID 83701. *Meat, meat products, meat by-products, and articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in DESCRIPTION IN MOTOR CARRIER CERTIFICATES, 61 M.C.C. 209 and 766*, from the facilities used by Washington Beef, at or near Ellensburg, Toppenish and Yakima, WA to Points in CA, ID, MT, NV, & UT for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Washington Beef, P.O. Box 9343, Yakima, WA 98909. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 118318 (Sub-47TA), filed November 28, 1979. Applicant: IDA-CAL FREIGHT LINES, INC., P.O. Drawer M, Nampa, ID 83651. Representative: Timothy R. Stivers, P.O. Drawer 162, Boise, ID 83701. *Meat, meat products, meat by-products, and articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766*, from the facilities of Superior Pack, Inc. at or near Ellensburg and Seattle, WA to points in CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Superior Pack, Inc., P.O. Box 277, Ellensburg, WA 98926. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 118318 (Sub-48TA), filed November 28, 1979. Applicant: IDA-CAL FREIGHT LINES, INC., P.O. Drawer M, Nampa, ID 83651. Representative: Timothy R. Stivers, P.O. Drawer 162, Boise, ID 83701. *Such commodities as are dealt in by grocery and food business houses*, from the facilities of

International Paper at or near Turlock, CA to points in ID and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers(s): International Paper, P.O. Box 3448, Portland, OR 97208. Send protests to: Barney L. Hardin, D/S, ICC, Suite 110, 1471 Shoreline Dr., Boise, ID 83702.

MC 119699 (Sub-2TA), filed November 26, 1979. Applicant: HARRELL FREIGHT, INC., 67 East Thomas Ave., Baltimore, MD 21225. Representative: Glenn F. Morgan, Jr., 104 Roesler Rd., Glen Burnie, MD 21061. *Sugar and sugar products, individual servings of packaged food items, including condiments, dressings, spices or sauces used for seasoning or flavoring in other foods, and incidental serving supplies,* between Baltimore, MD on the one hand, and on the other, Washington, DC and Mechanicsburg, PA, for 180 days. Supporting shipper(s): Amstar Corp., P.O. Box 838, Baltimore, MD 21203. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 119789 (Sub-653TA), filed December 14, 1979. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr., P.O. Box 226188, Dallas, TX 75266. (1) *Plastic articles* from Cleburne, TX to AZ, AR, CA, LA, NV, NM, OK, and (2) *Plastic articles and materials, supplies, equipment and accessories used in the manufacture of plastic articles (except commodities in bulk)* between Cleburne, TX and Winchester, VA, for 180 days. Underlying ETA sought. Supporting shipper(s): Rubbermaid Commercial Products, Inc., P.O. Box 771, Cleburne, TX 76031. Send protests to: Marianne Minnich, TCS, I.C.C., 411 W. 7th St., Suite 600, Fort Worth, TX 76102.

MC 119789 (Sub-654TA), filed December 12, 1979. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 226188, Dallas, TX 75266. Representative: James K. Newbold, Jr., (address same as above). *Drugs and medicines in mechanically refrigerated equipment* from New Brunswick, NJ to Indianapolis, IN for 180 days. Underlying ETA for 90 days filed. Supporting shipper(s): E. R. Squibb & Sons, 5 Georges Road, New Brunswick, NJ 08903. Send protests to: Opal M. Jones, TCS, ICC, 411 West 7th St., Suite 600, Fort Worth, TX 76102.

MC 121568 (Sub-23TA), filed December 12, 1979. Applicant: HUMBOLDT EXPRESS, INC., 325 Hill Ave., Nashville, TN 37211. Representative: James G. Caldwell (same address as applicant). *Books, magazines, and printed matter and equipment, materials, and supplies used in the manufacture and distribution of these commodities (except in bulk),* between the facilities utilized by Baird Ward located at or near Nashville, TN and points in the state of TX, for 180 days. Supporting shipper(s): Baird Ward, P.O. Box 539, Nashville, TN 37202. Send protests to: Glenda Kuss, TA, ICC, Suite A–422, U.S. Courthouse, 801 Broadway, Nashville, TN 37203.

Note.—Applicant proposes to Tack with existing authority MC–121568. Applicant also proposes to interline at Memphis, TN and Nashville, TN and other authorized points. An underlying ETA seeks 90 days authority.

MC 121658 (Sub-28TA), filed November 19, 1979. Applicant: STEVE D. THOMPSON TRUCKING, INC., P.O. Drawer 149, Winnsboro, LA 71295. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205. Common carrier over regular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of International Paper Company northeast of Mansfield, LA near Clear Lake in Desoto Parish, LA as an off-route point in conjunction with carrier's regular route operations, for 180 days. Underlying ETA seeks 90 days authority. Applicant intends to tack and interline. Supporting shipper(s): International Paper Company, P.O. Box 160707, Mobile, AL 36616. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 124839 (Sub-50TA), filed December 6, 1979. Applicant: BUILDERS TRANSPORT, INC., P.O. Box 2726, Savannah, GA 31402. Representative: B. M. Shirley (address same as applicant). *Contract carrier,* irregular routes, *transporting building materials, and equipment, materials and supplies used in the distribution, installation or manufacture of building materials,* between points in Chatham county, GA, on the one hand, and, on the other, points in LA, under continuing contract(s) with The Flintkote Company for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): The Flintkote Company, P.O. Box 1526, Savannah, GA 31402. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 125689 (Sub-11TA), filed December 11, 1979. Applicant: BEATTYVILLE TRANSPORT, INC., P.O. Box 357, Catlettsburg, KY 41129. Representative: Oakie G. Ford (same as above). *Roofing asphalt, in packages,* from Leach, KY, to points in IN, MD, OH, PA, TN, VA, and WV, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): R. J. Fisher, Ashland Petroleum Co., P.O. Box 391, Ashland, KY 41101. Send protests to: Ms.Clara L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 127539 (Sub-82TA), filed November 15, 1979. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Ave. E., Tacoma, WA 98424. Representative: Michael D. Duppenthaler, 211 South Washington Street, Seattle, WA 98104. *Such commodities as are dealt in or used by grocery and food business houses, in vehicles equipped with mechanical refrigeration,* between points in ID, NV and UT on the one hand, and, on the other, points in the Seattle, WA commercial zone, for 180 days. Restricted to traffic having a prior or subsequent movement by water. An underlying ETA seeks 90 days authority. Supporting shipper(s): Totem Ocean Trailer Express, Inc., P.O. Box 24908, Seattle, WA 98124. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 128338 (Sub-5TA), filed November 7, 1979. Applicant: RINGER TRUCKING, INC., Route No. 1, Box 54, Markleysburg, PA 15459. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. *Contract carrier:* irregular routes: *Chemicals,* from the plantsite of Borg-Warner Chemicals, in Morgantown, WV, to points in IN, under continuing contract with Borg-Warner Chemicals, for 180 days. Supporting Shipper(s): Borg-Warner Chemicals, P.O. Box 816, Morgantown, WV 26505. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 133928 (Sub-25TA), filed December 5, 1979. Applicant: OSTERKAMP TRUCKING, INC., P.O. Box 5546, 764 N. Cypress Street, Orange, CA 92667. Representative: Michael R. Eggleton, 2500 Old Crow Canyon Road, San Ramon, CA 94583. *Contract;* Irregular; *Composition boards and wood fiber products,* from the facilities of the United States Gypsum Company, Pilot Rock, Oregon to points in California and points in Carson City, Douglas, Lyon, Mineral, Storey and Washoe Counties, Nevada, for 180 days. Supporting shipper(s): United States Gypsum Company, Traffic Manager, 101 South Wacker Drive, Chicago, IL 60606. Send protests to: Irene Carlos, TA, ICC, Room 1321, Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 13449 (Sub-32TA), filed December 12, 1979. Applicant: B.L.T. CORPORATION, 405 Third Avenue, Brooklyn, N.Y. 11215. Representative: Eugene M. Malkin, Esq., Suite 1832, 2

World Trade Center, New York, N.Y. 10048. *Contract* carrier; irregular routes: (1) Wafers, cookies, bread sticks and biscuits, and (2) materials, supplies and equipment, used in the manufacture and distribution thereof (except commodities in bulk and those which, because of size or weight, require the use of special equipment), (A) between New York, NY and points within the commercial zone thereof, on the one hand, and, on the other, San Leandro, CA, Ft. Lauderdale, Opa Locka, Orlando, Tampa, and West Palm Beach, FL, Alsip and Chicago, IL, New Orleans, LA, Detroit, MI, Minneapolis, MN, St. Louis, MO, Cincinnati and Cleveland, OH, Hecktown, Philadelphia, Pittsburgh and Scranton, PA, and Dallas and Houston, TX; (b) between St. Elmo, IL, on the one hand, and, on the other, San Leandro, CA, Denver, CO, Detroit, MI, Minneapolis, MN, and Cleveland, OH, under continuing contract(s) with Stella D'Oro Biscuit Co., Inc. of Bronx, NY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Stella D'Oro Biscuit Co., Inc., 184 West 237th St., Bronx, NY 10463. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 136228 (Sub-39TA), filed November 15, 1979. Applicant: LUISI TRUCK LINES, INC., P.O. Box H, Milton-Freewater, OR 97862. Representative: Philip G. Skofstad, 1525 N.E. Weidler St., Portland, OR 97232. *Beer and wine* between Elk Grove, Azuza, and Irwindale, CA on the one hand, and on the other, Kennewick, WA for 180 days. MC 136228 R–32 has been granted for 30 + 2 and a permanent will be filed. Supporting shipper(s): Frank Granger, Inc., 102 W. Railroad Ave., P.O. Box 6794, Kennewick, WA 99336. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

MC 138308 (Sub-97TA), filed December 15, 1979. Applicant: KLM, INC., Old Highway 49 South, P.O. Box 6098, Jackson, MS 39208. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza, P.O. Box 22628, Jackson, MS 39205. Authority sought as common carrier over irregular routes in the transportation of (1) *carpet, carpet cushions, and carpet underlay and materials;* and (2) equipment and supplies used in the manufacture, distribution, and installation of the items in (1) about (except commodities in bulk) between points in the United States (except AK and HI), restricted in (1) and (2) above to traffic originating at or destined to the facilities of General Felt Industries, Inc. at or near Dallas, TX and Shelbyville, TN for 180 days. Supporting shipper(s): General Felt Industries, Inc., Park 80 Plaza West-One, Saddle Brook, NJ 07662. Send protests to: Alan Tarrant, D/S, ICC, Suite 1441, Federal Bldg., 100 West Capitol St., Jackson, MS 39201.

MC 138438 (Sub-76TA), filed November 13, 1979. Applicant: D. M. BOWMAN, INC., Route 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Building materials viz: asphalt composition roofing, shingles or siding, asbestos or asphalt roofing, sheathing paper or filter felt paper, saturated or nonsaturated roofing, and accessories or supplies used in the manufacture or installation thereof,* (1) from the facilities of Tamko Asphalt Products, Inc. located at or near Frederick, MD, and Tuscaloosa, AL, to all points in and east of OH, KY, TN, and AL, and (2) from Knoxville, TN, and its commercial zone, to the facilities of Tamko Asphalt Products, Inc., located at or near Frederick, MD, and Tuscaloosa, AL, for 180 days. Supporting shippers(s): Tamko Asphalt Products, Inc., 220 W. 4 St., Joplin, MO 64801. Send protests to: ICC, 101 N. 7 St., Philadelphia, PA 19106.

MC 138469 (Sub-201TA), filed December 4, 1979. Applicant: DONCO CARRIERS, INC., 4720 S.W. 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Touhy Ave., Suite 200, Park Ridge, IL 60068. *Printed matter,* (except commodities in bulk, in tank vehicles), from Dresden, TN, to Phoenix, AZ, Los Angeles and San Francisco, CA, Denver, CO, Portland, OR, Dallas, TX, Salt lake City, UT and Seattle, WA, and points in their respective commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Berkley Jove Publishing Group, 200 Madison Ave., New York, NY 10016. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 138658 (Sub-7TA), filed Dec. 4, 1979. Applicant: CROSS TRANSPORTATION, INC., 100 Factory St., Lewis, KS 67552. Representative: Clyde N. Christey, Attorney, 1010 Tyler St., Suite 110L, Topeka, KS 66612. Contract Carrier—*Castings,* between Waupaca, WI; Bartlesville, OK; Columbus, GA; and Hibbing, MN; and the facilities of Cross Manufacturing, Inc., located at Lewis, Hays, Pratt, and Kinsley, KS; Lamar and LaJunta, CO; and Heidelberg, MS., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cross Manufacturing, Inc., 100 Factory Street, Lewis, KS 67552. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Building, Wichita, KS 67202.

MC 138878 (Sub-9TA), filed October 26, 1979. Applicant: JOHN S. WATSON d.b.a. JOHN S. WATSON TRUCKING CO., Route 2, Box 94, Weston, WV 26452. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. *Pipe, iron or steel* from the facilities of McJunkin Corporation at Buckhannon, WV to Kent, OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): McJunkin Corporation, 1400 Hansford St., Charleston, WV 25301. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila, PA 19106.

MC 139349 (Sub-23TA), filed December 12, 1979. Applicant: E Z FREIGHT LINES, Gould & E. 46th Street, Bayonne, NJ 07002. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. Contract carrier, irregular routes for 180 days. *Leaf springs, castings and forgings* from Baltimore, MD and Ports of Philadelphia, PA to points in the United States east of the Mississippi River including LA, TX, OK, MO and NE. An underlying ETA seeks 90 days authority. Supporting shipper(s): ATZ Automotive Co. Ltd., 2340 Lucerne Road, Suite 25, Montreal, Quebec H3R 2J8, Canada. Send protests to: Robert E. Johnston, DS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 140709 (Sub-14TA), filed December 10, 1979. Applicant: FRANKHAUSER BROS., INC., 139 Hillside, El Dorado, KS 67042. Representative: Clyde N. Christey, 1010 Tyler, Suite 110L, Topeka, KS 66612. *Liquid feed,* in bulk, in tank vehicles, from facilities of Ralston-Purina Co., Kansas City, MO, to points in KS, OK, and IA. For 180 days, common, irregular route. Supporting shipper: Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188. Send protests to: M. E. Taylor, D/S, ICC, 101 Litwin Bldg., Wichita, KS 67202.

MC 140889 (Sub-8TA), filed November 23, 1979. Applicant: FIVE STAR TRUCKING, INC., 1638 West Pioneer Way, El Cajon, CA 92022. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219. *Contract carrier:* irregular routes: *Frozen bread products,* from the facilities of Dakota Bake'N Serve, Inc. at Cedar Lake, MI, Jamestown, ND and Columbus, WI to points in IL, IN, MA, NY, OH and PA, under a continuing contract or contracts with Dakota Bake'N Serve, Inc., Jamestown, ND, for 180 days. An underlying ETA seeks 90

days authority. Supporting shipper(s): Dakota Bake'N Serve, Inc., Box 688, Jamestown, ND 58401. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 1481898 (Sub-2TA), filed November 23, 1979. Applicant: ROBERTS CARTAGE OF OHIO, INC., P.O. Box 7162, Akron, OH 44306. Representative: John L. Alden, 1396 West Fifth Ave., Columbus, OH 43212. *General commodities, moving in express service, except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment,* between points in Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Holmes, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull and Tuscarawas Counties, OH, on the one hand, and on the other, points in CT, IL, IN, KY, MI (except points in the Upper Peninsula), NY and PA, for 180 days. Restricted to the exclusive use of one motor vehicle in the transportation of a single shipment, from one consignor at one location to one consignee at one location in any one day, provided, however, that this restriction shall not apply to traffic which has a prior or subsequent movement by air. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 9 supporting shippers to this application. Their statements may be examined at the office listed below or Headquarters. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Philadelphia, PA 19106.

MC 142279 (Sub-6TA), filed December 10, 1979. Applicant: RAY REICH d.b.a. RAY REICH TRUCKING, Route 1, Box 133F, Forest Hill, LA 71430. Representative: Paul D. Angenend, 1806 Rio Grande, Austin, TX 78768. Applicant is seeking authority to operate as a *contract carrier* over irregular routes transporting *Building materials and supplies (except in bulk, in tank vehicles)* between points in AR, LA, MS, TN, and TX, restricted to traffic originating at or destined to the facilities of Martin Home Centers, Inc. d.b.a. Martin Distributors, for 180 days. Supporting shipper(s): Martin Distributors, a division of Martin Home Centers, Inc., P.O. Box 1110, Alexandria, LA 71301. Send protests to: Robert J. Kirspel, DS, ICC, T-9038 Federal Bldg., 701 Loyola Ave., New Orleans, LA 70113.

MC 142559 (Sub-135TA), filed December 3, 1979. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Ave., Cleveland, OH 44114. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. (1) *Air coolers, air conditioners, heat pumps, humidifiers, air cleaners and furnaces (gas, oil and electric),* and (2) *parts, materials and supplies used in the manufacture, sale and distribution of the commodities in (1) above* (except commodities in bulk), between Tyler, TX, Trenton, NJ and Ft. Smith, AR, on the one hand, and, on the other points in the U.S. (except AK and HI), for 180 days. Supporting shipper(s): General Electric Company, Troup Highway, Tyler, TX 75711. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 142559 (Sub-136TA), filed November 21, 1979. Applicant: BROOKS TRANSPORTATION, INC., 3830 Kelley Avenue, Cleveland, OH 44114. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. *(1) Plastic, paper and burlap products* and *(2) materials, equipment and supplies used in the manufacture, sale and distribution of the commodities in (1) above,* (except commodities in bulk) between Stanton, DE, on the one hand, and on the other, points in the U.S. (except AK and HI), for 180 days. Supporting shippers: Delaware Bag Corp., P.O. Box 6038, Stanton, DE 19804. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Rm. 620, Phila., PA 19106.

MC 142888 (Sub-13TA), filed December 5, 1979. Applicant: COX TRANSFER, INC., P.O. Box 168, Eureka, IL 61530. Representative: Michael W. O'Hara (attorney-at-law), 300 Reisch Bldg., Springfield, IL 62701. *(1) Glass containers, and (2) materials and supplies used in the mfg. and distribution of glass containers,* (1) from the facilities of Midland Glass Co., Inc. at Terre Haute, IN to St. Louis, MO, and (2) from the St. Louis, MO-East St. Louis, IL commercial zone to Terre Haute, IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Midland Glass Co., Inc. P.O. Box 557, Cliftwood, NJ 07721. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn, Rm. 1386, Chicago, IL 60604.

MC 143099 (Sub-2TA), filed November 15, 1979. Applicant: JOHN T. DODD, t.d.b.a. DODD TRUCKING & LEASING CO., 1374 Lake Ave., Pasadena, MD 21122. Representative: James W. Patterson, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. Contract carrier-irregular routes: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business,* between points in the territory bounded by a line beginning at Cape Charles, VA, and extending in a southerly direction along the Chesapeake Bay to the Atlantic Ocean, then in a northerly direction along the Chesapeake Bay to the Atlantic Ocean, then in a northerly direction along the Atlantic Coast to the Delaware Bay, then along the west shore of the Delaware Bay and Delaware River to Delaware City, DE, then in a northwesterly direction through Newark, DE, to the point of intersection of the MD-DE-PA- State lines, then in a westerly direction along the MD-PA State line to the Susquehanna River, then a northwesterly direction along the Susquehanna River to Columbia, PA, then in a easterly direction to Lancaster, PA, then in a northwesterly direction to Lebanon, PA, then in a westerly directon to Newport, PA, then in a southwesterly direction to Markleysburg, PA, then in a southeasterly direction through Winchester, VA and Fredericksburg, VA, to Cape Charles, VA, including points on the above-described boundary line under a continuing contract(s) with Acme Markets, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers(s): Acme Markets, Inc., 124 N. 15 St., Philadelphia, PA 19101. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7 St., Philadelphia, PA 19106.

MC 143358 (Sub-7TA), filed November 30, 1979. Applicant: STATE EXPRESS, INC., P.O. Box 279, Mountain View, GA 30070. Representative: Bruce E. Mitchell, 3390 Peachtree Road, N.E., Suite 520, Lenox Towers South, Atlanta, GA 30326. *Paper and paper products and materials, supplies and equipment used in the manufacture and distribution thereof,* between the facilities of Union Camp Corp. at or near Savannah and Tifton, GA on the one hand and on the other, points in CT, DE, DC, FL, ME, MD, MA, NH, NJ, NY, OH, PA, RI, VT, VA and WV, under contract or continuing contracts with Union Camp Corp. of Wayne, NJ, for 180 days. Supporting shipper(s): Union Camp Corp., 1600 Valley Rd., Wayne, NJ 07470. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Room 300, Atlanta, GA 30309.

MC 143638 (Sub-3TA), filed December 4, 1979. Applicant: JOHNSON'S TRUCKING, INC., Route 1, Box 31, Inola, OK 74036. Representative: Troy G. Johnson (same address as applicant). *Coal,* in bulk, in dump vehicles, from points in that portion of KS east of US Hwy 75, to points in MO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s):

Wincoal Company, 6130 E. 32nd St., Tulsa, OK 74135, and Marad Exploration Company, 5800 E. Skelly Dr., Tulsa, OK 74135. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 143738 (Sub-1TA), field September 19, 1979. Applicant: DONALD D. HAVELICK, d.b.a. Pado Company, 7902 Husky Way S.E., Olympia, WA 98503. Representative: Wallace Aiken, 1215 Norton Building, Seattle, WA 98104. *contract carrier:* irregular routes: *Malt beverages and return of malt beverage containers,* between Busch-Fairfield, and Los Angeles, CA, Seattle and Vancouver, WA and Sandpoint, ID, for 180 days. Empty malt beverage containers on return. An underlying ETA seeks 90 days authority. Supporting shipper(s): Frank's Distributors, P.O. Box 1067, Sandpoint, ID 83864. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 144428 (Sub-9TA), filed December 3, 1979. Applicant: TRUCKADYNE, INC., Route 16, Mendon, MA 01756. Representative: Joseph A. Reed (same address). *Contact carrier:* irregular routes: *Computer cabinets, housings and hardware used in the manufacture and use of same, and computer parts,* between points in IL, on the one hand, and, on the other, points in ME, MA and NH, under a continuing contract with Data General Corporation for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Data General Corporation, 4400 Computer Drive, Westboro, MA 01581. Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Street, Springfield, MA 01103.

MC 144678 (Sub-14TA), filed December 5, 1979. Applicant: AMERICAN FREIGHT SYSTEM, INC., 9393 West 110th St., Overland Park, KS 66210. Representative: Harold H. Clokey (same as applicant). *Wood shavings, in bags, barrels or boxes* serving the plantsite of Neiman Sawmill, Inc., d.b.a. Devils Tower Forest Products at or near Hulett, WY, as an off-route point in connection with carrier's otherwise authorized regular route service, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Neiman Sawmill, Inc., Box 218, Hulett, WY 82720. Send protests to: Vernon V. Coble, DS, ICC, Room 600, 911 Walnut St., Kansas City, MO 64106.

MC 144688 (Sub-40TA), filed December 10, 1979. Applicant: READY TRUCKING, INC., 4722 Lake Mirror Place, Forest Park, GA 30050. Representative: Lavern R. Holdeman, 521 South 14th St., Suite 500, P.O. Box 81849, Lincoln, NE 68501. *Such commodities as are dealt in by wholesale, retail, and chain grocery and food business houses (except commodities in bulk and those requring refrigeration),* from the facilities of Hunt-Wesson Foods, Inc., at or near Atlanta, GA, to points in AL and FL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Hunt-Wesson Foods, Inc., P.O. Box 61770, New Orleans, LA 70161. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 144858 (Sub-28TA), filed November 19, 1979. Applicant: DENVER SOUTHWEST EXPRESS, INC., P.O. Box 9799, Little Rock, AR 72209. Representative: Harvey K. Thompson, P.O. Box 9799. *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and articles which because of size or weight require the use of special equipment), between the facilities of Harry and David at or near Medford, OR on the one hand, and on the other, points in the U.S. (except AK and HI), for 180 days. Supporting shipper(s): Harry and David, 2518 South Pacific Highway, Medford, OR 97501. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 144908 (Sub-2TA), filed September 25, 1979. Applicant: ZENITH TRANSPORT, LTD., 2131 Willingdon Avenue, Burnaby, B.C., Canada V5C 5J4. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Contract carrier;* irregular routes; *Asbestos fiber in bales,* from Ports of Entry on the International Boundary Line in Whatcom County, WA to points in CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Cassiar Asbestos Corporation, Ltd., No. 2000, 1055 W. Hastings St., Vancouver, B.C. Canada V6B 3V3. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 144989 (Sub-19TA), filed November 12, 1979. Applicant: BLUE RIDGE MOUNTAIN CONTRACT CARRIER, INC., P.O. Box 1965, Dalton, GA 30720. Representative: S. H. Rich, 1600 Cromwell Ct., Charlotte, NC 28205. *Aquarium, aquarium accessories, brine shrimp freeze dried, small animal cages, household pet supplies and equipment; and materials used in the manufacture of said articles (except commodities in bulk),* between points in AZ, CA, CO, DE, FL, GA, ID, IL, IN, IA, KS, KY, MD, MI, MN, MO, MT, NE, NV, NJ, NM, NC, OH, OK, OR, PA, SC, TX, UT, VA, WA, WV, and WI for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Metaframe, Inc. (Aquology Corp.), 35 Market St., Elmwood Park, NJ 07407. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

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MC 145018 (Sub-11TA), filed November 15, 1979. Applicant: NORTHEAST DELIVERY, INC., P.O. Box 127, Taylor, PA 18517. Representative: John W. Frame, P.O. Box 626, 2207 Old Gettysburg Rd., Camp Hill, PA 17011. *Scrap felt, unsaturated roofing felt, and materials used incidental to or in connection with the manufacture, sale and distribution of roofing felt,* between Gloucester, NJ and Erie, PA, restricted to traffic originating at or destined to the facilities of GAF Corporation, for 180 days. An Underlying ETA seeks 90 days authority. Supporting shipper(s): GAF Corporation, 1361 Alps Rd., Wayne, NJ 07470. Send protests to: I.C.C.. Fed. Res. Bank Bldg., 101 N. 7 St., Philadelphia, PA 19106.

MC 145108 (Sub-14TA), filed December 13, 1979. Applicant: BULLET EXPRESS, INC., 5600 First Avenue, Brooklyn, N.Y. 11220. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier,* irregular routes: *Toilet preparations (except in bulk) in mechanically Refrigerated equipment,* from La Mirada, CA, to Seattle, WA; under a continuing contract(s) with Clairol, Stamford, CT. An Underlying ETA seeks 90 days authority. Supporting shipper(s): Clairol, Inc., 1 Blachley Road, Stamford, CT 06902. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 145108 (Sub-15TA), filed November 16, 1979. Applicant: BULLET EXPRESS, INC., 5600 First Avenue, Brooklyn, NY 11220. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier,* irregular routes: *Chemicals and fatty acid esters, in mechanically refrigerated equipment,* from Williamsport, PA, to points in GA, NC, SC, FL; Houston, Garland, Corpus Christi, Freeport, and Bishop, TX; Chicago, Illipolis, Lawrenceville, Gurney, Rockford, Dundee and Kankakee, IL; and CA; for 180 days. An Underlying ETA seeks 90 days authority. Supporting shipper(s): Glyco Chemicals, Inc., 51 Weaver St., P.O. Box 700, Greenwich, CT 06830. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate

Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 145108 (Sub-16TA), filed December 10, 1979. Applicant: BULLET EXPRESS, INC., 5600 First Avenue, Brooklyn, NY 11220. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Contract carrier,* irregular routes; *Paper and plastic bags,* between Florence, KY, on the one hand, and, on the other, points in the states of NJ and NY; under a continuing contract(s) with the Equitable Bag Co., Inc., Long Island City, NY; for 180 days. An Underlying ETA seeks 90 days authority. Supporting shipper(s): Equitable Bag Co., Inc., 45-50 Van Dam Street, Long Island City, NY 11101. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 145738 (Sub-15TA), filed November 29, 1979. Applicant: EAST-WEST MOTOR FREIGHT, INC., Highway 45 South, Selmer, TN 38375. Respresentative: Bruce E. Mitchell, 3390 Peachtree Rd. NE., Suite 520 Atlanta, GA 30326. *New furniture and cabinets,* from Greensboro, NC to points in AZ, NM and CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): GTMB, Inc. 3640 Atlantic Ave., Long Beach, CA 90807. Send protests to: Floyd A. Johnson, Suite 2006, 100 N. Main St., Memphis, TN 38103.

MC 145928 (Sub-5TA), filed November 14, 1979. Applicant: PANTEGO DISTRIBUTING COMPANY, INC., P.O. Box 176, Pantego, NC 27860. Respresentative: Peter A. Greene, 90 17th St., NW., Washington, DC 20006. *Lumber and lumber products, iron, steel and aluminum products* between Philadelphia, PA, on the one hand, and, on the other, Newport News, VA, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Hampton Hardware, Inc., 2100 56th St. Hampton, VA. Send protests to: Sheila Reece, T/A, 800 Briar Creek Rd., Rm. CC516, Charlotte, NC 28205.

MC 146148 (Sub-(TA), filed November 21, 1979. Applicant: B-RIGHT TRUCKING CO., 492 Old State Rt. 7, Steubenville, OH 43952. Respresentative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. *Iron and steel articles,* from the facilities of Krohn Steel Service Center, Inc., at Springfield, OH, to points in GA, TN, KY, IN, and IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Krohn Steel Service Center, Inc., 5750 Lower Valley Pike, Springfield, OH 45502. Send protests to: I.C.C. 101 N. 7th St., Philadelphia, PA 19106.

MC 146578 (Sub-16TA), filed September 12, 1979. Applicant: PALMETTO MOTOR LINES, INC., 7153 Lone Oak Road, Spartanburg, SC 29303. Respresentative: Nina G. Shults, P.O. Box 6445, Spartanburg, SC 29303. *Aluminum ingots and scrap for recycling,* between Spartanburg County, SC, on the one hand, and, on the other, points in NC and GA, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Batchelder-Blasius, Inc., P.O. Box 5503, Spartanburg, SC 29303. Send protests to: E. E. Strotheid, D/S, ICC, Rm. 302, 1400 Building, 1400 Pickens St., Columbia, SC 29201.

MC 146888 (Sub-3TA), filed November 29, 1979. Applicant: GLASS CONTAINER TRANSPORT, INC., Rt. 1, Box 271, Ridgeway, SC 29103. Respresentative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. *(1) Animal and poultry feed ingredients (except in bulk) from the facilities of Eastern Minerals, Inc., in* Vance County, NC to points in the United States in and east of WI, IL, KY, TN and *(2) Materials, equipment and suplies used in the manufacture and distribution of animal and poultry feed ingredients (except in bulk),* from points in the United States in and east of WI, IL, KY, TN and GA to the facilities of Eastern Minerals, Inc. in Vance County, NC, for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Eastern Minerals, Inc., P.O. Box 1436, Bainbridge, GA 31717. Send protests to: E. E. Strotheid, D/S, ICC, 866 Strom Thurmond Fed. Bldg., 1835 Assembly St., Columbia, SC 29201.

MC 147068 (Sub-4TA), filed November 21, 1979. Applicant: ENERGY TRANSPORTERS, INC., 5119 N. 19th Ave., Suite K, Phoenix, AZ 85015. Representative: Andrew V. Baylor, 337 E. Elm St., Phoenix, AZ 85012. Contract, *(1) Gasoline, diesel, and fuel oils (except fuel oil to generating stations at Phoenix, Glendale, Tempe, Red Rock, Casa Grande, Tucson, Chandler and Yuma, AZ)* from Bloomfield, Farmington, and Kirkland, NM, (San Juan County), Fredonia, AZ (via U.S. 89 to UT) Bakersfield, Los Angeles, Signal Hill, Colton and Ventura, CA and their commercial zones to Amado, Benson, Bellemont, Clarkdale, Cochise, Curtis, El Frida, Flagstaff, Holbrook, Kingman, Paul Spur, Phoenix, Rio Rico, San Manuel, Tucson and Yuma, AZ, and their commercial zones; *(2) Waste oil* from El Paso, TX to Douglas, Phoenix and Tucson, AZ, and their commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): B.S. & W. Energy Corp., 5119 N. 19th Ave., Suite K, Phoenix, AZ 85015. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 147288 (Sub-2TA), filed December 5, 1979. Applicant: FREIGHT OPERATIONS, INC., 165 Campus Plaza, Raritan Center, Edison, NJ 08817. Representative: Henry J. Capro, 1585 Morris Avenue, Union, NJ 07083. *Contract carrier,* irregular routes for 180 days. *Tires, tire tubes, rims and wheels; batteries, battery acid; oil, oil filters, and shock absorbers.* Applicant does not seek to transport commodities in bulk or tank vehicles from Edison, NJ to points in CT, DE, MD, NY, PA, MA, Washington, D.C., Akron, Cleveland, Kent, Portsmouth, S. Amherst, and Spencer, OH and Lynchburg, VA. An underlying ETA seeks 90 days authority. Supporting shipper(s): Delta Tire Corp., 65 Brunswick Avenue, Edison, NJ 08817. Send protests to: Irwin Rosen, TS, ICC, 744 Broad Street, Room 522, Newark, NJ 07102.

MC 147478 (Sub-1TA), filed November 14, 1979. Applicant: STANLEY R. SOWERS d.b.a. TEESUN TRUCK LINE, P.O. Box 183, Hayti, SD 57241. Representatie: J. Maurice Andren, 1734 Sheridan Lake Road, Rapid City, SD 57701. *Feed ingredients* from Nebraska City and Weeping Water, NE; Sioux City, IA; Mankato, Minneapolis & St. Paul, MN and points in their commercial zones to points in ND and SD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Peavery Company, 730 2nd Avenue South, Minneapolis, MN 55423. Send portests to: J. L. Hammond, DS, ICC, Room 322, Federal Bldg., Pierre, SD 57501.

MC 147488 (Sub-3TA), filed October 24, 1979. Applicant: BURT CLIFFORD TRANSPORT, INC., Box 400, Ruthven, Ontario, Canada NOP2GO. Representative: Wilhelmina Boersma, 1600 First Federal Bldg., Detroit, MO 48226. *Glassware, glass tableware products, molds, empty cartons and empty pallets,* between the ports of entry in Michigan on the Detroit and St. Clair Rivers, on the one hand, and, on the other, the facilities of Libbey Glass Division of Owens-Illinois, Inc., at or near Toledo, Ohio, restricted to shipments moving to or from the facilities of Libbey-St. Clair Inc. at Wallaceburg, Ontario for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Libbey-St. Clair, Inc., 1250 James St., Wallaceburg, Ontario, Canada N8A 4L8. Send protests to: Transportation Assistant, ICC, 219 S. Dearborn St., Rm. 1386, Chicago, IL 60604.

MC 147619 (sub-8TA), filed September 17, 1979. Applicant: D. D. S. TRANSPORT, INC., P.O. Box 25354, Salt Lake City, UT 84125. Representative: Chester A. Zyblut, 1030 15th Street, N.W., Suite 366, Washington, D.C. 20005. *Alcoholic beverages,* (1) from Louisville, Clermont, Lawrenceburg, Frandfort and Bardstown, KY; New York, NY; Allen Park, MI; Lynchburg and Nashville, TN; Chicago and Peoria, IL; Philadelphia, PA; Oklahoma City and Tulsa, OK; Baltimore, MD; Lawrenceburg, IN; Cincinnati, OH; Englewood Cliffs, NJ; Jacksonville, FL; and St. Louis, MO, and points in their respective commercial zones to points in CA and Seattle, WA, and (2) from Union City, CA to Seattle, WA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Recreational Services, Regional Support Office, Building 1, Room 172, Naval Support Activity, Treasure Island, San Francisco, CA 94130. Send protests to: L. D. Helfer, DS, ICC, 5301 Federal Bldg., Salt Lake City, UT 84138.

MC 147648 (Sub-2TA), filed November 30, 1979. Applicant: ROBERT L. PERKINS d.b.a. PERKINS TRANSPORT SERVICE, 4913 Maple Street, Omaha, Nebraska 68104. Representative: James F. Crosby, I–80 and Highway 50, P.O. Box 37205, Omaha, NE 68137. *(1) Recreational vehicles and (2) Equipment, materials, accessories, parts and supplies for recreational vehicles, in truckaway service* from the facilities of Winnebago Industries, Inc. at Forest City, IA to points in MO, AR, LA, ND, SD, NE, KS, OK, TX, MT, WY, CO, NM, NV, ID, UT, AZ, WA, OR and CA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Winnebago Industries, Inc., Richard A. Mason, Corp. Traffic and Warehouse Mgr., P.O. Box 152, Forest City, IA 50436. Send protests to: D/S Carroll Russell, ICC, Suite 620, 110 North 14th St., Omaha, NE 68102.

MC 147978 (Sub-3TA), filed December 4, 1979. Applicant: SYSTEM REEFER SERVICE, INC., 4614 Lincoln Avenue, Cypress, CA 90630. Representative: Dixie C. Newhouse & Charles E Creager, 1329 Pennsylvaina Avenue, P.O. Box 1417, Hagerstown, Maryland 21740. *General commodities in vehicle equipped with mechanical refrigeration (except Classes A & B explosives, commodities in bulk, household goods and commodities requiring special equipment),* between Baltimore, MD and its commercial zone, on the one hand, and, on the other, points in CA, NV, UT, AZ, CO and NM. Restricted to traffic moving on the bills of lading of Baltimore Shippers and Receivers Association, Inc., for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Baltimore Shippers and Receivers Association, Inc., General Manager, 3601 Benson Avenue, Baltimore, MD 21227. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 148158 (Sub-3TA), filed December 13, 1979. Applicant: CONTROLLED DELIVERY SERVICE, INC., Post Office Box 1299, City of Industry, CA 91749. Representative: Patricia M. Schnegg, Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, CA 90017. *General commodities (except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment),* from all points in the United States except AK and HI to the facilities of Gibson Product Co. located in UT, for 180 days. Supporting shipper(s): Gibson Product Co., Traffic Manager, 5955 S. Main Street, Murray, UT 84107. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 148158 (Sub-4TA), filed December 14, 1979. Applicant: CONTROLLED DELIVERY SERVICE, INC., Post Office Box 1299, City of Industry, CA 91749. Representative: Patricia M. Schnegg, Knapp, Grossman & Marsh, 707 Wilshire Boulevard, Suite 1800, Los Angeles, CA 90017. *General commodities (except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring the use of special equipment),* from points in CA, GA, IL, IN, MA, MI, WI, MO, MD, MN, OH, NY, NJ, NH, IA, KY, SC, TN, WV, FL to the facilities of Gibson Products Co. located in UT, for 180 days. An underlying ETA seeks up to 90 days operating authority. Supporting shipper(s): Gibson Products Co., Traffic Manager, 5955 S. Main Street, Murray, UT 84107. Send protests to: Irene Carlos, TA, ICC, Room 1321 Federal Building, 300 North Los Angeles Street, Los Angeles, CA 90012.

MC 148499 (Sub-1TA), filed November 14, 1979. Applicant: H & A EXPRESS, INC., 209 Anderson St., Holmen, WI 54636. Representative: James R. Madler, 120 W. Madison, Chicago, IL 60602. *Beverages, materials, equipment and supplies used in the manufacture, sale and distribution of beverages* from LaCrosse, WI to Montgomery, IL. Restricted to shipments originating at or terminating to the facilities of Ted Sharpenter, Inc., Montgomery, IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Ted Sharpenter, Inc., 300 N. Lake St., Montgomery, IL 60538. Send protests to: John E. Ryden, DS, ICC, 517 E. Wisconsin Ave., Rm 619, Milwaukee, Wi 53202.

MC 148648 (Sub-1TA), filed December 6, 1979. Applicant: GREAT PLAINS TRANSPORTS, INC., 1750 Highway 183 South, Clinton, OK 73601. Representative: A. William Brackett, 1108 Continental Life Bldg., Fort Worth, TX 76102. *Machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, Earth drilling machinery and equipment, and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells,* between points in TX, OK and LA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 6 supporting shippers. Send protests to: Marianne Minnich, TCS, ICC, 9A27 Federal Bldg., 819 Taylor St., Ft. Worth, TX 76102.

MC 148758 (Sub-1TA), filed November 23, 1979. Applicant: GATEWAY AIRFREIGHT (Division of C. F. Liebert, Inc.), No. 8 12th Street, Blaine, WA 98230. Representative: Gary A. Knutson (same as above). *General commodities with normal exceptions, excluding commodities in bulk or in tank vehicles,* from Blaine, WA to Sea-Tac International Airport and Boeing Field, WA returning to Blaine, WA via Interstate 5 and alternate 405, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 6 statements of support attached to this application which may be examined at the ICC in Washington, D.C., or copies thereof at the field office named below. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 148769 (Sub-1TA), filed November 20, 1979. Applicant: SHELDON J. GOLDFIN, d.b.a. NEVADA PRODUCE, 50 Freeport Boulevard, Unit No. 17, Sparks, NV 89431. Representative: Norman A. Cooper, 145 W. Wisconsin Avenue, Neenah, WI 54956. Contract carrier: irregular routes: *Epoxy resin, plastic material and molding compounding, granules or pellets* from the facilities of Morton Chemicals a division of Morton-Norwich Products, Inc. at McHenry County in IL and MIlwaukee, WI to Long Beach, Los Angeles, Oakland, San Francisco, San Pedro, and Wilmington, CA under contract(s) with Morton Chemicals, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Morton Chemical Company, Division of Morton Norwich Products, Inc., 1275 Lake Avenue, Woodstock, IL 60098. Send protests to: DS, W. J. Huetig, ICC, 705 North Plaza Street, Carson City, NV 89701.

MC 148778 (Sub-1TA), filed December 11, 1979. Applicant: DENNIS L. BARCLAY, d.b.a. DENNIS L. BARCLAY TRUCKING, 67790 S.W. 79th, Redmond, OR 97756. Representative: Dennis Barclay, 67790 S.W. 79th, Redmond, OR 97756. Wine from the facilities of the following CA wineries: E & J Gallo Winery of Modesto, CA; Gibson Winery of Elk Grove, CA; Paul Masson Winery of San Jose, CA; Sebastiani Winery of Sonoma, CA; Christian Bros. of St. Helena and Roodley, CA; Geyser-Peak Winery of Geyserville, CA; Browne Vintners, of Union City, CA; Franzia Winery of Ripon, CA. To: R & R Beverage Distributors of Bend, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: R & R Beverage Distributors, Inc., 63500 N. Hwy 97, Bend, OR 97701. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

MC 148778 (Sub-2TA), filed December 11, 1979. Applicant: DENNIS L. BARCLAY, d.b.a. DENNIS L. BARCLAY TRUCKING, 67790 S.W. 79th, Redmond, OR 97756. Representative: Denis Barclay, 67790 S.W. 79th, Redmond, OR 97756. (1) *Malt beverages,* from the facilities of Anheuser-Busch, Inc., at Fairfield and Van Nuys, CA, and from the facilities of Jos. Schlitz, Inc., at Van Nuys, CA, to the facilities of Neel Distributing at The Dalles, OR. (2) Empty malt beverage containers, from the facilities of Neel Distributing at The Dalles, OR, to the facilities of Anheuser-Busch, Inc., located at Fairfield and Winters, CA, and to the facilities of Jos. Schlitz, Inc., at Van Nuys, CA,** for 180 days. An underlying ETA seeks 90 days authority. In all instances the empty containers transported to CA will be incidental to the northbound movement under (1) above. Supporting shipper: Neel Distributing of Columbia Basin, 3338 W 10th, The Dalles, OR 97058. Send protests to: D. Merine Galbraith, T/A, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, OR 97204.

MC 148788 (Sub-1TA), filed December 5, 1979. Applicant: PORT CARRIERS, INC., 1000 Farragut Drive, Blount Island, FL 32218. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *(1) General commodities (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), in containers or trailers having an immediately prior or subsequent movement by water and (2) empty containers, trailers and trailer chasses,* between Brunswick, GA, Charleston, SC, Garden City, GA and Jacksonville, FL for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): United States Lines, Inc., P.O. Box 3005, Jacksonville, FL 32206; Strachan Shipping Co., P.O. Box 4010, Jacksonville, FL 32201; Thomas L. Watkins, CHB, P.O. Box 1194, Jacksonville, FL 32201; Harrington & Company, Inc.; P.O. Box 3157, Jacksonville, FL 32206. Send protests to: Jean King, TA, ICC, Box 35008, 400 West Bay Street, Jacksonville, FL 32202.

MC 148809 (Sub-1TA), filed December 7, 1979. Applicant: DAVE PHILLIPS, d.b.a. DAVE PHILLIPS CONSTRUCTION COMPANY, 2780 S.E. Three Lakes Road, Albany, Oregon 97321. Representative: John A. Anderson, Suite 1440, 200 S.W., Market Street, Portland, Oregon 97201, 503–224–5525. Animal Feed and Animal Feed Pellets, in Bulk, from points in Columbia, Multnomah, Washington, Yamhill, Clackamas, Polk, Marion, Benton, Linn, and Lane Counties, Oregon to points in Washington, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Coast Trading Co., Inc., 1800 S.W. 1st, Portland, OR 97201; Wilbur Ellis Co., P.O. Box 8838, 1220 N.W. Marshall, Portland, OR 97208; H. J. Stoll & Son, 2320 S.E. Grand Ave., Portland, OR 97214; L. R. Strother Co., Parker, WA 98939. Send protests to: A. E. Odoms, DS, ICC, 114 Pioneer Courthouse, 555 S. W. Yamhill Street, Portland, Oregon 97204.

MC 148818 (Sub-1TA), filed November 23, 1979. Applicant: CARL PRINCE, d.b.a. PRINCE TRUCKING, Rt. 1, Box 159, Cane Hill, AR 72717. Representative: John C. Everett, P.O. Box A, Prairie Grove, AR 72753. Furniture in cartons, from the plantsite facility of La-z-Boy Midwest at or near Neosho, MO to all points and places in NM, TX, LA, KS, OK, AR, MS, AL, TN, and KY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: La-z-Boy Midwest, Box 628, Howard L. Bush Dr., Neosho, MO 64850. Send protests to: William H. Land, DS, 3108 Federal Building, Little Rock, AR 72201.

MC 148819 (Sub-1TA), filed November 28, 1979. Applicant: G AND J TRUCKING, INC., P.O. Box 4201, Ft. Smith, AR 72914. Representative: Don A. Smith, P.O. Box 43, Fort Smith, AR 72902. Contract carrier, over irregular routes: (1) *Plastic articles and paper products,* from Ft. Smith, AR to Broussard, Church Point, Alexandria, Baton Rouge and New Orlenas, LA; and (2) *Sugar,* in bags and packages, from Mathews, LA to points in AR, for 180 days, the service to be performed under a continuing contract in part (1) with American Can Company—Dixie Producs, Ft. Smith, AR, and in part (2) with The South Coast Corporation, Houma, LA. Underlying ETA seeks 90 days authority. Supporting shipper(s): American Can.—Dixie Products, 4411 Midland Blvd., Ft. Smith, AR 72901; South Coast Sugars, Inc., P.O. Box 8036, Houma, LA 70361. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 148839 (Sub-1TA), filed November 26, 1979. Applicant: W. AND D. TRANSPORT, INC., 815 N. Hampshire Ave., Lynchburg, VA 24502. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. *Iron and steel articles,* between the facilities of Carolina Galvanizing located at Aberdeen, NC, on the one hand, and, on the other, points in AZ, CA, CO, NV, NM, OR, TX, UT, WA, and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Carolina Galvanizing, Rte. No. 1, Box 60, Aberdeen, NC 28315. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 148849 (Sub-1TA), filed November 30, 1979. Applicant: EQUITABLE BAG CO., INC., 45–50 Van Dam Street, Long Island City, NY 11101. Representative: George A. Olsen, P.O.B. 357, Gladstone, NJ 07934. *Contract* carrier, irregular routes: *Such commodities as are sold or*

**Certain of the Anheuser-Busch products shipped from the Fairfield plant does not return directly to Fairfield. It is returned to Winters, CA. This is a bottle processing plant.

dealt in by department stores, paper and paper products (except commodities in bulk), from North Bergen, NJ, and Long Island City, NY, to Fairfield and Cincinnati, OH; under a continuing contract(s) with Mercantile Stores Co., Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Mercantile Stores Co., Inc., 128 W. 31st St., New York, N.Y. 10001. Send protests to: Maria B. Kejss, Transportation Assistant, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

MC 148859 (Sub-1TA), filed November 26, 1979. Applicant: MID-STATE TRADING CO., 2525 Trenton Ave., Williamsport, PA 17701. Representative: John E. Fullerton, 407 N. Front St., Harrisburg, PA 17101. Contract carrier—irregular routes: *scrap metals,* between the facilities of Simon Eastern Corp. at Ontalaunee Twp., Berks County, PA; Simon Wrecking Co., Inc. and Eastern Scrap Baling Co., at Williamsport, PA on the one hand, and, on the other, points in DE, MD, MI, NJ, NY, and OH under continuing contracts with same, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Simon-Eastern Corp., Huller Lane, Temple, PA 19560; Simon Wrecking Co., Inc., 2525 Trenton Ave., Williamsport, PA 17701. Send protests to: I.C.C. Fed. Res. Bank Bldg., 101 N. 7th St., Philadelphia, PA 19106.

MC 148868 (Sub-1TA), filed December 5, 1979. Applicant: MALM CO. INC., 908 Denargo Market, Denver, CO 80216. Representative: Edward C. Hastings, 666 Sherman Street, Denver, CO 80203. Sea foods, bananas, fruit and vegetables in controlled temperature vehicles, from Houston and Galveston, TX; Gulfport, MS, and New Orleans, LA, to points in CO, for 180 days. An underlying ETA seeks 90 days identical authority. Supporting shipper: Associated Grocers Inc. of CO, 5151 Bannock Street, Denver, CO 80217. Send protests to: R. Buchanan, 492 U.S. Customs House, Denver, CO 80217.

MC 148878 (Sub-1TA), filed December 7, 1979. Applicant: FARM PRODUCE EXPRESS, INC., Route 2, Hwy 85, Senoia, GA 30276. Representative: R. R. Holland, Route 2, Box 177B Hwy 85, Senoia, GA 30276. *Contract Carrier:* Irregular routes: *Polyehtylene products and materials, equipment and supplies used in the manufacturing and distribution of polyethylene* between the facilities of Flex-On Packaging, Inc., at Senoia, GA, and points in AL, AR, GA, IL, KS, LA, MS, MO, NC, OH, SC, TN, and TX for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Flex-On Packaging, Inc., P.O. 425, 219 Andrews Parkway, Senoia, GA 30276. Send protests to: Sara K. Davis, ICC, 1252 W. Peachtree St., N.W., Rm. 300, Atlanta, GA 30309.

MC 148879 (Sub-1TA), filed December 7, 1979. Applicant: SPRINGFIELD BEVERAGE, INC., 80 Baldarelli Court, Springfield, MA 01104. Representative: Patrick A. Doyle, 60 Robbins Road, Springfield, MA 01104. Contract carrier: irregular routes: *Malt beverages and related advertising material and rejected and returned malt beverages,* from Oswego and Onondaga Counties, NY to Auburn, MA, for the account of Atlas Distributing Corp, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Atlas Distributing Corp., 44 Southbridge Street, Auburn, MA 01501. Send protests to: Send protests to: David M. Miller, DS, ICC, 436 Dwight Street, Springfield, MA 01103.

MC 148888 (Sub-1TA), filed December 10, 1979. Applicant: MADISON BULK TRANSPORT, INC., Box 145, Dewitt, NY 13214. Representative: Pinsky & Pliskin (Roy D. Pinsky), 1020 State Tower Bldg., Syracuse, NY 13202. *Decorative brick and materials, equipment and supplies used or useful in the production, shipping, application and installation thereof,* between shipper's facilities at or near North Chittenango, NY, on the one hand, and, on the other, facilities of shipper's customers and suppliers in the states of AL, CT, DE, FL, GA, IL, IN, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, WI, and DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Ambric Industries, Inc., 1216 Canal Street, Syracuse, NY 13217. Send protests to: Annie C. Siler, TA, ICC, 910 Federal Bldg., 111 W. Huron St., Buffalo, NY 14202.

MC 148948 (TA), filed November 15, 1979. Applicant: HUNTER TRANSPORT COMPANY, INCORPORATED, 1603 Long St., Chattanooga, TN 37408. Representative: Ann K. Merriman (same address as applicant). *Contract carrier:* irregular routes: *Carpet, jute and other backing materials, and materials, equipment and supplies used in the manufacture and distribution thereof,* from Cartersville, GA to points in TN, GA, TX, FL, CO, MN, WI, OH, IL, PA, NY, MA, CT, VA, AL, LA, MO, IN, WV, NC, SC, MI, NJ, MD, for 180 days. Supporting shipper: Imperial Carpet Mills, Inc., P.O. Box 687, Cartersville, GA. Send protests to: Glenda Kuss, TA, ICC, A–422 U.S. Court House, 801 Broadway, Nashville, TN 37203.

MC 148949 (TA), filed November 30, 1979. Applicant: FOURWAY TRANPORTATION CO., INC., P.O. Box 1146, Delran, NJ 08075. Representative: Eric Meierhoefer, Suite 423, 1151 K Street NW., Washington, DC 20005. *Roofing cement.* From East Rutherford and Clark, NJ and points in their commercial zones to points in FL, for 180 days. Supporting shipper: Karnack Chemical Corporation, 330 Central Avenue, Clark, NJ 07066. Send protests to: District Supervisor, ICC, 744 Broad Street, Rm. 522, Newark, NJ 07102.

MC 149088 (TA), filed September 24, 1979. Applicant: TRANSPORTATION, INC., Route 4, Ottawa, KS 66067. Representative: Walker A. Hendrix, P.O. Box 7, Ottawa, KS 66067. *Decorative Rock,* from Franklin, Riley, McPherson & Finney Counties, KS; Grant Co., AR; Platte, Clay, Cole, Lewis, St. Louis and Dallas Counties, MO; Rio Arriba, Santa Fe, Socorro, and Lincoln Counties, NM; Costill Co., CO; Pickens, CO, GA to points in WY, CO, NM, TX, OK, KS, NE, SD, ND, MN, IA, MO, AR, LA, MS, AL, GA, TN, KY, IL, IN, MI, and WI; for 180 days, common, irregular. An underlying ETA seeks 90 days authority. Supporting shipperes: Pioneer Sand Co., Inc., 5000 Northpark Dr., Colorado Springs, CO 80907; Crown Stone, Inc., P.O. Box 4632, Overland Park, KS 66204; Colorado Aggregate Co., Inc., P.O. Box 24, Blanca, CO 81123; Blueville Nursery, Inc., Route 1, Box 259A, Manhattan, KS 66502. Send protests to: M. E. Taylor, DS, ICC, 101 Litwin Bldg., Wichita, KS. 67202.

Notice No. 1

The following applications were filed in the Fort Worth Regional Office.

Send protests to: Consumer Assistance Center, Interstate Commerce Commission, 411 West 7th Street—Suite 600, Fort Worth, TX 76102.

MC 35320 (Sub-5–3TA), filed February 6, 1980. Applicant: T.I.M.E.–DC, INC., 2598 74th Street, P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes transporting *general commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of The Shoe Den, at or near Huntsville, AL., without restriction, as an off-route point in connection with carrier's otherwise authorized regular route operations. Applicant intends to tack to its existing authority and any authority it may obtain in the future. Common control may be involved. Supporting shipper: The Shoe Den, Huntsville, AL.

MC 35320 (Sub-5–2TA), filed February 6, 1980. Applicant: T.I.M.E.-DC, INC., 2598 74th Street, P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant). To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes transporting *general commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of the Burndy Corporation, at or near Lincoln, NH as an off-route point in connection with carrier's otherwise authorized regular route operation. Supporting shipper: The Burndy Corporation, Orange, CT. Send protests to: Mrs. Opal Jones, Transportation Consumer Specialist, Interstate Commerce Commission, 411 West 7th Street, Suite 600, Ft. Worth, TX. 76102

MC 139457 (Sub-5–1TA), filed February 6, 1980. Applicant: G. L. SKIDMORE d.b.a., JELLY SKIDMORE TRUCKING COMPANY, P.O. Box 38, Paris, TX 75460. Representative: Paul D. Angenend, P.O. Box 2207, Austin, TX 78768. Authority sought to operate as a contract carrier by motor vehicle, over irregular routes, in the transportation of canned and preserved foodstuffs, and canned and packaged animal food, from the facilities of Campbell Soup (Texas) Inc. at or near Paris, TX, to Napoleon, OH, and all points in IN on and south of U.S. Hwy 50.

MC 35320 (Sub-51TA), filed February 6, 1980. Applicant: T.I.M.E.-DC, Inc., 2598 74th Street, P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant).To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes transporting *general commodities,* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Reynolds Metals Company, at or near Listerhill, AL and Sheffield, AL, without restriction, as off-roue points in connection with carrier's otherwise authorized regular route operation for 180 days. Supporting shipper: Reynolds Metals Company, Richmond, VA.

MC 144622 (Sub-51TA), filed February 6, 1980. Applicant: GLENN BROS. TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Robert D. Gisvold (Attorney) 1000 First National Bank Bldg., Minneapolis, MN 55402. *Plastic articles, rubber articles and plastic and rubber articles* from the facility of Entek Corporation of America at Irving, TX TO AZ, CA, CO, FL, ID, IL, IN, KY, MI, MO, MT, NV, NJ, NM, NY, OH, OR, PA, UT, WA, WV, AND WY.

MC 145152 (Sub-51TA), filed February 6, 1980. Applicant: BIG THREE TRANSPORTATION, INC., Post Office Box 706, Springdale, AR 72764. Representative: Don Garrison, Esq., Post Office Box 1065, Fayetteville, AR 72701. *Plastic bottles*—from Itasca, IL to the facilities of St. Louis Crystal Water Company, at or near St. Louis, MO.

MC 129908 (Sub-51TA), filed February 6, 1980. Applicant: AMERICAN FARM LINES, INC., 8125 S.W. 15th Street, Oklahoma City, OK 73107. Representative: T. J. Blaylock, 8125 S.W. 15th Street, Oklahoma City, OK 73107. Piece goods and textile products and those items used in the manufacture of garments from GA, MS, NC, SC, or VA to the facilities of Blue Bell, Inc. in AZ, OK, and TX and from GA, NC, SC, or VA to the facilities of Blue Bell, Inc. in MS. Hearing site: Oklahoma City, OK or Dallas, TX.)

MC 150029 (Sub-5–1TA), filed February 6, 1980. Applicant: CHARLES B. HARRINGTON, d.b.a. TRANS TEXAS COACHES, 4415 West County Road, Odessa, TX 79762. Representative: Mike Cotten, P.O. Box 1148, Austin, TX 78767. Regular routes, common carrier, A. *Passengers and their baggage and express and newspapers, in the same vehicle with passengers,* (1) between Midland, TX and Odessa, TX serving the Midland-Odessa airport and all intermediate points: from Midland over U.S. Highway 80 and Interstate Highway 20 to Odessa and return; (2) between Odessa, TX and Presidio, TX, serving all intermediate points: from Odessa over U.S. Hwy 385 to McCamey, thence over U.S. Hwy 67 to Presidio and return; (3) between McCamey, TX and San Angelo, TX, serving all intermediate points: from McCamey over U.S. Hwy 67 to San Angelo and return. B. Irregular routes: *Passengers and their baggage in the same vehicle with passengers, in round trip charter and special party operations,* beginning and ending at points on the routes described in Part A above, and extending to points in the US (excluding AK and HI) for 180 days. Underlying ETA for 90 days filed. Applicant intends to interline with other carriers.

MC 143387 (Sub-5–2TA), filed February 7, 1980. Applicant: ASSOCIATED COURIERS, INC., 342 Fee Fee Road, Maryland Heights, MO 63043. Representative: Daniel C. Sullivan, Esq., Sullivan & Associates, Ltd., 10 South LaSalle, Suite 1600, Chicago, IL 60603. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Radioactive pharmaceuticals, radioactive isotopes and medical testing kits, between Maryland Heights, MO on the one hand, and, on the other, points in Kentucky, Louisiana and New Mexico, under a continuing contract or contracts with Mallinckrodt, Inc.

MC 135861 (Sub-5–1TA), filed February 8, 1980. Applicant: LISA MOTOR LINES, INC., P.O. Box 4550, Fort Worth, TX 76106. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. To operate as a *contract* carrier by motor vehicle over *irregular* routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in the report in Descriptions in Motor Carrier Certificates, 61 MCC 209 and 766 (except hides and commodities in bulk) from the facilities of Swift & Company at Chino, CA to points in NY, NJ, MD, IL, IA, FL, under continuing contract(s) with Swift & Company, Chicago, IL, for 180 days. Applicant seeks underlying ETA for 90 days. Supporting shipper: Swift & Co., 115 W. Jackson Blvd., Chicago, IL 60604.

MC 139495 (Sub-5–1), filed February 4, 1980. Applicant: NATIONAL CARRIERS, INC., 1501 East 8th Street, P.O. Box 1358, Liberal, Kansas 67901. Representative: Herbert Alan Dubin, Baskin and Sears, 1320 Fenwick Lane, Silver Spring, MD. 20910. Alcholic beverages (except in bulk) in vehicles equipped with mechanical refrigeration from Owensboro, KY to Kenosh, La Cross, Madison, and Milwaukee, Wisconsin. Restricted to traffic origining at and destined to the above named points.

MC 30844 (Sub-5–1TA), filed February 8, 1980. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 4616 E. 67th Street, Tulsa, OK 74121. Representative: John P. Rhodes, P.O. Box 5000, Waterloo, IA 50704. Canned and preserved foodstuffs requiring protective service from the facilities of Heinz USA at or near Muscatine and Iowa City, IA to the facilities of Heinz USA at or near Mechanicsburg and Pittsburgh, PA, and Harrison, NJ, and in each case restricted to traffic originating at and destined to the named facilities.

MC 143995 (Sub-5–1TA), filed February 7, 1980. Applicant: SLOAN TRANSPORTATION, INC., Route 4, Box 720, Davenport, IA 52804. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: Malt

beverages, from the facilities of Anheuser-Busch, Inc. at St. Louis, MO and Columbus, OH to Dixon, IL under continuing contract(s) with L.R.B. Distributors, Inc.

MC 114273 (Sub-5–1TA). Applicant: CRST, INC., P.O. Box 68, Cedar Rapids, IA 52406. Representative: Kenneth L. Core (same address as applicant). Foodstuffs, (except in bulk, in tank vehicles) from Lincoln, NE to points in the state of Missouri.

Note.—Common control may be involved.

[FR Doc. 80–4932 Filed 2–15–80; 8:45 am]
BILLING CODE 7035–01–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[V–80–2]

Ford Motor Co.

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTIONS: (1) Notice of application for variance and interim order; (2) Grant of interim order.

SUMMARY: This notice announces the application of the Ford Motor Company for variance and interim order pending a decision on the application for variance from the standards precribed in 29 CFR 1910.1018 concerning Inorganic Arsenic and 29 CFR 1910.1025 concerning Lead.

It also annouces the granting of an interim order until a decision is rendered on the application for variance.

DATES: The effective date of the interim order is February 19, 1980. The last date for interested persons to submit comments is March 20, 1980. The last date for affected employers and employees to request a hearing on the applications is March 20, 1980.

ADDRESSES: Send comments or requests for a hearing to: Office of Variance Determination, Occupational Safety and Health Administration, U.S. Department of Labor, Third Street and Constitution Avenue, N.W., Room N–3662, Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT:

Mr. James J. Concannon, Director, Office of Variance Determination, at the above address, telephone: (202) 523–7144; or the following Regional and Area Offices:

U.S. Department of Labor, Occupational Safety and Health Administration, 1515 Broadway (1 Astor Plaza), Room 3445, New York, New York 10036.

U.S. Department of Labor, Occupational Safety and Health Administration, Building T3—Belle Mead GSA Depot, Belle Mead, New Jersey 08502.

U.S. Department of Labor, Occupational Safety and Health Administration, Teterboro Airport Professional Building, 377 Route 17—Room 206, Hasbrouck Heights, New Jersey 07604.

U.S. Department of Labor, Occupational Safety and Health Administration, 1375 Peachtree Street, N.E., Suite 587, Atlanta, Georgia 30309.

U.S. Department of Labor, Occupational Safety and Health Administration, Building 10—Suite 33, La Vista Perimeter Office Park, Tucker, Georgia 30084.

U.S. Department of Labor, Occupational Safety and Health Administration, 600 Federal Place, Suite 554–E, Louisville, Kentucky 40202.

U.S. Department of Labor, Occupational Safety and Health Administration, 32nd Floor, Room 3263, 230 South Dearborn Street, Chicago, Illinois 60604.

U.S. Department of Labor, Occupational Safety and Health Administration, 1400 Torrence Avenue, 2nd Floor, Calumet City, Illinois 60409.

U.S. Department of Labor, Occupational Safety and Health Administration, 231 West Lafayette, Room 628, Detroit, Michigan 48226.

U.S. Department of Labor, Occupational Safety and Health Administration, Federal Office Building, Room 734, 234 North Summit Street, Toledo, Ohio 43604.

U.S. Department of Labor, Occupational Safety and Health Administration, 911 Walnut Street, Room 3000, Kansas City, Missouri 64106.

U.S. Department of Labor, Occupational Safety and Health Administration, 1150 Grand Avenue, 6th Floor, 12 Grand Building, Kansas City, Missouri 64106.

U.S. Department of Labor, Occupational Safety and Health Administration, 210 North 12th Boulevard, Room 520, St. Louis, Missouri 63101.

U.S. Department of Labor, Occupational Safety and Health Administration, 11349 Federal Building, 450 Golden Gate Avenue, P.O. Box 36017, San Francisco, California 94102.

U.S. Department of Labor, Occupational Safety and Health Administration, 211 Main Street, San Francisco, California 94105.

U.S. Department of Labor, Occupational Safety and Health Administration, 400 Oceangate, Suite 530, Long Beach, California 90802.

Notice of Application

Notice is hereby given that the Ford Motor Company, The American Road, Dearborn Michigan 48121, (Attention: W. Scollard, General Manager, Automotive Division, 17000 Oakwood, Allen Park, Michigan 48101), has made application pursuant to section 6(d) of the Occupational Safety and Health Act of 1970 (84 Stat. 1596; 29 U.S.C. 655) and 29 CFR, 1905.11 for variance, and interim order pending a decision on the application for variance, from the standards prescribed in various paragraphs of 29 CFR 1910.1018 concerning Inorganic Arsenic and 29 CFR 1910.1025 concerning Lead.

The addresses of the places of employment that will be affected by the application are as follows:

Pilot Plant, 1700 Oakwood, Allen Park, Michigan 48101.
Atlanta Assembly Plant, 340 S. Central Avenue, Hapeville, Georgia 30354.
Chicago Assembly Plant, 12600 S. Torrence, Chicago, Illinois 60633.
Dearborn Assembly Plant, 3001 Miller Road, Dearborn, Michigan 48120.
Kansas City Assembly Plant, Highway 69, Claycomo, Missouri 64169.
Lorain Assembly Plant, 5401 Baumhart Road, Lorain, Ohio 44052.
Louisville Assembly Plant, Fern Valley Road at Grade, Louisville, Kentucky 40232.
Los Angeles Assembly Plant, 8900 E. Washington, Pico Rivera, California 90660.
Mahwah Assembly Plant, State Highway 17, Mahwah, New Jersey 07430.
Metuchen Assembly Plant, U.S. Highway 1, Edison, New Jersey 08817.
San Jose Assembly Plant, 1100 S. Main, Milpitas, California 95035.
St. Louis Assembly Plant, 6250 N. Lindbergh Boulevard, Hazelwood, Missouri 63042.
Wayne Assembly Plant, 37625 Michigan, Wayne, Michigan 48184.
Wixom Assembly Plant, 5000 Grand River Expressway, Wixom, Michigan 48096.

In addition, the applicant has asked to have this variance apply to any future facilities which woul have solder grinding booths which operate in the same manner.

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving copies of them to their authorized employee representatives, and by posting copies at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends the method it proposes to use will provide a place of employment as safe as those required by § 1910.1018 which contains regulations concerning Inorganic Arsenic, and § 1910.1025 which contains regulations concerning Lead.

The applicant's facilities contain solder grinding booths where successive employees use successively finer abrasives to grind solder from car bodies as they pass through the booth. According to the material specifications, this solder contains approximately 0.5 percent arsenic and 91 percent lead. High velocity particles of solder dust containing arsenic and lead are thrown into the atmosphere of the booth by the grinding operation. The booths are operated under negative pressure with

an in-draft of a minimum of 200 feet per minute at all openings.

The Ford Motor Company has committed itself to a program to eliminate employee exposure to arsenic and lead in its automotive body assembly operations by eliminating the need for body solder through redesign of certain exterior sheet metal joints, which will require extensive body retooling including new dies in stamping plants and new fixtures and facilities in the automotive body assembly plants. Such substantial alterations can only be accomplished during the shutdown incident to a major model change in a car model. The Corporation anticipates that barring unforseen economic or other developments, this program can be completed by August, 1984.

The Corporation believes that with the proposed lead-arsenic elimination program, and with the increased efforts in training, hygiene, medical surveillance, supervisory control and enforcement of safety rules, it will achieve that which is mandated by the new standards. Moreover, during the time it takes to implement fully this program, the Ford Motor Company will continue its program of periodic blood lead monitoring but will incorporate into its program 70 ug/100g whole blood lead absorption as the level for removal from lead operations and other tests as required by the lead standard.

In undertaking this program, however, the Ford Motor Company does not foreclose the possibility of alternative solutions utilizing lead-arsenic solder so long as these alternatives would protect employees' health.

Specifically, the applicant requests variance from several paragraphs of the inorganic arsenic standard, as follows:

Section 1910.1018(e) contains requirements concerning exposure monitoring.

Section 1910.1018(e)(1)(ii) defines employee exposure to inorganic arsenic as the exposure which would occur if the employee were not wearing a respirator.

Section 1910.1018(e)(1)(iii) requires collection of full shift (at least 7 continuous hours) personal sampling including at least one sample for each shift for each job classification in each work area.

The applicant states that it has been determined with a confidence level of more than 99 percent, that the level of airborne inorganic arsenic in the booths will not exceed 450$\mu g/m^3$. The operation of the booths is on a continuous assembly-line basis, with very little fluctation in the dust levels within any of the shifts. For these reasons the applicant states that monitoring the levels in the booths and taking full-shift personal samples would serve no useful purpose. The employees in the booths are required to wear approved positive pressure air-supplied hoods which are listed in § 1910.1018(h)(2) Table I for concentrations of inorganic arsenic not greater than 20,000 $\mu g/m^3$. The applicant states that there are no problems with fit, comfort or employee acceptance with these respirators, and that their proper use is strictly enforced. Therefore, Ford states that the only monitoring which is meaningful is inside the respirator in the breathing zone of the employee. The applicant also states that its blood lead monitoring program serves as an additional check on the proper functioning of the air-supplied hoods.

Section 1910.1018(g)(1) requires the institution of engineering and work practice controls to reduce exposures to or below the permissible exposure limits, except to the extent that the employer can establish that such controls are not feasible. Paragraph (g)(2) requires the establishment and implementation of a written program to reduce exposure. The applicant requests variance from the requirement for using engineering and work practice controls to reduce employee exposure in the solder grinding booths and from the requirement to develop written compliance programs. The applicant states that the positive pressure air-supplied hoods and the respirator programs will protect its employees from exposure to inorganic arsenic while in the solder grinding booths, and that the negative pressure of the booths and the hygiene requirements will keep the airborne arsenic from being carried to other areas of the plants. Therefore, the applicant states that, without regard to the feasibility of engineering or work practice controls, it is providing a safe and healthful place of employment to its employees.

Section 1910.1018(h)(2) contains the requirements for respirator selection, including a table which lists the required respirator for various concentrations of airborne inorganic arsenic. The applicant requests variance from this section to permit supervisors to wear half facepeice filter-type respirators recognized in Table I of the inorganic arsenic standard. Although these respirators are accepted in the standard only for concentrations of inorganic arsenic not greater than 100 $\mu g/m^3$, the applicant states that the time the supervisors spend in the booth in minimal (1–3 minutes at a time, not exceeding 15 minutes per shift and 1 hour per week) and, therefore, the supervisors' exposure would be within the permitted 8 hour time-weighted average. The applicant also states that supervisors would be required to wear the positive pressure air-supplied hoods if they are in the booth for an extended period of time.

Section 1910.1018(m)(3)(i) requires that employers provide readily accessible lunchrooms with temperature controlled, positive pressure, filtered air supply for employees working in regulated areas. The applicant states that the negative pressure in the booths keeps the airborne inorganic aresenic from spreading to other areas of the plant. Employees are forbidden to eat in the booths, and are required to blow dust from their clothing, remove hoods and gloves and wash prior to eating. The applicant argues that the negative pressure of the booths and the hygiene requirements make it safe for employees to eat in the existing lunchrooms throughout the plant. A separate lunchroom with temperature controlled filtered air would provide no additional protection to the employees, according to the applicant.

Section 1910.1018(m)(5) requires that employers provide and assure the use of facilities for employees working in regulated areas where exposure (without the use of respirators) exceeds 100 $\mu g/m^3$ to vacuum their protective clothing and clean or change shoes before entering change rooms, lunchrooms or showers. The applicant proposes instead to utilize compressed air to blow the solder dust from the clothing before the employees leave the booth. The dust is contained within the atmosphere of the booth. The applicant states that vacuuming properly requires considerable time and effort to pass the nozzle over all parts of the clothing, while blowing the dust off the clothing with compresed air can be accomplished quickly and easily. Thus it states that the use of compressed air to blow the dust offf is likely to be more effective than vacuuming.

Section 1910.1018(u) deals with start up dates, requiring all obligations of the standard to commence on the effective date except for such requirements as hygiene facilities, regulated areas, and compliance programs. The applicant requests relief from any obligation of this section which would be impacted by the requested variance.

Specifically, the applicant't request variance from several paragraphs of the lead standard, as follows:

Section 1910.1025(d)(1) contains requirements concerning exposure monitoring.

Section 1910.1025(d)(1)(ii) and (iii) requires collection of full shift (at least 7 continuous hours) personal sampling including at least one sample for each shift for each job classification in each work area which shall

be representative of the monitored employee's regular, daily exposure to lead.

The applicant states that monitoring within the solder grind booths, but outside the hoods, would serve no useful purpose. The Corporation has submitted data showing the levels of airborne lead in the solder grind booth to be well below 100,000 ug/m^3, the limit of approval for the respirator being used. In addition to the reasons offered in the request for variance from the inorganic arsenic standard, the applicant states that such monitoring would not be necessary to keep employees advised of the hazard they would be subject to if they fail to use their hoods properly. The requirements for training, plus those for warning signs in the regulated areas, will be sufficient to warn employees that use of the hoods is essential.

In its request for variance from the requirement for full-shift monitoring as it applies to employees on the assembly line, the applicant states that many automobile assemby operations are relatively uniform throughout the shift and where monitoring for a shorter period of time is representative, it should be allowed.

Section 1910.1025(e)(1) requires the institution of engineering and work practice controls to reduce exposures to or below the permissible exposure limits. Paragraph (e)(3) requires the establishment and implementation of a written program to reduce exposure. The applicant requests variance from the requirement for using engineering and work practice controls to reduce employee exposure in the solder grinding booths and from the requirement of a compliance program for any requirement as to which a variance is granted. The applicant states that engineering and work practice controls are not technically feasible short of shutting down production and, further, that its lead/arsenic elimination program will protect employees health more completely and with more certainty than any other controls. The applicant further states that in the interim, the use of respirators, training, medical examinations, medical removal and other measures will effectively protect employee health.

Section 1910.1025(f)(2) Table II contains the requirements for respirator selection, including a table which lists the required respirator for various concentrations of airborne lead. The applicant requests variance from this section to permit supervisors to wear half facepiece filter-type respirators. Although these respirators are accepted in Table II of the standard only for concentrations of lead not greater than 500 ug/m^3, the applicant states that the time the supervisors spend in the booth is minimal (1–3 minutes at a time, not exceeding 15 minutes per shift and 1 hour per week) and, therefore, the supervisors' exposure would be within the permitted 8 hour time-weighted average. The applicant also states that supervisors would be required to wear the positive pressure air-supplied hoods if they are in the booth for an extended period of time.

Section 1910.1025(g)(2)(viii) requires that employers provide and assure the use of facilities for employees working in regulated areas where exposure (without the use of respirators) exceeds 200 ug/m^3 to vacuum their protective clothing and clean or change shoes before entering change rooms, lunchrooms or showers. The applicant proposes instead to utilize compressed air to blow the solder dust from the clothing before the employees leave the booth. The remaining rationale is discussed in the section dealing with inorganic arsenic.

Section 1910.1025(i)(4) requires that employers provide readily accessible lunchrooms with temperature controlled, positive pressure, filtered air supply for employees working in regulated areas. The applicant's position with respect to this section is the same as it is in the section dealing with inorganic arsenic.

Section 1910.1025(r) requires that all obligations of the lead standard commence on the effective date except for such requirements as hygiene facilities and compliance programs. The applicant requests relief from any obligation of this section which would be impacted by the requested variance.

All interested persons, including employers and employees who believe they would be affected by the grant or denial of the application for variance are invited to submit written data, views, and arguments relating to the pertinent applications no later than March 20, 1980. In addition, employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than March 20, 1980, in conformance with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Variance Determination at the above address.

Grant of Interim Order

The applicant also requested an interim order to be effective until a decision is made on the application for variance.

It has been determined that an interim order from the inorganic arsenic and the lead standards shall be issued. Therefore, it is ordered, pursuant to the authority in section 6(d) of the Occupational Safety and Health Act of 1970, in 29 CFR 1905.11(c) and in Secretary of Labor's Order No. 8–76 (41 FR 25059) that the Ford Motor Company is hereby subject to the following conditions in lieu of complying with the paragraphs of the inorganic arsenic and lead standards from which it has requested variance. The applicant has requested and has granted relief from the following paragraphs of 29 CFR 1910.1018—Occupational Exposure to Inorganic Arsenic:

1910.1018(e);
1910.1018(e)(1)(ii);
1910.1018(e)(1)(iii);
1910.1018(g)(1);
1910.1018(h)(2);
1910.1018(m)(3)(i);
1910.1018(m)(5);
1910.1018(u).

The applicant has also requested and has been granted relief from the following paragraphs of 29 CFR 1910.1025—Occupational Exposure to Lead:

1910.1018(d)(1);
1910.1018(d)(1)(ii);
1910.1018(d)(1)(iii);
1910.1018(e)(1);
1910.1018(e)(3);
1910.1018(f)(2);
1910.1018(g)(2)(viii);
1910.1018(i)(4);
1910.1018(r).

The applicant shall comply with all provisions of the inorganic arsenic and lead standards from which variance has not been requested and granted.

1. Employees in the solder grind booth shall be provided daily with, and required to wear, supplied-air respirators with hoods and protective bibs, operated in the positive pressure mode. These respirators shall be approved for use in atmospheres containing not more than 20 milligrams of inorganic arsenic per cubic meter of air (20 mg/m^3), or 100 milligrams of lead per cubic meter of air (100 mg/m^3);

2. Monitoring of air levels for lead and inorganic arsenic separately, shall be performed as follows:

a. At least 10 full-shift personal samples from each of three different plants shall be taken in tandem, i.e., paired or side-by-side, from within the air-supplied hood in the breathing zone of the solder grinder in the solder grind booth, and from within the solder grind booth, outside of the air-supplied hood. Within each plant, the samples shall include solder grinders utilizing grinding and finishing tools of different grades of abrasive including the finest abrasive grit. The grade of abrasive represented

by each sample shall be reported with the sample results and the job or work station shall be identified;

b. At least 20 full-shift personal samples shall be taken for employees on the assembly line in areas adjacent to the solder grind booth;

3. For the period of these interim orders, the Company shall operate a program of medical removal including medical removal protection benefits as provided in paragraph (k) of the standard for occupational exposure to lead for any employee whose most recent blood lead level is 70 ug/100g whole blood or greater or whose blood lead, based upon the average of the three most recent samples, is 70 ug/100g whole blood or greater;

4. Supervisory personnel who enter the solder grind booths for periods not to exceed 3 minutes per entry and 15 minutes per shift, may wear half-mask air purifying respirators equipped with high-efficiency filters, in lieu of the respiratory protection required for use by other employees in the solder grind booths. These respirators shall be approved for use in atmospheres containing not more than 100 micrograms of inorganic arsenic (as As) per cubic meter of air (100 ug/m^3), or 500 ug/m^3 of lead;

5. The employer shall assure that employees, prior to exiting the solder grind booth, remove surface dust from their clothing and equipment by vacuuming, or by the use of fixed-in-place, overhead, air shower rings, while their respirators are connected to an air supply;

6. Employees shall be required to remove dust from their clothing, remove hoods and gloves, and wash face, hands, and arms to the elbow prior to eating. However, readily accessible temperature controlled, positive pressure, filtered air lunchrooms are not required for the period of these interim orders;

7. The Company shall supply the two most recent blood lead values for each individual currently in the lead and blood monitoring program as a result of exposures arising out of vehicle body solder operations grouped by the following job categories: booth grinder, repairmen, torch solder and supervisory personnel. The latest blood lead data shall be provided for any other employee monitored during the last 12 months who no longer works in the area. Each blood lead sample shall be identified by job category, plant location, and date obtained. The data shall not be in summary form, but on an individual employee basis;

8. The employer shall assure that solder dust is removed from the automobile bodies before they exit the confines of the solder grind booth, as required by section (h)(1) of the standard for occupational exposure to lead, except that where car wash facilities are utilized the dust may be removed after the automobile body exits the solder grind booth but before any additional work if performed;

9. The employer shall be required to maintain the solder grind booth in such condition that airborne lead or inorganic arsenic dust within the booth shall be contained within the confines of the booth;

10. The applicants shall provide all currently available data and any additional data gathered to support their requests for variance within 60 calendar days after the publication of these interim orders in the **Federal Register**;

11. The employer shall provide a written training and education program for employees assigned to solder application, grinding, and finishing operations which shall include, but not limited to, the health hazards associated with inorganic arsenic and lead, proper respirator use, protective clothing, personal hygiene, and restrictions on smoking or eating in the solder grind booth. This training and education program shall be operated periodically; and,

12. The employer shall comply with all provisions in this grant of interim order and in addition shall not be relieved from compliance with all other applicable provisions of the standard for occupational exposure to inorganic arsenic and the standard for occupational exposure to lead.

The Ford Motor Company shall give notice of this grant of interim order to employees affected thereby by the same means required to be used to inform them of the applications for variance. This interim order shall become effective on February 19, 1980. The Assistant Secretary may revoke this interim order at any time if the applicant does not comply with any requirement of the interim order or the relevant standards; or if other information indicates that revocation of the interim order is warranted. Unless revoked, the interim order will remain in effect until a decision is made on the application for variance.

Signed at Washington, D.C. this 8th day of February 1980.

Eula Bingham,

Assistant Secretary of Labor.

[FR Doc. 80-5103 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-26-M

Office of the Secretary

[TA-W-6572]

Al Peirce Lumber Co.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979 in response to a worker petition received on December 4, 1979 which was filed by the International Woodworkers of America on behalf of workers and former workers producing green dimension lumber for Al Peirce Lumber Company, Coos Bay, Oregon. The investigation revealed that green dimension lumber is a variety of softwood lumber. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales of production.

Evidence developed during the course of the investigation indicated that the Al Peirce Lumber Company is terminating lumber production operations as a result of decreasing supplies of raw logs.

The petition alleges that increasing exports of logs from the U.S. have led to a shortage of raw logs available to the mill for processing into finished lumber. However, the export of logs cannot be considered to have adversely affected the domestic production of lumber within the meaning of Section 222(3) of the Trade Act of 1974.

The Department of Labor survey revealed that customers which decreased purchases from the Al Peirce Lumber Company did not significantly increase purchases of imported lumber.

U.S. imports of softwood lumber decreased absolutely during January through September of 1979 compared with the same period of 1978.

Conclusion

After careful review, I determine that all workers of the Al Peirce Lumber Company, Coos Bay, Oregon are denied

eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5107 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6375]

D & R Coat Co., Inc.; Affirmative Determination Regarding Application for Reconsideration

On January 15, 1980, counsel for the petitioners requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Appy for Worker Adjustment Assistance in the case of workers and former workers of D & R Coat Company, Inc., of Hoboken, New Jersey. This determination was published in the **Federal Register** on January 18, 1980 (45 FR 3681).

In denying the workers of D & R Coat Company, Inc., eligibility to apply for adjustment assistance, the Department concluded that D & R Coat Company suffered losses in sales and employment primarily because the firm was unable to produce a new product line (i.e., women's nylon coats and jackets) demanded by a major customer. Counsel for the petitioners claims in his application for reconsideration that this conclusion is erroneous since D & R Coat Company has, in fact, produced women's nylon coats and jackets in the past and is currently under contract to produce these articles with a domestic manufacturer. The cause of the firm's sales and employment declines, asserts the petitioners' counsel is the substitution by the customers of D & R Coat Company of foreign manufactured articles for those formerly purchased from D & R Coat Company.

After review of the application, I conclude that this claim of the petitioners is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. This application is, therefore, granted.

Signed at Washington, D.C. this 7th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5109 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6577]

Great Vibes, Inc.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979 in response to a worker petition received on October 24, 1979 which was filed on behalf of workers and former workers producing women's one and two piece dresses and pant suits at Great Vibes, Incorporated, New York, New York. The investigation revealed that the plant produces primarily women's dresses. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

U.S. imports of women's and misses' dresses decreased absolutely in the January through September 1979 period when compared to the same period in 1978.

The Department of Labor surveyed the customers of Great Vibes, Incorporated. Results indicated that most of the customers responding to the survey did not purchase imported dresses during the relevant time period. Those customers who increased their purchases of imported dresses, in 1979 compared to 1978, reported increased purchases from domestic sources other than Great Vibes that greatly exceeded their increase in imports.

Conclusion

After careful review, I determine that all workers of Great Vibes, Incorporated, New York, New York are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5113 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6622]

Lehigh Trouser Co. Trading as Sanford Manufacturing Co., Inc.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 13, 1979 in response to a worker petition received on December 7, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing ladies' slacks and skirts at Sanford Manufacturing Company, Incorporated, Wilkes-Barre, Pennsylvania. The investigation revealed that the plant's correct name is Lehigh Trouser Company trading as Sanford Manufacturing Company, Incorporated. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Evidence developed in the course of the investigation revealed that U.S. imports of ladies' slacks and skirts declined absulutely from 1978 to 1979.

Sanford Manufacturing Company produces ladies' skirts and slacks on a contract basis for several manufacturers. Those manufacturers responsible for the majority of the decline in orders to Sanford from 1978 to 1979 did not purchase imported women's slacks and skirts nor use the services of foreign contractors. In addition, sales of slacks and skirts by those manufacturers increased from 1978 to 1979.

Conclusion

After careful review, I determine that all workers of Lehigh Trouser Company, trading as Sanford Manufacturing Company, Incorporated, Wilkes-Barre, Pennsylvania are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 11th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5115 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6617]

Longyear Co.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 13, 1979, in response to a worker petition received on December 10, 1979, which was filed on behalf of workers and former workers of the Max Meadows, Virginia facility of Longyear Company, Minneapolis, Minnesota.

Longyear Company is engaged in providing the service of contract core drilling for mining and mineral exploration companies.

Thus, workers of Longyear Company do not produce an ariticle within the meaning of Section 222(3) of the Act. Therefore, they may be certified only if their separation was caused importantly by a reduced demand for their services from a parent firm, a firm otherwise related to Longyear Company by ownership, or a firm related by control. In any case, the reduction in demand for services must originate at a production facility whose workers independently meet the statutory criteria for certification and that reduction must directly relate to the product impacted by imports.

Longyear Company and its customers have no controlling interest in one another. Longyear Company is not corporately affiliated with any of its customers.

All workers engaged in drilling at Longyear Company are employed by that firm. All personnel actions and payroll transactions are controlled by Longyear Company. All employee benefits are provided and maintained by Longyear Company. Workers are not, at any time, under employment or supervision by customers of Longyear Company. Thus, Longyear Company, and not any of its customers, must be considered to be the "workers' firm".

Conclusion

After careful review, I determine that all workers of the Max Meadows, Virginia facility of Longyear Company, Minneapolis, Minnesota are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of February 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-5116 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6598]

Lou Levy & Sons Fashions, Inc.; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of investigations regarding certifications of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 11, 1979 in response to a worker petition received on December 3, 1979 which was filed on behalf of workers and former workers producing ladies' coats and sportswear at Lou Levy and Sons Fashions, Incorporated, New York, New York. The investigation revealed that Lou Levy produces ladies' coats and jackets.

Workers Engaged in Employment Unrelated to the Production of Duplicates

In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met, with respect to workers engaged in employment unrelated to the production of duplicates:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

The average employment at Lou Levy and Sons Fashions, Incorporated increased in 1978 compared to 1977 and in 1979 compared to 1978. Average monthly employment in each month of 1979, except July, was either equal to or higher than the corresponding month of 1978.

Total sales by Lou Levy increased from 1977 to 1978 and in the January–November 1979 period compared to the January–November 1978 period.

Workers Engaged in Employment Related to the Production of Duplicates

With respect to workers engaged in employment related to the production of duplicates, all of the criteria have been met:

U.S. imports of women's, misses' and children's coats and jackets increased absolutely and relative to domestic production in each year during the 1975–1978 time period, as compared to the previous year.

The sales of women's and juniors' coats and jackets by Lou Levy are comprised of garments produced domestically, primarily by independent domestic contractors, and of garments imported by Mod-Maid Imports, Incorporated, an affiliated company. Some employees of Lou Levy work exclusively on duplicates to set quality standards for the domestic contractors.

Lou Levy decreased its contracts with domestic contractors and increased its sales of imported coats and jackets, in 1979 compared to 1978.

Lou Levy's increased sales of imported coats and jackets resulted in a reduced reliance on domestic contractors which, in turn, led to a reduction in the employment of Lou Levy's workers who produce duplicates for the domestic contractors.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with ladies' coats and jackets produced at Lou Levy and Sons Fashions, Incorporated, New York, New York contributed importantly to the decline in production and to the total or partial separation of workers engaged in employment related to the production of duplicates. In accordance with the provisions of the Act, I make the following certification:

All workers of Lou Levy and Sons Fashions, Incorporated, New York, New York

engaged in employment related to the production of duplicates, who became totally or partially separated from employment on or after May 15, 1979 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

I further determine that all workers of Lou Levy and Sons Fashions, Incorporated, New York, New York, who are not engaged in employment related to the production of duplicates are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 12th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5117 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W- 6567 and 6568]

Muench-Kreuzer Candle Co., Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979 in response to a worker petition received on December 3, 1979 which was filed by the United Steelworkers of America on behalf of workers and former workers producing candles at the Liverpool and Syracuse, New York plants of the Muench-Kreuzer Candle Company, Incorporated. It is concluded that all of the requirements have been met.

U.S. imports of candles increased absolutely and relative to domestic production from 1977 to 1978 and during the first nine months of 1979 compared to the same period in 1978.

Company imports of candles increased, absolutely and as a percentage of total sales, from 1977 to 1978 and from 1978 to 1979.

A Department survey was conducted with customers of the Muench-Kreuzer Candle Company, Incorporated. The survey revealed that several major customers decreased purchases of candles from the Muench-Kreuzer Candle Company and increased purchases from foreign sources from 1978 to 1979.

A certification applicable to all workers at the Liverpool and Syracuse, New York plants of the Muench-Kreuzer Candle Company, Incorporated (TA-W-1517, 1518) was issued on May 27, 1977 and remained in effect until May 27, 1979.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with candles produced at the Liverpool and Syracuse, New York plants of Muench-Kreuzer Candle Company, Incorporated contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

All workers of the Liverpool and Syracuse, New York plants of the Muench-Kreuzer Candle Company, Incorporated who became totally or partially separated from employment on or after May 27, 1979 are eligibile to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5118 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6602]

Sassamansville Manufacturing Co.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 11, 1979 in response to a worker petition received on November 26, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing men's suit vests at Sassamansville Manufacturing Company, Sassamansville, Pennsylvania. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Evidence developed during the course of the investigation revealed that most customers who responded to a survey conducted by the Department did not increase purchases of imported men's suits while reducing purchases from Mavest, Incorporated.

Sassamansville Manufacturing Company is a plant of Mavest, Incorporated. The Department conducted a survey of customers who purchased men's suits from Mavest, Incorporated. Only one customer, representing an insignificant proportion of Mavest's sales to the surveyed customers, decreased its purchases from Mavest and other domestic sources in 1979 compared with 1978 while increasing purchases of imported men's suits.

Imports of men's and boys' tailored suits decreased absolutely and relative to domestic production in 1978 compared with 1977 and decreased absolutely in the first three quarters of 1979 compared with the same period of 1978.

Conclusion

After careful review, I determine that all workers of Sassamansville Manufacturing Company, Sassamansville, Pennsylvania are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 12th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5119 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6303]

Skyland Virginia Corp.; Negative Determination Regarding Application for Reconsideration

On January 17, 1980, one of the petitioners requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance for workers and former workers of Skyland Virginia Corporation, Chilhowie,

Virginia. This determination was published in the **Federal Register** on January 8, 1980 (45 FR 1705).

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts previously considered; or

(3) If, in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justifies reconsideration of the decision.

The petitioner claims that the Department would have made a different determination had a more comprehensive secondary survey of Skyland's only customer been conducted.

The Department's review indicated that workers of the Skyland Virginia Corporation's plant at Chilhowie, Virginia, were denied eligibility because they did not meet the "contributed importantly" test of the Trade Act of 1974. The plant's sole customer did not purchase imported infants' and children's clothing nor utilize foreign contractors. This customer, however, had declining sales, and the Department made a secondary survey of the retail customers which included the retailer mentioned as an importer in the application for reconsideration. These retail customers accounted for a substantial percentage of the sales of the Chilhowie's plant's only customer. These retailers reported that, while they reduced their purchases from the Chilhowie plant's only customer, they did not increase their purchases of imported infants' and children's clothing, especially during the period of January through October, 1979 compared to the same period in 1978 which represented the period of Chilhowie's production and employment declines.

Conclusion

After review of the application and the investigative file, I conclude that there has been no error or misinterpretaion of fact or misinterpretation of the law which would justify reconsideration of the Department of Labor's prior decision. The application is, therefore, denied.

Signed at Washington, D.C., this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5120 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

Steel Tripartitie Committee, Working Group on Technological Research and Development; Meeting

The Steel Tripartite Committee was established under the Federal Advisory Committee Act, 5 U.S.C. App. (1976) to advise the Secretary of Labor and the Secretary of Commerce on international and domestic issues affecting the U.S. steel industry, labor and the public.

Notice is hereby given that the Steel Triparite Committee's Working Group on Technological Research and Development will meet at 2:00 P.M. on March 5, 1980, room 6802, Main Commerce Building, U.S. Department of Commerce, Washington, DC 20230.

Items to be discussed are the current status of technological research and development in key areas in the U.S. steel industry. The public is invited to attend. A limited number of seats will be available to the public on a first-come basis.

For additional information contact: Mr. Josepth S. Papovich, Executive Secretary, Steel Triparite Committee, Bureau of International Labor Affaris, U.S. Department of Labor, Washington, DC 20210, telephone (202) 523-623-6227.

Official records of the meeting will be available for public inspection at Room S5315, U.S. Department of Labor, Washington, DC 20210

Signed at Washington, DC, this 13th day of February 1980.

Dean K. Clowes,

Deputy Under Secretary for International Affairs, U.S. Department of Labor.

[FR Doc. 80-5105 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6632]

Thompson Tool Co., Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 13, 1979 in response to a worker petition received on December 10, 1979 which was filed on behalf or workers and former workers producing rotostrippers at Thompson Tool Company, Incorporated, Norwalk, Connecticut. It is concluded that all of the requirements have been met.

U.S. imports of rotary scraping tool increased both absolutely and relative to domestic production in 1978 compared to 1977. U.S. imports remained at high levels in 1979.

From the time Thompson Tool Company, Incorporated started to produce its rotary scraper in 1975 there was a rapid growth in sales and profits each year until 1978. Imports of rotary scrapers like those produced by the subject firm started to appear in the domestic market in the latter part of 1977. Thompson Tool Company, Incorporated's share of the domestic market decreased in 1978 and 1979. Price pressure from imported rotary scrapers in 1978 and 1979 reduced the company's ability to profitably produce and market its product. The company was subsequently forced to lay off workers and reduce hours of employment.

The U.S. International Trade Commission conducted an investigation under section 337 of the Tariff Act of 1930, of alleged unfair methods of competition and unfair acts in the unauthorized importation into, or sale in, the United States of rotary scraping tools such as those produced by Thompson Tool Company, Incorporated. On January 9, 1980, the Commission unanimously determined that there was a violation of section 337. The Commission determined that Thompson Tool Company, Incorporated was substantially injured by imported infringing rotary scrapers. (Investigation No. 337-TA-62)

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with the rotary scraping tools produced at Thompson Tool Company, Incorporated, Norwalk, Connecticut contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers of Thompson Tool Company, Incorporated, Norwalk, Connecticut who became totally or partially separated from employment on or after December 6, 1978 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C. this 12th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5121 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6623 and TA-W-6623A]

Toledo Spring Co. and Rubicon Corp.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 13, 1979 in response to a worker petition received on December 10, 1979 which was filed by the Transportation, Technical, Warehouse, Industrial and Service Employees Union on behalf of workers and former workers producing automotive leaf springs at Toledo Spring Company, Toledo, Ohio. The investigation revealed that a negligible amount of springs for snowmobiles were also produced by Toledo Spring Company. Rubicon Corporation, Bridgeville, Pennsylvania is the parent firm of Toledo Spring Company. It is concluded that all of the requirements have been met.

U.S. imports of leaf springs increased absolutely each year when compared to the preceding year for the years 1976 through 1978. U.S. imports of leaf springs increased relative to domestic production in 1978 compared to 1977.

The Department conducted a survey of customers of Toledo Spring Company. The survey indicated that for the period January–November 1979 compared to the same period of 1978, customers decreased purchases of leaf springs from Toledo Spring and from other domestic sources while increasing purchases of leaf springs from foreign sources. In addition, customers indicated that they intend to fulfill future requirements for leaf springs from foreign sources.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with leaf springs produced at Toledo Spring Company, Toledo, Ohio contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm and to the separation of administrative workers at Rubicon Corporation, Bridgeville, Pennsylvania whose employment was related to production at Toledo Spring Company. In accordance with the provisions of the Act, I make the following certification:

"All workers of Toledo Spring Company, Toledo, Ohio and administrative workers of Rubicon Corporation, Bridgeville, Pennsylvania whose employment was related to production at Toledo Spring Company who became totally or partially separated from employment on or after February 1, 1979 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C. this 8th day of February 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-5122 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6581 and 6582]

United States Steel Corp., Youngstown Works; Negative Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979 in response to a worker petition received on December 3, 1979 which was filed by the United Steelworkers of America on behalf of workers producing steel products at the United States Steel Corporation, Ohio and McDonald Works, McDonald, Ohio and Youngstown, Ohio. The investigation revealed that the correct name is the Youngstown Works, which consists of the McDonald, Ohio and Youngstown, Ohio plants. The Youngstown Works primarily produces hot rolled sheet and strip, skelp, hot rolled bars (including rim stock) and steel plate. In the following determinations, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Hot Rolled Sheet and Strip (Including Skelp)

U.S. imports of hot rolled carbon steel sheet and strip (a category which includes skelp) decreased absolutely and relative to domestic shipments in 1978 compared with 1977 and in the first nine months of 1979 compared with the same period of 1978.

Most respondents to a Department of Labor survey indicated that they purchased no imported hot rolled sheet and strip or skelp in 1978 and 1979. Respondents who decreased purchases from the Youngstown Works and increased purchases of imports represented an insignificant proportion of shipments of hot rolled sheet and strip and skelp at the Youngstown Works.

Hot Rolled Bars and Bar Size Light Shapes (Including Rim Stock)

U.S. imports of carbon steel bars and bar-size light shapes decreased absolutely and relative to domestic shipments in 1978 compared with 1977 and in the first nine months of 1979 compared with the same period of 1978.

Sales and production of hot rolled bars and bar-size light shapes (including rim stock) decreased in 1978 compared with 1977 and then increased in the first eleven months of 1979 compared with the same period of 1978.

Most respondents to a Department of Labor Survey indicated that they purchased no imported hot rolled bars or bar-size light shapes in 1978 or 1979.

Plate

U.S. imports of carbon steel plate decreased absolutely and relative to domestic shipments in the first nine months of 1979 compared with the same period of 1978.

All respondents to a Department of Labor survey indicated that they purchased no imported steel plate in 1978 or 1979.

Conclusion

After careful review, I determine that all workers of the Youngstown Works of the United States Steel Corporation, McDonald, Ohio, and Youngstown, Ohio, are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 8th day of February 1980.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-5123 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6588]

United States Steel Corp., Torrance Works; Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigations regarding certifications of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979, in response to a worker petition received on December 3, 1979, which was filed by the United Steelworkers of America on behalf of workers and former workers producing all steel products at the Torrance Works of the United States Steel Corporation, Torrance, California. In the following determinations, without regard to whether any of the other criteria have been met for workers producing steel bars and railroad tie plates the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

U.S. imports of railroad tie plates decreased absolutely and relative to domestic production in 1978 compared to 1977 and in January to September 1979 compared to the like period in 1978.

Imports of carbon steel bars and bar-size light shapes declined absolutely and relative to domestic shipments in 1978 compared to 1977, and in the first three quarters of 1979 compared to the same period in 1978.

The Department conducted a survey of customers purchasing steel bars produced from the Torrance Works of United States Steel Corporation in 1978 and 1979. None of the customers responding to the survey indicated decreased purchases of steel bars from United States Steel accompanied by increased purchases of imported steel bars during this period.

With respect to workers producing carbon steel structural shapes all of the criteria have been met.

Imports of carbon steel structural shapes increased absolutely in 1978 compared to 1977 and in January–September 1979 compared to the like period in 1978.

Company sales of carbon steel structural shapes produced at the Torrance Works decreased in January–November 1979 compared to the like period in 1978.

The Torrance Works of United States Steel Corporation was closed on December 14, 1979. The employment of all production workers was terminated on that date.

The Department conducted a survey of customers purchasing carbon steel structural shapes from the Torrance Works in 1978 and 1979. Some of the customers responding to the survey indicated decreased purchases of carbon steel structural shapes from the Torrance Works and increased purchases from foreign sources in 1979 compared to 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with carbon steel structural shapes produced at the Torrance Works of United States Steel Corporation, Torrance, California contributed importantly to the decline in sales or production and to the total or partial separation of workers of that firm. In accordance with the provisions of the Act, I make the following certification:

"All workers engaged in employment related to the production of carbon steel structural shapes at the Torrance Works of the United States Steel Corporation, Torrance, California who became totally or partially separated from employment on or after August 20, 1979, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974."

Signed at Washington, D.C. this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5124 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6590]

Universal Atlas Cement Division of United States Steel; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979, in response to a worker petition received on December 3, 1979, which was filed by the United Steelworkers of America on behalf of workers and former workers producing gray cement at the Universal Atlas Cement Plant, Division of United States Steel, Universal, Pennsylvania. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

A Department of Labor Survey of some of the Universal plant's customers revealed that none of the customers contacted imported cement. Industry and trade sources indicate that the high cost of transporting an inexpensive and heavy product like cement makes importing uneconomical.

Conclusion

After careful review, I determine that all workers of Universal Atlas Cement, Division of United States Steel, Universal, Pennsylvania are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 8th day of February 1980.

James F. Taylor,

Director, Offive of Management, Administration and Planning.

[FR Doc. 80-5125 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6591]

Valtronic Corp.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of an investigation regarding certification of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 10, 1979, in response to a worker petition received on August 15, 1979, which was filed on behalf of workers and former workers producing furniture at Valtronic Corporation, New York, New York. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Employees at Valtronic Corporation manufactured medical and dental furniture, bookcases and wall units. A survey of customers who purchased furniture produced by employees of Valtronic Corporation indicated that none of the surveyed customers purchased imported contemporary casegoods or medical and dental furniture during the period the company was in business in 1977, 1978 or 1979.

Conclusion

After careful review, I determine that all workers of Valtronic Corporation, New York, New York are denied eligibility to apply for adjustment assistance under Title II, Chapter 2 of the trade act of 1974.

Signed at Washington, D.C. this 7th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5126 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6666]

W & F Manufacturing Co.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an invetigation was initiated on December 26, 1979, in response to a worker petition received on December 17, 1979, which was filed by the United Steelworkers of America on behalf of workers and former workers producing wax-related products at W & F Manufacturing Company, Buffalo, New York.

In a letter dated February 1, 1980, the petitioner requested that the petition be withdrawn. On the basis of this withdrawal, continuing the investigation would serve no purpose. Consequently, the investigation has been terminated.

Signed at Washington, D.C., this 8th Day of February 1980.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 80-5127 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6540 and TA-W-6540A]

Weldon Manufacturing Co. and Weldon Menswear Ltd.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents the results of investigations regarding certifications of eligibility to apply for worker adjustment assistance.

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 Act must be met.

The investigation was initiated on December 4, 1979, in response to a worker petition received on November 29, 1979, which was filed on behalf of workers and former workers producing men's robes and pajamas at Weldon Manufacturing Company, Williamsport, Pennsylvania. Weldon Menswear Limited, New York, New York is the merchandising firm for Weldon Manufacturing Company. It is concluded that all of the criteria have been met.

U.S. imports of men's and boy's robes, dressing gowns and smoking jackets increased in quantity in 1978 from 1977.

U.S. imports of men's and boy's pajamas and other nightwear increased in quantity in 1978 from 1977 and in January–September 1979 compared to January–September 1978.

A survey conducted by the Department revealed that some cutomers surveyed which reduced purchases from Weldon Manufacturing Company in 1979 from 1978 increased purchases of imported men's robes and pajamas during the same period.

Weldon Manufacturing Company closed in November 1979.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with men's robes and pajamas produced at Weldon Manufacturing Company, Williamsport, Pennsylvania and sold by Weldon Menswear Limited, New York, New York contributed importantly to the decline in sales or production and to the total or partial separation of workers of those firms. In accordance with the provisions of the Act, I make the following certification:

All workers of Weldon Manufacturing Company, Williamsport, Pennsylvania who became totally or partially separated from employment on or after March 10, 1979 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

All workers of Weldon Menswear Limited, New York, New York who became totally or partially separated from employment on or after March 10, 1979 and before December 31, 1979 are eligible to apply for adjustment assistance.

Signed at Washington, D.C. this 8th day of February 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-5128 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or

production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C., 20210.

Signed at Washington, D.C. this 12th day of February 1980.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Lear Siegler, Inc., Foam Products Div. (union) (UAW).	Marblehead, Md.	1/29/80	1/15/80	TA-W-7,090	Vrethane foam for car and trucks seats.

[FR Doc. 80-5114 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a)) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 11th day of February 1980.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
General Motors Corp., Buick (UAW)	Flint, Mich.	2/5/80	1/28/80	TA-W-6,999	Buick—mid- and regular-group cars and components.
General Motors Corp., Cadillac (UAW)	Detroit, Mich.	2/5/80	1/28/80	TA-W-7,000	Cadillacs and components.
General Motors Corp., Chevrolet, Bay City (UAW).	Bay City, Mich.	2/5/80	1/28/80	TA-W-7,001	Carburetors.
General Motors Corp., Chevrolet, Buffalo (UAW).	Buffalo, N.Y.	2/5/80	1/28/80	TA-W-7,002	Steering linkages.
General Motors Corp., Chevrolet, Livonia (UAW).	Livonia, Mich.	2/5/80	1/28/80	TA-W-7,003	Spring and bumpers.
General Motors Corp., Chevrolet, Flint Manufacturing (UAW).	Flint, Mich.	2/5/80	1/28/80	TA-W-7,004	V-8 engines.
General Motors Corp., Chevrolet, Indianapolis (UAW).	Indianapolis, Ind.	2/5/80	1/28/80	TA-W-7,005	Stamping plant.

Appendix—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
General Motors Corp., Chevrolet, Muncie (UAW).	Muncie, Ind	2/5/80	1/28/80	TA-W-7,006	Manual transmissions and transaxles.
General Motors Corp., Chevrolet, Saginaw Plants (UAW).	Saginaw, Mich	2/5/80	1/28/80	TA-W-7,007	Castings and component parts.
General Motors Corp., Chevrolet, Tonawanda (UAW).	Tonawanda, N.Y	2/5/80	1/28/80	TA-W-7,008	Component castings and forgings.
General Motors Corp., Chevrolet, Flint, Assembly (UAW).	Flint, Mich	2/5/80	1/28/80	TA-W-7,009	Light duty trucks.
General Motors Corp., Chevrolet, Detroit Plants (UAW).	Detroit, Mich	2/5/80	1/28/80	TA-W-7,010	Forgings—truck—front and rear axles.
General Motors Corp., Chevrolet, Parma (UAW).	Parma, Ohio	2/5/80	1/28/80	TA-W-7,011	Drive shaft—pressed metal parts.
General Motors Corp., Chevrolet, Flint Eng. & Metal Fab. (UAW).	Flint, Mich	2/5/80	1/28/80	TA-W-7,012	V-8 engines, hoods, and fenders.
General Motors Corp., Chevrolet, Toledo (UAW).	Toledo, Ohio	2/5/80	1/28/80	TA-W-7,013	Transmission assemblies.
General Motors Corp., Chevrolet, Warren (UAW).	Warren, Mich	2/5/80	1/28/80	TA-W-7,014	Axles and wheels.
General Motors Corp., Oldsmobile, (UAW)	Lansing, Mich	2/5/80	1/28/80	TA-W-7,015	Olds—mid- and regular-group cars and components.
General Motors Corp., Pontiac (UAW)	Pontiac, Mich	2/5/80	1/28/80	TA-W-7,016	Pontiac—mid- and regular-group cars and components.
General Motors Corp., GM Parts Division (UAW).	Otterburn, Flint, Mich	2/5/80	1/28/80	TA-W-7,017	Service parts distribution.
General Motors Corp., Fisher Body, Fleetwood (UAW).	Detroit, Mich	2/5/80	1/28/80	TA-W-7,018	Cadillac—C.
General Motors Corp., Fisher Body, Cleveland (UAW).	Cleveland, Ohio	2/5/80	1/28/80	TA-W-7,019	Interior soft trim items.
General Motors Corp., Fisher Body Grand Rapids #1 (UAW).	Grand Rapids, Mich	2/5/80	1/28/80	TA-W-7,020	Stamping plant.
General Motors Corp., Fisher Body, Grand Rapids #2 (UAW).	Grand Rapids, Mich	2/5/80	1/28/80	TA-W-7,021	Interior soft trim items.
General Motors Corp., Fisher Body, Flint #1 (UAW).	Flint, Mich	2/5/80	1/28/80	TA-W-7,022	Stamping plant.
General Motors Corp., Fisher Body, Grand Blanc (UAW).	Grand Blanc, Mich	2/5/80	1/28/80	TA-W-7,023	Stamping plant.
General Motors Corp., Fisher Body, Tecumseh (UAW).	Tecumseh, Mich	2/5/80	1/28/80	TA-W-7,024	Interior soft trim items.
General Motors Corp., Fisher Body, Lordstown (UAW).	Lordstown, Ohio	2/5/80	1/28/80	TA-W-7,025	Stamping plant.
General Motors Corp., Fisher Body, Columbus (UAW).	Columbus, Ohio	2/5/80	1/28/80	TA-W-7,026	Body hardware.
General Motors Corp., Fisher Body, Detroit-Fort Street (UAW).	Detroit, Mich	2/5/80	1/28/80	TA-W-7,027	Body hardware.
General Motors Corp., Fisher Body, Treton (UAW).	Trenton, N.J	2/5/80	1/28/80	TA-W-7,028	Body hardware.
General Motors Corp., Fisher Body, Flint-Coldwater Road (UAW).	Flint, Mich	2/5/80	1/28/80	TA-W-7,029	Body hardware.
General Motors Corp., Fisher Body, Syracuse (UAW).	Syracuse, N.Y	2/5/80	1/28/80	TA-W-7,030	Body hardware.
General Motors Corp., Fisher Body, Elyria (UAW).	Elytria, Ohio	2/5/80	1/28/80	TA-W-7,031	Body hardware.
General Motors Corp., Fisher Body, Lansing (UAW).	Lansing, Mich	2/5/80	1/28/80	TA-W-7,032	Mid- and regular-group cars.
General Motors Corp., Fisher Body, Pontiac (UAW).	Pontiac, Michigan	2/5/80	1/28/80	TA-W-7,033	Mid- and regular-group cars.
General Motors Corp., Fisher Body, General Office—Warren (UAW).	Warren, Mich	2/5/80	1/28/80	TA-W-7,034	General office.
General Motors Corp., Fisher Body, Hamilton (UAW).	Hamilton, Ohio	2/5/80	1/28/80	TA-W-7,035	Stamping plant.
General Motors Corp., Fisher Body, Euclid (UAW).	Euclid, Ohio	2/5/80	1/28/80	TA-W-7,036	Interior soft trim items.
General Motors Corp., Fisher Body, Pittsburgh (UAW).	Pittsburgh, Pa	2/5/80	1/28/80	TA-W-7,037	Stamping plant.
General Motors Corp., Fisher Body, Detroit Central Plant (UAW).	Detroit, Mich	2/5/80	1/28/80	TA-W-7,038	Auto hardware.
General Motors Corp., Fisher Body, Chicago (UAW).	Chicago, Ill	2/5/80	1/28/80	TA-W-7,039	Stamping Plant.
General Motors Corp., Fisher Body, Livonia (UAW).	Livola, Mich	2/5/80	1/28/80	TA-W-7,040	Interior soft trim items.
General Motors Corp., Fisher Body, Marion, (UAW).	Marion, Ind.	2/5/80	1/28/80	TA-W-7,041	Stamping plant.
General Motors Corp., TEREX, Cleveland (UAW).	Cleveland, Ohio	2/5/80	1/28/80	TA-W-7,042	Crawler tractors and dump haulers.
General Motors Corp., TEREX, Hudson (UAW).	Hudson, Ohio	2/5/80	1/28/80	TA-W-7,043	Crawler tractors and dump haulers.
General Motors Corp., AC Spark Plug, Flint (UAW).	Flint, Mich	2/5/80	1/28/80	TA-W-7,044	Air filters and spark plugs.
General Motors Corp., Delco-Remy, Anderson (UAW).	Anderson, Ind	2/5/80	1/28/80	TA-W-7,045	Starters, alternators and regulators.
General Motors Corp., Muncie (UAW)	Mucie, Indiana	2/5/80	1/28/80	TA-W-7,046	Batteries..
General Motors Corp., Olathe (UAW)	Olathe, Kans	2/5/80	1/28/80	TA-W-7,047	Batteries.
General Motors Corp., Guide, Anderson (UAW).	Anderson, Ind	2/5/80	1/28/80	TA-W-7,048	Head lamps and tail lamps.
General Motors Corp., Guide, Monroe (UAW).	Monroe, La	2/5/80	1/28/80	TA-W-7,049	Head lamps and tail lamps.
General Motors Corp., Harrison Radiator, Lockport (UAW).	Lockport, N.Y	2/5/80	1/28/80	TA-W-7,050	Radiators and air conditioning components.
General Motors Corp., Harrison Radiator, Kensington (UAW).	Kensington, N.Y	2/5/80	1/28/80	TA-W-7,051	Heaters and air conditioning components.
General Motors Corp., Delco Moraine, Dayton (UAW).	Dayton, Ohio	2/5/80	1/28/80	TA-W-7,052	Brakes and master cyinders.
General Motors Corp., Delco Moraine, Fredericksburg (UAW).	Fredericksburg, Va	2/5/80	1/28/80	TA-W-7,053	Brake liners.

Appendix—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
General Motors Corp., New Departure-Hyatt, Bristol (UAW).	Bristol, Conn	2/5/80	1/28/80	TA-W-7,054	Component parts for bearing assemblies.
General Motors Corp., New Departure-Hyatt Sendusky (UAW).	Sandusky, Ohio	2/5/80	1/28/80	TA-W-7,055	Bearing assemblies.
General Motors Corp., New Departure-Hyatt Clarke (UAW).	Clarke, N.J	2/5/80	1/28/80	TA-W-7,056	Bearings manufacturer.
General Motors Corp., Saginaw Steering Gear (UAW).	Saginaw, Mich	2/5/80	1/28/80	TA-W-7,057	Steering mechanisms.
General Motors Corp., AC—Delco (UAW)	Detroit, Mich	2/5/80	1/28/80	TA-W-7,058	Service parts distribution.
General Motors Corp., GMC Truck & Coach (UAW).	Pontiac, Mich	2/5/80	1/28/80	TA-W-7,059	Trucks and truck components.
General Motors Corp., Hydra-matic (UAW)	Ypsilanti, Mich	2/5/80	1/28/80	TA-W-7,060	Automatic transmissions.
General Motors Corp., Electro-Motive (UAW)	LaGrange, Ill	2/5/80	1/28/80	TA-W-7,061	Locomotives.
General Motors Corp., Detroit Diesel Allison, Detroit (UAW).	Detroit, Mich	2/5/80	1/28/80	TA-W-7,062	Diesel engines.
General Motors Corp., Detroit Diesel Allison, Indianapolis (UAW).	Indianapolis, Ind	2/5/80	1/28/80	TA-W-7,063	Aircraft engines and heavy duty transmissions.
General Motors Corp., Diesel Equipment (UAW).	Grand Rapids, Mich	2/5/80	1/28/80	TA-W-7,064	Diesel valve lifters, piston pins, and exhaust valves.
General Motors Corp., Central Foundry, Danville (UAW).	Danville, Ohio	2/5/80	1/28/80	TA-W-7,065	Grey iron and milleable iron castings.
General Motors Corp., Central Foundry, Saginaw (UAW).	Saginaw, Mich	2/5/80	1/28/80	TA-W-7,066	Milleable iron and armasteel castings.
General Motors Corp., Central Foundry, Defiance (UAW).	Defiance, Ohio	2/5/80	1/28/80	TA-W-7,067	Grey iron and nodular iron castings.
General Motors Corp., Central Foundry, Bedford (UAW).	Bedford, Ind	2/5/80	1/28/80	TA-W-7,068	Aluminum castings.
General Motors Corp., Central Foundry, Messena (UAW).	Messena, N.Y	2/5/80	1/28/80	TA-W-7,069	Aluminum castings.
General Motors Corp., Delco Electronics, Shreveport (UAW).	Shreveport, La	2/5/80	1/28/80	TA-W-7,070	Automatic control module for trip computers.
General Motors Corp., GM Assembly, Doaville (UAW).	Doraville, Ga	2/5/80	1/28/80	TA-W-7,071	Chevy and Olds—midcar group.
General Motors Corp., GM Assembly, Linden (UAW).	Linden, N.J	2/5/80	1/28/80	TA-W-7,072	Buick, Olds, and Cadillac luxury car group.
General Motors Corp., GM Assembly, South Gate (UAW).	South Gate, Calif	2/5/80	1/28/80	TA-W-7,073	Chevy and Cadillac luxury car group.
General Motors Corp., GM Assembly, Arlington (UAW).	Arlington, Tex	2/5/80	1/28/80	TA-W-7,074	Chevy and Olds—midcar group.
General Motors Corp., GM Assembly, Fremont (UAW).	Fremont, Calif	2/5/80	1/28/80	TA-W-7,075	Chevy and Buick—midcar group, Chevy and GMC—light duty trucks.
General Motors Corp., GM Assembly Janesville (UAW).	Janesville, Wis	2/5/80	1/28/80	TA-W-7,076	Chevy-regular; Chevy and GMC light duty trucks.
General Motors Corp., GM Assembly Lakewood (UAW).	Atlanta, Ga	2/5/80	1/28/80	TA-W-7,077	Chevy—subcompact; Chevy and GMC light duty trucks.
General Motors Corp., GM Assembly Leeds (UAW).	Kansas City, Mo	2/5/80	1/28/80	TA-W-7,078	Chevy—midcar group.
General Motors Corp., GM Assembly Van Nuys (UAW).	Van Nuys, Calif	2/5/80	1/28/80	TA-W-7,079	Camaros and Firebirds.
General Motors Corp., GM Assembly, Norwood (UAW).	Norwood, Ohio	2/5/80	1/28/80	TA-W-7,080	Camaros and Firebirds.
General Motors Corp., GM Assembly, St. Louis (UAW).	St. Louis, Mo	2/5/80	1/28/80	TA-W-7,081	Chevy-regular and Corvette light duty trucks.
General Motors Corp., GM Assembly, Lordstown (UAW).	Lordstown, Ohio	2/5/80	1/28/80	TA-W-7,082	Chevy, Buick, Olds, and Pontiac, subcompact Chevy and GMC—G vans.
General Motors Corp., GM Assembly, Willow Run (UAW).	Willow Run, Mich	2/5/80	1/28/80	TA-W-7,083	Chevy, Buick and Olds compacts.

[FR Doc. 80-5112 Filed 2-15-80; 8:45]

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Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance,

at the address shown below, not later than February 29, 1980.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 11th day of February 1980.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Ford Motor Co., Final Assembly Plant, Atlanta (UAW).	Atlanta, Ga.	2/5/80	1/30/80	TA-W-6, 946	Ford cars.
Ford Motor Co., Final Assembly Plant, Dearborn (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 947	Mustang and Capri.
Ford Motor Co., Final Assembly Plant, Louisville Truck (UAW).	Louisville, Ky.	2/5/80	1/30/80	TA-W-6, 948	Ford trucks.
Ford Motor Co., Final Assembly Plant, Kentucky Truck (UAW).	Louisville, Ky.	2/5/80	1/30/80	TA-W-6, 949	Ford trucks.
Ford Motor Co., Final Assembly Plant, Norfolk (UAW).	Norfolk, Va.	2/5/80	1/30/80	TA-W-6, 950	Trucks.
Ford Motor Co., Final Assembly Plant, San Jose (UAW).	San Jose, Calif.	2/5/80	1/30/80	TA-W-6, 951	Mustang, Capri truck.
Ford Motor Co., Final Assembly Plant, Twin Cities (UAW).	Minneapolis, Minn.	2/5/80	1/30/80	TA-W-6, 952	Trucks.
Ford Motor Co., Final Assembly Plant, Lorain Truck (UAW).	Lorain, Ohio	2/5/80	1/30/80	TA-W-6, 953	Econoline vans, T-Birds, and XR7.
Ford Motor Co., Final Assembly Plant, Ohio Truck (UAW).	Lorain, Ohio	2/5/80	1/30/80	TA-W-6, 954	Econoline vans, T-Birds and XR7.
Ford Motor Co., Final Assembly Plant, Wayne (UAW).	Wayne, Mich.	2/5/80	1/30/80	TA-W-6, 955	Trucks, Bronco, Versailles, Granada, and Monarch.
Ford Motor Co., Final Assembly Plant, St. Louis (UAW).	St. Louis, Mo.	2/5/80	1/30/80	TA-W-6, 956	Mercury.
Ford Motor Co., Final Assembly Plant, Wixom (UAW).	Wixom, Mich.	2/5/80	1/30/80	TA-W-6, 957	Continental Mark VI.
Ford Motor Co., Final Assembly Plant, Chicago (UAW).	Chicago, Ill.	2/5/80	1/30/80	TA-W-6, 958	T-Birds.
Ford Motor Co., Auxiliary Unit, Chesterfield Trim (UAW).	Chesterfield, Twp., Mich.	2/5/80	1/30/80	TA-W-6, 959	Vinyl roof covers, seat trim covers.
Ford Motor Co., Auxiliary Unit, Utica Trim (UAW).	Utica, Mich.	2/5/80	1/30/80	TA-W-6, 960	Door trim panels, head rests, seat trim covers.
Ford Motor Co., Auxiliary Unit, Milan Plastics Plant (UAW).	Milan, Mich.	2/5/80	1/30/80	TA-W-6, 961	Plastic parts.
Ford Motor Co., Auxiliary Unit, Saline Plant (UAW).	Saline, Mich.	2/5/80	1/30/80	TA-W-6, 962	Instrument panels and clusters, speedimeters, miscellaneous plastic body, chassis and electrical parts.
Ford Motor Co., Auxiliary Unit, Mt. Clemens Plant (UAW).	Mt. Clemens, Mich.	2/5/80	1/30/80	TA-W-6, 963	Vinyl film, ABS sheeting, headlineing and vinyl urethane composites; interior and exterior primers, enamels and resins.
Ford Motor Co., Auxiliary Unit, Vinyl Plants (UAW).	Mt. Clemens, Mich.	2/5/80	1/30/80	TA-W-6, 964	Vinyl film, ABS sheeting, headlining and vinyl urethane composites; interior and exterior primers, enamels and resins.
Ford Motor Co., Auxiliary Unit, Dearborn Engine Plant (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 965	Fuel tanks, rocker arms.
Ford Motor Co., Auxiliary Unit, Northville Valve (UAW).	Northville, Mich.	2/5/80	1/30/80	TA-W-6, 966	Exhaust and intake valves.
Ford Motor Co., Auxiliary Unit, Powertrain and Chassis, Car Engineering (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 967	Engineering.
Ford Motor Co., Auxiliary Unit, Michigan Casting Plant (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 968	Cylinder blocks and heads, bearing cap clusters, rear axle differential cases and carriers.
Ford Motor Co., Auxiliary Unit, Lima Engine Plant (UAW).	Lima, Ohio	2/5/80	1/30/80	TA-W-6, 969	2.3 L-4 Cyl. engines, 6 cyl. engines 370, 429 and 460—8 cyl. engines.
Ford Motor Co., Auxiliary Unit, Dearborn Specialty Foundry (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 970	Camshafts, crankshafts, exhaust valves.
Ford Motor Co., Auxiliary Unit, Sheffield Plant (UAW).	Sheffield, Ala.	2/5/80	1/30/80	TA-W-6, 971	C-4, C-6 and FIOD transmission cases and extensions, pistons, aluminum castings.
Ford Motor Co., Auxiliary Unit, Vulcan Forge Plant (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 972	Connecting rods.
Ford Motor Co., Auxiliary Unit, Pattern Shop Operations (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 973	Patterns.
Ford Motor Co., Auxiliary Unit, Rawsonville Plant (UAW).	Rawsonville, Mich.	2/5/80	1/30/80	TA-W-6, 974	Carburetors, alternators, speedometer frames, electrical motors, master brake cylinders.
Ford Motor Co., Auxiliary Unit, Sandusky Plant (UAW).	Sandusky, Ohio	2/5/80	1/30/80	TA-W-6, 975	Window regulators, door latches, lamps, air cleaners, starter motor drives, oil filters.
Ford Motor Co., Auxiliary Unit, Ypsilanti Plant (UAW).	Ypsilanti, Mich.	2/5/80	1/30/80	TA-W-6, 976	Starter motors, horns, ignition coils, distributors, shock absorbers.
Ford Motor Co., Auxiliary Unit, Chicago Stamping (UAW).	Chicago, Ill.	2/5/80	1/30/80	TA-W-6, 977	Door panels, hood outer panels, floor pans, roof panels floor side outer members, quarter lock pillars.
Ford Motor Co., Auxiliary Unit, Cleveland Stamping (UAW).	Cleveland, Ohio	2/5/80	1/30/80	TA-W-6, 978	Dash panels, luggage compartment panels, quarter lock pillars, quarter panels, windshield header panels, roof panels.

Appendix—Continued

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Ford Motor Co., Auxiliary Unit, Dearborn Stamping (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 979	Front fenders and aprons, quarter findow panels, cowl panels.
Ford Motor Co., Auxiliary Unit, Dearborn Tool and Die (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 980	Tools and dies.
Ford Motor Co., Auxiliary Unit, Monroe Plant (UAW).	Monroe, Mich.	2/5/80	1/30/80	TA-W-6, 981	Catalytic converters, front and rear bumpers, front stabilizer bars, wheels, coil springs, headlamp rings.
Ford Motor Co., Auxiliary Unit, Woodhaven Stamping (UAW).	Woodhaven, Mich.	2/5/80	1/30/80	TA-W-6, 982	Center body pillars, front door panels, front side outer members, hood outer panels, roof rails.
Ford Motor Co., Auxiliary Unit, Maumee Stamping (UAW).	Maumee, Ohio	2/5/80	1/30/80	TA-W-6, 983	Fan guards, fender splash shields, front bumper stone deflectors, lower back panels, rear bumper reinforcements.
Ford Motor Co., Auxiliary Unit, Dearborn Frame (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 984	Frames, door hinges, miscellaneous stampings.
Ford Motor Co., Auxiliary Unit, Fairfax Plant	Fairfax, Ohio	2/5/80	1/30/80	TA-W-6, 985	Transmissions.
Ford Motor Co., Auxiliary Unit, Sharonville Plant (UAW).	Sharonville, Ohio	2/5/80	1/30/80	TA-W-6, 986	C-4 transmissions, FIOD parts.
Ford Motor Co., Auxiliary Unit, Canton Forge Plant (UAW).	Canton, Ohio	2/5/80	1/30/80	TA-W-6, 987	Rear axle shafts, pinion gears, steering gears, differential side gears, front wheel spindles, universal joint spikes and yoke.
Ford Motor Co., Auxiliary Unit, Sterling Plant (UAW).	Sterling, Mich.	2/5/80	1/30/80	TA-W-6, 988	Drive shafts, rear axles assemblies, rear suspension arms.
Ford Motor Co., Auxiliary Unit, Van Dyke Plant (UAW).	Sterling Heights, Mich.	2/5/80	1/30/80	TA-W-6, 989	Front suspensions and front wheel spindles, rear axle assemblies.
Ford Motor Co., Auxiliary Unit, Sheldon Road (UAW).	Plymouth, Mich.	2/5/80	1/30/80	TA-W-6, 990	Heater and air-conditioner controls and assemblies.
Ford Motor Co., Auxiliary Unit, Green Island Plant (UAW).	Troy, N.Y.	2/5/80	1/30/80	TA-W-6, 991	Radiators, heater coils.
Ford Motor Co., Auxiliary Unit, Wixom Warehouse (UAW).	Wixom, Mich.	2/5/80	1/30/80	TA-W-6, 992	Glass.
Ford Motor Co., Auxiliary Unit, Glass Technical Center (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 993	Glass.
Ford Motor Co., Auxiliary Unit, Dearborn Glass Plant (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 994	Windshields.
Ford Motor Co., Auxiliary Unit, Tulsa Glass Plant (UAW).	Tulsa, Okla.	2/5/80	1/30/80	TA-W-6, 995	Backlites, bodyside glass, flat glass.
Ford Motor Co., Auxiliary Unit, General Services (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 996	Administrative services and transportation.
Ford Motor Co., Auxiliary Unit, Engineering Facility and Service (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 997	Engineering services.
Ford Motor Co., Auxiliary Unit, Dearborn Steel (UAW).	Dearborn, Mich.	2/5/80	1/30/80	TA-W-6, 998	Steel.

[FR Doc. 80-5111 Filed 2-15-80; 8:45 am]

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Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 12th day of February 1980.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Fitzsimons Mfg., Co. (Union) (UAW)	Detroit, Mich	1/29/80	1/23/80	TA-W-7091	Tubular parts stampings assemblies.
Fore River Railroad Corp. (union) (UTU)	Quincy, Mass	1/29/80	1/14/80	TA-W-7092	Common carrier.
General Tire and Rubber Co. (company)	Charlotte, N.C	1/23/80	1/16/80	TA-W-7093	Tires.
Kellwood Mfg., Co. (workers)	Dresden, Tenn	1/29/80	1/21/80	TA-W-7094	Women's outerwear.
Leach-Heckel Leather Corporation (union) (LWIU).	Salem, Mass	1/29/80	1/23/80	TA-W-7095	Tanning of leather.
Lee and US (workers)	Montclair, Calif	1/29/80	1/22/80	TA-W-7096	Women's jeans.
M&G Convoy, Inc. (workers)	Highland Park, Mich	1/29/80	1/22/80	TA-W-7097	Transportation of cars and trucks to dealers.
Marc Trans, Inc. (union) (Teamsters)	Rochester, Pa	1/24/80	1/7/80	TA-W-7098	Hauls zinc.
Modern Coat (union) (ILGW)	Union City, N.J	1/29/80	1/22/80	TA-W-7099	Ladies' coats.
Osam Mfg., Co. (union) (ACTWU)	Boyertown, Pa	1/29/80	1/24/80	TA-W-7100	Men's slacks.
Ran-Tre Mfg., Corp. (workers)	Fall River, Mass	1/29/80	1/24/80	TA-W-7101	Ladies' and boys' sportswear.
T & J Cedar, Inc. (workers)	Raymond, Wash	1/29/80	1/22/80	TA-W-7102	Cedar shingles and shake.
V. T. Graphics, Inc. (workers)	Clifton Heights, Pa	1/29/80	1/22/80	TA-W-7103	Rubber printing plates.
Wagner Electric Corp. (union) (IUE)	St. Louis, Mo	2/4/80	1/7/80	TA-W-7104	Automotive components.
Wagner Electric Corp. (union) (IUE)	St. Louis, Mo	2/4/80	1/7/80	TA-W-7105	Automotive components.

[FR Doc. 80-5110 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Apendix to this notice. Upon receipt of these petitions, the director of the Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted investigations pursuant to Section 221(a) of the Act and 29 CFR 90.12.

The purpose of each of the investigations is to determine whether absolute or relative increases of imports of articles like or directly competitive with articles produced by the workers' firm or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision.

Petitioners meeting these eligibility requirements will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

Pursuant to 29 CFR 90.13, the petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 29, 1980.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 12th day of February 1980.

Harold A. Bratt,

Acting Director, Office of Trade Adjustment Assistance.

Appendix

Petitioner: Union/workers or former workers of—	Location	Date received	Date of petition	Petition No.	Articles produced
Benson Shoe Co. (workers)	Lynn, Mass	1/29/80	1/29/80	TA-W-7084	Women's shoes.
Bryan Mfg. Co. (workers)	Lowell, Ind	1/29/80	1/25/80	TA-W-7085	Electrical wire assemblies for automobiles.
Canadian Manair Industries, Ltd. (union) (IBEW).	South Hadley, Mass	1/29/80	1/1/80	TA-W-7086	Inter-connect assemblies (electronics).
C. H. Hasland and Sons, Inc., (union) (ILGWU) (IUOE).	Carlisle, Pa	1/29/80	1/22/80	TA-W-7087	Auto carpet.
Champion Int'l Corp. (union) (LPIW)	Missoula, Mont	1/28/80	1/22/80	TA-W-7088	Door jambs, window jambs, finger joint studs and jambs, mouldings.
Coronet Casuals, Inc. (union) (ILGWU)	Portsmouth, Va	1/29/80	1/16/80	TA-W-7089	Men's shirts.

[FR Doc. 80-5108 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-28-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[Docket No. M-79-291-C]

Skeens Fork Coal Co., Inc.; Petition for Modification of Application of Mandatory Safety Standard

Skeens Fork Coal Company, Inc. Route A, Box 249, Bee, Virginia 24217 has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its Mine No. 1 located in Russell County, Virginia. The petition is fired under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. Petitioner states he is mining coal seams ranging from 22 to 46 inches in height.

2. Petitioner states installation of lighting fixtures on the tops and sides of its mining equipment and installation of stationary lighting fixtures would result in a diminution of safety for the miners for the following reasons:

(a) Lighting fixtures on the side of the equipment would "blind" the operator and nearby miners or require constant adjustment to changes in illumination; fixtures would be sheared off or broken increasing the likelihood of more serious equipment failure, wedging, jamming or upset. Also, as lighting fixtures on the side or top are sheared off, roof bolts, cross beams and straps will be sheared off, thereby damaging or destroying roof support.

(b) Installation of stationary lighting equipment would similarly impair the operators' and nearby miners' vision. It would also create additional heat in the confiningly small areas in which the miners must work.

3. For these reasons, the petitioner requests a modification of the application of the standard to its mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before March 20, 1980. Comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

Dated: February 11, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

FR Doc. 80-5106 Filed 2-15-80; 8:45 am]

BILLING CODE 4510-43-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Three Mile Island, Unit 2 Accident Implications; Meeting

The ACRS Subcommittee on the Three Mile Island, Unit 2 Accident Implications will hold a meeting on March 5, 1980 in Room 1046, 1717 H St., NW., Washington, DC 20555 to consider the potential installation of molten core crucibles under the Indian Point 2 & 3 and the Zion 1 & 2 Reactors. Notice of this meeting was published January 22, 1980.

In accordance with the procedures outlined in the **Federal Register** on October 1, 1979, (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows: Wednesday, March 5, 1980, 8:30 a.m. until the conclusion of business.

The Subcommittee may meet in Executive Session, with any of its consultants who may be present, to explore and exchange their preliminary opinions regarding matters which should be considered during the meeting.

At the conclusion of the Executive Session, the Subcommittee will hear presentations by and hold discussions with representatives of the NRC Staff, the Power Authority of the State of New York, the Consolidated Edison Co. of New York, Inc., the Commonwealth Edison Co., their consultants, and other interested persons.

In addition, it may be necessary for the Subcommittee to hold one or more closed sessions for the purpose of exploring matters involving proprietary information. I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), that, should such sessions be required, it is necessary to close these sessions to protect proprietary information. See 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. Richard K. Major (telephone 202/634-1414) between 8:15 a.m. and 5:00 p.m., EST.

Background information concerning items to be discussed at this meeting can be found in documents on file and available for public inspection at the NRC Public Document Room, 1717 H Street, N.W., Washington, DC 20555 and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Street, Harrisburg, PA 17126 (regarding Three Mile Island), the White Plains Public Library, 100 Maritime Avenue, White Plains, New York 10601, (regarding Indian Point), and the Zion-Benton Public Library, 2600 Emmaus Avenue, Zion, IL 60099 (regarding Zion).

Dated: February 13, 1980.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 80-5099 Filed 2-15-80; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Ad Hoc Subcommittee on Three Mile Island, Unit 2 Accident Action Plan; Meeting

The ACRS Ad Hoc Subcommittee on the Three Mile Island, Unit 2 Accident Action Plan will hold a meeting on March 5, 1980 in Room 1167, 1717 H St., NW, Washington, DC 20555 to consider Draft 3 of the NRC "Action Plans for Implementing Recommendations of the President's Commission and Other Studies of the Three Mile Island, Unit 2 Accident."

In accordance with the procedures outlined in the **Federal Register** on October 1, 1979 (44 FR 56408), oral or written statements may be presented by members of the public, recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the Designated Federal Employee as far in advance as practicable so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements.

The agenda for subject meeting shall be as follows: Wednesday, March 5, 1980, 8:30 a.m. until the conclusion of business.

The Subcommittee may meet in Executive Session, with any of its consultants who may be present, to explore and exchange their preliminary opinions regarding matters which should be considered during the meeting.

At the conclusion of the Executive Session, the Subcommittee will hear presentations by and hold discussions with representatives of the NRC Staff, the nuclear industry, various utilities, and their consultants, and other interested persons.

In addition, it may be necessary for the Subcommittee to hold one or more closed sessions for the purpose of exploring matters involving proprietary information. I have determined, in accordance with Subsection 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463), that, should such sessions be required, it is necessary to close these sessions to protect proprietary information. See 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant Designated Federal Employee, Mr. John C. McKinley

(telephone 202/634–3265) between 8:15 a.m. and 5:00 p.m., EST.

Background information concerning items to be discussed at this meeting can be found in documents on file and available for public inspection at the NRC Public Document Room, 1717 H Street, N.W., Washington, DC 20555 and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Street, Harrisburg, PA 17126.

Dated: February 13, 1980.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 80–5100 Filed 2–15–80; 8:45 am]

BILLING CODE 75–90–01–M

[NUREG/CR–1263]

Compilation of State Laws and Regulations That Deal With Radioactive Materials in Transport

The Office of State Programs and the Office of Standards Development, Division of Engineering Standards have issued a compilation of State laws and regulations that deal with radioactive materials in transport. It is current as of December 28, 1979. Local government initiatives are not included.

A copy is available for review at the Nuclear Regulatory Commission (NRC) Public Document Room, 1717 H Street, NW., Washington, D.C. A single copy of NUREG/CR–1263 will be provided free of charge, while the supply lasts, upon written request of a full participant in an ongoing NRC proceeding. The request must identify the requester as a participant and should be addressed to Director, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies may be purchased at current rates from the GPO Sales Program, Division of Technical Information and Document Control, NRC, Washington, D.C. 20555, and the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland this 12th of February, 1980 for the Nuclear Regulatory Commission.

G. Wayne Kerr,

Acting Director, Office of State Programs.

[Doc. 80–5098 Filed 2–15–80; 8:45 am]

BILLING CODE 7590–01–M

[Dockets Nos. 50–275 and 50–323]

Pacific Gas & Electric Co.; Diablo Canyon Nuclear Power Plant, Units 1 and 2; Order Extending Construction Completion Dates

Pacific Gas and Electric Company is the holder of Construction Permit Nos. CPPR–39 and CPPR–69 issued by the Atomic Energy Commission [1] on April 23, 1968 and December 9, 1970, respectively, for construction of the Diablo Canyon Nuclear Power Plant, Units 1 and 2, presently under construction at the Company's site in San Luis Obispo County, California.

On November 26, 1979, Pacific Gas and Electric Company filed a request for extensions of the completion dates for Units 1 and 2 based on the time needed to comfortably accommodate the Commission's announcement of a pause in issuing operating licenses to the spring of 1980.

As a result of the accident at the Three Mile island, Unit 2 Nuclear Power Plant, the Nuclear Regulatory Commission (NRC) conducted an extensive investigation of potential design deficiencies in the plant, plant operator response to the accident, operator errors and/or misinterpretation of plant instrumentation, and all other aspects of the accident which might lead to information that would improve the safety of nuclear power plants. The findings of this investigation and from the comprehensive study of the President's Commission showed that certain plant modifications and improvements in utility organizational structure were required to improve the safety of nuclear power plant operation and to upgrade the capability of utilities to cope with a severe accident. At this time the NRC staff is preparing an Action Plan for Commission review and approval that will include new or improved safety objectives, the detailed criteria for their implementation and the various implementation deadlines. The goal is to have the Action Plan available for Commission review and approval by mid-February 1980. When the Commission approves the Action Plan, the requirements will be submitted to the utilities for implementation. In order to accommodate a reasonable schedule needed to complete the safety evaluation regarding the applicant's response to the Action Plan requirements and the subsequent licensing actions related to these new safety requirements, the Nuclear Regulatory Commission staff concluded that the requested completion dates of construction for Unit 1 and for Unit 2 should be extended to September 30, 1980 and March 31, 1981, respectively.

This action involves no significant hazards consideration; good cause has been shown for the delays; and environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with the extension; and the requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation of request for extension.

For further details with respect to this action, see (1) the applicant's request for extension of the construction permit completion date for Diablo Canyon, Units 1 and 2 dated November 26, 1979, and (2) the staff's related evaluation, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the California Polytechnic State University Library, Document and Maps Department, San Luis Obispo, California 93407.

It is hereby ordered that the latest completion date for CPPR–39 is extended from December 31, 1979 to September 30, 1980 for Unit 1 and the latest completion date for CPPR–69 is extended from February 29, 1980 to March 31, 1981 for Unit 2.

Date of Issuance: February 2, 1980.

For the Nuclear Regulatory Commission.

D. F. Ross, Jr.,

Acting Director, Division of Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 80–5102 Filed 2–15–80; 8:45 am]

BILLING CODE 7590–01–M

Three Mile Island; Determination of Extraordinary Nuclear Occurrence

The Commission hereby extends the time in which to determine whether the accident at Three Mile Island constitutes an "extraordinary nuclear occurrence" until March 14, 1980.

Dated this 12th day of February 1980, at Washington, D.C.

For the Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 80–5150 Filed 2–15–80; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

February 13, 1980.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal

[1] Effective January 20, 1975, the Atomic Energy Commission became the Nuclear Regulatory Commission and Permits in effect on that day were continued under the authority of the Nuclear Regulatory Commission.

Reports Act (44 U.S.C., Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Some forms listed as revisions may only have a change in the number of respondents or a reestimate of the time needed to fill them out rather than any change to the content of the form. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form; and

The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the **Federal Register** but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Assistant Director for Regulatory and Information Policy, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—447–6201

New Forms

Departmental and Other Application for Reimbursement of Participant in a Rulemaking Proceeding
On occasion
Individual, profit or nonprofit groups, associations, etc.; 100 responses; 800 hours
Charles A. Ellett, 395–5080

Economics, Statistics, and Cooperatives Service
Study of performance of firms in the cheese industry
Single time
Cheese plants; 60 responses; 120 hours
Office of Federal Statistical Policy and Standard, 673–7974

Food and Nutrition Service
Food stamp points and hours demonstration project
Single time
State food stamp program service areas; 30 responses; 45 hours
Charles A. Ellett, 395–5080

Revisions

Food and Nutrition Service
Food stamp regulations—quality control and performance
Reporting
Part 275
On occasion
Food stamp program; 5,340 responses; 218,772 hours
Charles A. Ellett, 395–5080

Reinstatements

Food and Nutrition Service
Administrative review report—schools and institutions
FNS–168
On occasion
Schools and institutions; 2,178 responses; 3,267 hours
Charles A. Ellett, 395–5080

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—377–3627

New Forms

National Bureau of Standards
Minicomputer Federal interface standard survey
NBS–1139, A, B, and C
Single time
Minicomputer and peripheral firms; 85 responses; 500 hours
John A. Caron, 395–3785

National Bureau of Standards
Application for accreditation
NBS–1144
On occasion
Testing laboratories; 400 responses; 200 hours
John A. Caron, 395–3785

National Oceanic and Atmospheric Administration
Survey of capital requirements of freshwater and marine aquaculture
Single time
Aquaculture producers; 1,000 responses; 500 hours
John A. Caron, 395–3785

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross—633–9770

Revisions

Transitional Facilities Petitions
ERA–300, A, and B
On occasion
Transitional MFBI's and powerplants; 30 responses; 30 hours
Jefferson B. Hill, 395–5867

Reinstatments

Fuel Oil and Kerosene Sales and Inventories
6–1337–A, 6–1337–AS
Annually
Fuel oil dealers and refiners; 5,000 responses; 15,500 hours
Jefferson B. Hill, 395–5867

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency Clearance Officer—Joseph J. Strnad—245–6511

New Forms

Office of Human Development
Questionnaires for Day Care Systems Study
Single time

Description not furnished by Agency; 750 responses; 288 hours
Barbara F. Young, 395–6132

Office of Human Development
National Evaluation of National Center on Child Abuse and Neglect (NCCAN) Service Improvement Grants
Quarterly
Staff of NCCAN-funded projects; 696 responses; 153 hours
Barbara F. Young, 395–6132

Public Health Service
Management training needs assessment survey
Single time
Health maintenance organizations; 210 responses; 105 hours
Richard Eisinger, 395–3214

Reinstatements

Alcohol, Drug Abuse and Mental Health Administration Inventory of Mental Health Facilities and Their Units
Single time
Mental health facilities and units; 732 responses; 366 hours
Office of Federal Statistical Policy and Standard, 673–7974

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Agency Clearance Officer—Robert G. Masarsky—755–5184

Reinstatements

Federal Disaster Assistance Administration
Pumping equipment survey (supplement to damage survey report)
HUD 484.4
On occasion
Federal and State government inspectors; 2,500 responses; 2,500 hours
John M. Allen, 395–3785

Federal Insurance Administration
Standards reinsurance contract
HUD–1601
Annually
Property insurance companies in USA; 200 responses; 600 hours
John M. Allen, 395–3785

GENERAL SERVICES ADMINISTRATION

Agency Clearance Officer—John F. Gilmore—566–1164

Reinstatements

Qualification Application for Auctioneer Organization
GSA–1399
On occasion
Auctioneers; 24 responses; 24 hours
Kenneth B. Allen, 395–3785

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—632–7737

New Forms

Insurance Carrier Certification
SF 2814
On occasion
Description not furnished by Agency; 1,500 responses; 500 hours
John M. Allen, 395–3785

SMALL BUSINESS ADMINISTRATION

Agency Clearance Officer—John Anderson—653–6890

New Forms

Survey of Informal Risk Capital 1980
Single time
Description not furnished by Agency; 500 responses; 500 hours
John M. Allen, 395–3785

Competitive Examining Program
CSC 5001–B and C; OPM 1366 and 1170/17
Single time
Application forms for Federal Employment; 8,000 responses; 2,000 hours
John M. Allen, 395–3785

Application for Certificate of Competency
SBA 74, 74A, 74B, and 183
Single time
Small Business Concerns; 800 responses; 1,600 hours
John M. Allen, 395–3785

Innovation Data Form
Single time
140 business organization; 140 responses; 47 hours
John M. Allen; 395–3785

Extensions

Group Application Form—Local Development Company
Application Form—State Development Company
501, 502, Parts I and II and 502A
On occasion
Those requesting assistance; 800 responses; 8,000 hours
John M. Allen, 395–3785

Application for Membership in Small Business Production or Research and Development Pool
SBA 419
On occasion
Small business community; 20 responses; 20 hours
John M. Allen, 395–3785

Diane K. Steed,

Acting Assistant Director for Regulatory and Information Policy.

[FR Doc. 80–5163 Filed 2–15–80; 8:45 am]

BILLING CODE 3110–01–M

PRESIDENT'S COMMISSION ON PENSION POLICY

Report of Staff Contacts

The President's Commission on Pension Policy has directed its staff to maintain and publish for the public record a listing of contacts of a substantive nature made with individuals, organizations, and groups interested in the activities of the Commission.

The following is the staff report of such contacts for the month of January.

L. Kotlikoff
Nat Weinberg
Ellen Cassidy and Judy Gregory, Working Women
John Sheffey
Richard Wertheimer, George Peterson, Hal Hovey, June O'Neill, Richard Toikka, and Jean Vanski, Urban Institute
John Shivey and Francis Viscount, National League of Cities
T. Stout, Penn Mutual Life Insurance
H. Karach, College Retirement Equities Fund
W. Holen, Profit Sharing Council
M. Greenwald, Life Insurance Council
Sara Pix, American Institutes for Research
D. Rittner, Public Interest Research Institute
U.S. Chamber of Commerce
Pension Research Council
Del County, Pennsylvania, Estate Planning Committee
R. Schallack, Peat, Marwick & Mitchell
John Valiante, Joe Anderson and D. Kennell, ICF, Inc.
American Association of Retired Persons
Phoenix Chapter, Western Pension Conference
University of Southern California Gerontology Convocation
National Association of Manufacturers
American Society of Pension Actuaries
Olivia Mitchell, Cornell University
J. Rosenbloom, Wharton School
Donald Snyder, American University
Chuck Loveless and Mike Liebig, AFSCME
Gene Glover, International Association of Machinists
Richard Prosten and Elliot Bredhoff, Industrial Union Dept., AFL–CIO
Bert Seidman and Larry Smedley, Social Security Dept., AFL–CIO
Mary Berdett, Dwight Bartlett, Frank Bayo, Martha Yoholem, Richard Schreitmueller, R. Wurley and Gene Carter, Social Security Administration
R. Taylor, Census Bureau
F. Hirshberg and Tom Gray, Small Business Administration
L. Black, National Science Foundation
R. Abramson and Ed Fu, Department of Labor
R. Goldfarb, Council on Wage and Price Stability
Cliff Patrick, National Institute on Aging
John Magruder and Joyce Walker, Office Management and Budget
Aldon DiPietro and Doug Sorenson, Treasury Department
Justine Rodriquez, Dept. of Health and Human Services
Nancy Gordon, White House Task Force on Women

Merrill Randoll, House Select Committee on Aging
House Appropriations Subcommittee on Labor and HEW
Lou Bracknell, Subcommittee on Health and Long Term Care, House Select Committee on Aging

Signed at Washington, D.C. this 13th day of February 1980.

Thomas Woodruff,

Executive Director.

[FR DOC. 80-5016 Filed 2-15-8; 8:45 am]

BILLING CODE 6810-99-M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 16565]

Boston Stock Exchange, Inc., for Unlisted Trading Privileges; Application for Unlisted Trading Privileges

February 11, 1980.

The Boston Stock Exchange, Inc. ("BSE") has filed an application wih the Commission pursuant to Section 12(f)(1)(C) of the Securities Exchange Act of 1934 ("Act") and Rule 12f-1 [17 CFR 240.12f-1] thereunder, for unlisted trading privileges in the following security:

Dynamics Research Corporation Common Stock, $.10 Par Value (File No. 7-5152).

The common stock of Dynamics Research Corporation ("Dynamics") has been listed solely on the Boston Stock Exchange, Inc. ("BSE") since December 3, 1973. Dynamics has, however, filed an application to withdraw from listing and registration on the BSE, which application is pending before the Commission.[1] The BSE has asked that the Commission defer consideration of the delisting application until it has taken action with respect to the instant application for unlisted trading privileges.[2]

Interested persons are invited to submit on or before March 10, 1980, written data, views and arguments concerning the above-referenced application for unlisted trading privileges. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges ursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5045 Filed 2-15-80; 8:45 am]

BILLING CODE 8010-01-M

[1] Notice of the filing of such application was given in Securities Exchange Act Release No. 16509 (January 16, 1980), 45 FR 5865 (January 24, 1980).

[2] Letter from Walter E. Cummings, Secretary of the BSE to Sally Hamrick of the Commission's staff (January 10, 1980).

[Rel. No. 11041]

Don F. Gaston; Filing of Application for an Order Pursuant to Section 9(c) of the Investment Company Act of 1940 Granting an Exemption From Section 9(a) of the Act and for An Order of Temporary Exemption Pending Determination of the Application

Notice is hereby given that Don F. Gaston has filed an application for an order pursuant to Section 9(c) of the Investment Company Act of 1940 (the "Act") exempting him from the provisions of Section 9(a) of the Act, and without prejudice to the Commission's consideration of such application, for an order of temporary exemption from Section 9(a) pending the Commission's determination of the application for permanent exemption. All interested persons are referred to the application on file with the Commission for a statement of the representations which are summarized below.

Applicant, Don F. Gaston ("Gaston"), is a member of the Board of Directors of The Capitol Life Insurance Company ("Capitol Life"), which is a stock life insurance company organized under the laws of the State of Colorado. Its home office is located at 1600 Sherman Street, Denver, Colorado 80203 and Capitol Life is an indirect wholly-owned subsidiary of Gulf & Western Industries, Inc. Among other things, Capitol Life is the depositor of the Capitol Life Separate Account A and Capitol Life Separate Account M (the "Separate Accounts"), which Separate Accounts are engaged in the business of issuing Variable Annuity Contracts and as such they are registered investment companies under the Act.

On July 24, 1978, the Commission commenced an action in the United States District Court for the District of Columbia pursuant to Section 21(d) of the Securities Exchange Act of 1934 (the "Exchange Act") entitled *Securities and Exchange Commission* v. *Montauk Corporation, et al.*, C.A. 78-1364, in which Gaston was one of the named defendants. The complaint alleges that the defendants engaged in acts and practices which constituted violations of Sections 13(d), 14(a) and 10(b) of the Exchange Act and the rules and regulations promulgated thereunder.

On February 11, 1980, Gaston consented to the entry of a Final Judgment of Permanent Injunction and Ancillary Relief by the United States District Court for the District of Columbia, without admitting or denying any of the allegations in the complaint, without trial or adjudication of, or finding on, any issue of fact or law or any wrongdoing or liability on the part of Gaston and without the Final Judgment constituting evidence or admission with respect to any such issue. The Final Judgment prohibits Gaston or any group of which he is a member from failing to file or amend the statements required under Section 13(d)(1) of the Exchange Act or making misleading filings under such Section, from the filing or dissemination of any proxy soliciting material which is false or misleading with respect to any material fact or which omits to state any necessary fact and from failing to comply with the provisions of Section 13(e) of the Exchange Act of Rule 13e-3 thereunder in connection with any transaction involving MPO Videotronics, Inc. ("MPO") which is subject to such Section or Rule.

In connection with the entry of the Final Judgment, Gaston entered into a Consent and Undertaking in which he agreed to take certain recommendations of the Audit Committee of MPO's Board of Directors appointed pursuant to MPO's prior settlement of the *Montauk* action.

Section 9(a) of the Act, insofar as is pertinent here, makes it unlawful for any person, or any company with which such person is affiliated, to act in the capacity of employee, officer, director, member of any advisory board, investment adviser, or depositor for any registered investment company, or principal underwriter for any registered open-end company, registered unit investment trust, or registered face-amount certificate company if such person is by reason of any misconduct enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security.

Section 9(c) provides that upon application the Commission shall grant an exemption from the provisions of Section 9(a) 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.

Gaston submits that the prohibitions of Section 9(a) of the Act to the extent applicable by virtue of the entry of the Final Judgment and the execution of the Consent and Undertaking, should not apply to Gaston as they would be unduly and disproportionately severe as applied to Gaston and Gaston's conduct has not been such as to make it against the public interest or protection of investors to grant the application applied for herein. In support thereof Gaston represents that:

(a) The prohibitions of Section 9(a) would deprive Capitol Life of the services of Gaston as a director of Capitol Life;

(b) The allegations of the complaint in no way relate to any activities of Capitol Life or the Separate Accounts nor to any of Gaston's activities on behalf of Capitol Life or the Separate Accounts;

(c) Gaston has never been required to apply for an exemption from the provisions of Section 9(a) of the Act; and

(d) The entry of the Final Judgment does not constitute an adjudication of any liability or wrongdoing by Gaston and was entered into with his consent for purposes of that action only, without admitting or denying the allegations of the complaint.

Applicant understands that the granting of this Application would not preclude the Commission from commencing a proceeding under Section 9(b) of the Act on the basis of conduct other than that giving rise to this Application, nor would it preclude the Commission, in any such proceeding, from taking such conduct into consideration.

The Commission has considered the matter and finds that the prohibitions of Section 9(a) may be unduly or disproportionately severe as applied to Gaston and Gaston's conduct has been such as not to make it against the public interest or protection of investors to grant the application for a temporary exemption from Section 9(a) pending determination of the application.

Accordingly, IT IS ORDERED, pursuant to Section 9(c) of the Act, that Gaston be and he is hereby temporarily exempted from the provisions of Section 9(a) of the Act operative as a result of the entry of the Final Judgment against Gaston in *Securities and Exchange Commission* v. *Montauk, et al.*, pending final determination by the Commission of Gaston's application for an order exempting him from the provisions of Section 9(a) operative as a result of the entry of such Final Judgment.

Notice is further given that any interested person may, not later than March 12, 1980, 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 Applicant at the address set forth above. Proof of such service (by affidavit or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided in Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80–5096 Filed 2–15–80; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area #1759]

California; Declaration of Disaster Loan Area

Alameda County and adjacent counties within the State of California constitute a disaster area as a result of damage caused by earthquakes which occurred on January 24 and 26, 1980. Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on April 11, 1980, and for economic injury until close of business on November 11, 1980, at: Small Business Administration, District Office, 211 Main Street, 4th Floor, San Francisco, California 94105.
or other locally announced locations.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Date: February 11, 1980.

A. Vernon Weaver,

Administrator.

[FR Doc. 80–5013 Filed 2–15–80; 8:45 am]

BILLING CODE 8025–01–M

Proposed Consumer Affairs Program

Correction

In FR Doc. 80–3779 appearing at page 8236 in the issue of Wednesday, February 6, 1980, the following changes should be made:

1. On page 8236, first column, the sixth line under the heading "Introduction" should read, "consumers, SBA has requested exemption from full".

2. On page 8236, second column, the first line of the first complete paragraph should read, "Close cooperation on consumer affairs between".

3. On page 8237, first column. The second line of the second paragraph under the heading "Information materials" should read, "a basic handbook, 'What SBA Is and Does', which is".

BILLING CODE 1505–01–M

Productivity and Small Business Innovation; Hearing

Pursuant to statutory authority set forth in Section 634(d) of Title 15, United States Code, The Chief Counsel for Advocacy of the Small Business Administration, Milton D. Stewart, Esq., with the approval of the Administrator, A. Vernon Weaver, will conduct a public hearing in San Francisco, California on March 11, 1980, on Productivity and Small Business Innovation. The hearing will convene at 10:00 a.m. (PDT) in Room 15022, Federal Building, 450 Golden Gate Avenue, San Francisco, California.

The Office of the Chief Counsel for Advocacy will consider how small business innovation affects national producitivity including such factors as changes in flows of invested capital, R & D expenditures, costs of regulations, increases in inflation, changes in labor force or human resources (skills, experience, and education), as well as environmental or institutional changes which stimulate technological creativity.

The traditional productivity measure which has been used, reflects "output per worker-hour." What has not been made sufficiently clear in this measurement or in overall productivity policy, is the importance of small business activities in improving our overall national productivity efforts and the influence of small business on some

of the contributing factors leading to a greater increase in the rate of productivity growth.

Participants will include diverse, innovative, and technology oriented small firms which may be considered currently in or having recently passed through a pre-venture capital raising stage. Such firms will be marketing or close to marketing a product or process which could have some measurable impact in a "national need" area, i.e. energy, medicine, food, etc.

The hearing is open to the public. Any member of the public may make a verbal statement, but must file a written statement prior to the hearing. Any member of the public may file a written statement with the Office of Chief Counsel for Advocacy before, during or after the hearings. All communications or inquiries regarding these hearings should be attentioned to: Jerry Feigen, Associate Advocate, Capital Formation/ Venture Capital, Small Business Administration, 1441 L Street, N.W., Room 1010–C, Washington, D.C. 20416, 202–653–6808.

Milton D. Stewart,

Chief Counsel for Advocacy.

[FR Doc. 80–5293 Filed 2–15–80; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Applications for Exemptions

AGENCY: Materials Transportation Bureau, D.O.T.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulations of the Materials Transportation Bureau has received the applications described herein.

DATES: Comment period closes March 20, 1980.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION: Copies of the application are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 Seventh Street, S.W., Washington, D.C.

Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vesel, (4) Cargo-only aircraft, (5) Passenger-carrying aircraft.

New Applications

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8357–N	Rho-Chem Corp., Inglewood, Calif	49 CFR 173.28(m) (1), (2), (3)	To authorize a one-time reuse of non-reconditional DOT Specification 17E drums for shipment of contaminated cleaning solvents, classed as a flammable liquid. (Mode 1.)
8358–N	General American Transportation Corp., Sharon, Pa..	49 CFR 173.119	To manufacture, mark, and sell non-DOT Specification portable tanks constructed in accordance with ASME Section VIII requirements for shipment of diisobutylamine, classed as a flammable liquid, n.o.s. (Modes 1, 3.)
8359–N	Dow Chemical Co., Midland Mich	49 CFR Parts 170 through 178	To transport within plant over public highway via private carriage, radioactive materials (radioisotopes) as essentially non-regulated materials when contained in sealed source instruments for inhouse processing. (Mode 1.)
8360–N	Grayco Specialist Tank Manufacturing, Fort Worth, Tex.	49 CFR 173.119(a)(17), 173.245(a) (30), (31), 178.342–5, 178.343–5.	To manufacture, mark and sell non-DOT Specification cargo tanks complying generally with DOT Specification MC–312 except for bottom outlet valve variations for transport of flammable liquids. (Mode 1.)
8361–N	Yellow Springs Instruments Co., Inc., Yellow Springs, Ohio.	49 CFR 173.861, 173.862, 175.3..	To authorize shipment of a cell containing Gallium Metal in a solid-liquid equilibrium state, contained in a special packaging configuration to be shipped without refrigeration. (Modes 1, 2, 4, 5.)
8362–N	Atlus Corp., Palo Alto, Calif	49 CFR 172.101, 173.206, 173.247.	To authorize shipment of lithium batteries in DOT Specification 19B Wooden boxes containing two cells per box cushioned with rigid nonflammable foam gross weight not to exceed 150 pounds. (Mode 1.)
8363–N	E. I. du Pont de Nemours Co., Wilmington, Del	49 CFR 173.93(a)(12)	To authorize shipment of propellant explosives (solid), class B, in metal cans of light gauge steel tin plate with screw cap closure or paint can pressure type closures overpacked in DOT Specification 12H fiberboard boxes (BA–1220). (Modes 1, 3.)
8364–N	Luxfer UK Ltd., Nottingham, England	49 CFR 173.302(a)(1), 173.304 (a)(1), (d)(3), 173.336(a)(2), 175.3.	To authorize shipment of compressed gases and various other hazardous materials in non-DOT Specification seamless high pressure aluminum cylinders. (Modes 1, 2, 3, 4, 5.)
8365–N	Barton Pumping and Sewer Service Inc., Forest Park, Ga.	49 CFR 173.119(a)(17), 173.245(a) (30), (31), 178.342–5, 178.343–5.	To authorize shipment of flammable or corrosive waste liquids or semi solids in non-DOT Specification cargo tanks similar to DOT Specification MC–312 except for bottom outlet valve variations and rear head dump feature. (Mode 1.)
8366–N	Rheem Manufacturing Co., Linden, N.J	49 CFR Part 173, Subpart D, F, H, 178.211.	To manufacture, mark and sell a DOT Specification 2½ gallon 2U polyethylene container to be over packed in a DOT Specification fiberboard box for shipment of Commodities for which 2U/2P packaging is prescribed. (Modes 1, 2, 3.)
8367–N	Ford Aerospace and Communications Corp., Palo Alto, Calif.	49 CFR 173.260, 173.302(a)(1)	To authorize shipment of nickel-hydrogen batteries and battery cells containing potassium hydroxide solution electrolyte, contained in a hermetically sealed pressure vessel charged with hydrogen at a low pressure. (Modes 1, 2, 3, 4.)
8368–N	Spectrum West Inc., Van Nuys, Calif	49 CFR 173.101	To authorize shipment of small arms ammunition packaged loosely in strong outside containers. (Mode 1.)
8369–N	Degussa Corp., Frankfurt, Germany	49 CFR 173.21(b)	To authorize shipment of glycidol under temperature control conditions. (Modes 1, 2, 3.)
8370–N	Henred Fruehauf (PTU) LTD., South Africa	49 CFR 173, Subparts D and F	To authorize shipment of various flammable, combustible and corrosive liquids in non-DOT Specification IMCO type 1 portable tanks. (Modes 1, 2, 3.)
8371–N	Connecticut Bulk Carriers Inc., Stamford, Conn	49 CFR 173.245(a), 173.245(b)	To authorize the transportation of phosphorus trichloride, classed as a corrosive, liquid, in DOT Specification 51 portable tanks. (Modes 1, 2, 3.)

New Applications—Continued

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8372-N	ETS Fauvet Girel, Paris, France	49 CFR 173.245	To authorize shipment of acetic acid glacial in non-DOT Specification IMCO type 1 portable tanks. (Modes 1, 2, 3.)
8373-N	Swimming Pool Chemical Manufacturing Association, Torrance, Calif.	49 CFR 177.848, footnote B	To authorize the combined loading of certain corrosive liquids with oxidizing materials within the same transport vehicle. (Mode 1.)

This notice of receipt of applications for new exemptions is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 CFR U.S.C. 1806; 49 CFR 1.53(e)).

Issued at Washington, D.C., on February 11, 1980.

J. R. Grothe,

Chief Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 80-5067 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-60-M

Applications for Renewal or Modification of Exemptions or Applications to Become a Party to an Exemption

AGENCY: Materials Transportation Bureau, D.O.T.

ACTION: List of Applications for Renewal or Modificaiton of Exemptions or Application to Become a Party to an Exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comment period closes March 5, 1980.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, D.C.

Application No. and applicant	Renewal of exemptions
3992-X, Olin Corporation, Stamford, CT	3992
3992-X, Hooker Chemical Co., Houston, TX	3992
4291-X, United Technologies, Sunnyvale, CA	4291
4291-X, Kerr-McGee Chemical Corp., Oklahoma City, OK	4291
5112-X, Austin Powder Co., Cleveland, OH	5112
5243-X, Hercules Inc., Wilmington, DE	5243
5372-X, Vulcan Materials Co., Wichita, KS	5372
5403-X, Halliburton Services, Duncan, OK (See Footnote 1)	5403
5634-X, Matson Navigation Co., San Francisco, CA	5634
5704-X, Hercules Inc., Wilmington, DE (See Footnote 2)	5704
5736-X, Stauffer Chemical Co., Westport, CT	5736
5861-X, HTL Advanced Technology, Monrovia, CA	5861
5912-X, United States Lines, Inc., Cranford, NJ	5912
5951-X, AmeriGas, Inc., El Paso, TX	5951
5967-X, Rocket Research Co., Redmond, WA	5967
6016, Strate Welding Supply Co., Inc., Buffalo, NY	6016
6039-X, Rohm and Haas Co., Philadelphia, PA	6039
6113-X, L. P. Transportation, Inc., Chester, NY	6113
6113-X, Southern Connecticut Gas Co., Bridgeport, CT	6113
6113-X, New Jersey Natural Gas Co., Asbury Park, NJ	6113
6113-X, UGI Corporation, Reading, PA	6113
6113-X, Air Products and Chemicals, Inc., Allentown, PA	6113
6113-X, New Bedford Gas and Edison Light Co., New Bedford, MA	6113
6113-X, Public Service Electric and Gas Co., Newark, NJ	6113
6113-X, Roadway Express, Inc., Akron, OH	6113
6113-X, South Jersey Gas Co., Folsom, NJ	6113
6113-X, Trans Gas Inc., Lowell, MA	6113
6126-X, White Chemical Co., Bayonne, NJ	6126
6184-X, Air Products and Chemicals, Inc., Allentown, PA	6184
6205-X, Northern Petrochemical Co., Des Plaines, IL	6205
6263-X, Amtrol Inc., West Warwick, RI	6263
6296-X, Olin Corporation, Stamford, CT (See Footnote 3)	6296
6498-X, Luxfer USA Limited, Riverside, CA	6498
6530-X, Mass Oxygen Equipment Co. Inc., West Borough, MA	6530
6614-X, Hill Brothers Chemical Co., Orange, CA	6614
6614-X, GPS Industries, City of Industry, CA	6614
6731-X, Department of the Army, Washington, DC	6731
6743-X, Atlas Powder Co., Dallas, TX (See Footnote 4)	6743
6746-X, Firestone Tire and Rubber Co., Akron, OH	6746
6760-X, Riverside Chemical Co., Memphis, TN	6760
6765-X, Airco Industrial Gases, Murray Hill, NJ	6765
6765-X, Union Carbide Corporation, Tarrytown, NY	6765
6765-X, Air Products and Chemicals Co., Allentown, PA	6765
6765-X, Cities Service Co., Tulsa, OK	6765
6801-X, Philips Petroleum Co., Bartlesville, OK	6801
6908-X, Airsearch Manufacturing Co. of Arizona, Phoenix, AZ (See Footnote 5)	6908
6921-X, Air Products and Chemicals, Inc., Allentown, PA	6921
6926-X, Union Carbide Corporation, Bound Brook, NJ	6926
6969-X, State of Alaska, Juneau, AK	6969
6999-X, Department of the Army, Washington, DC	6999
7015-X, Linde Aktiengesellschaft, Hollriegelskreuth, West Germany	7015
7025-X, Air Products and Chemicals, Inc., Allentown, PA	7025
7052-X, Mallory Battery Co., Tarrytown, NY	7052
7060-X, Express Airways, Inc., Sanford, FL	7060
7218-X, Structural Composites Industries, Inc., Azusa, CA (See Footnote 6)	7218
7277-X, Structural Composites Industries, Inc., Azusa, CA (See Footnote 7)	7277
7477-X, Systrom Donner Corporation, Concord, CA	7477
7542-X, US Cylinders, Inc., Citronella, AL	7542
7548-X, Department of the Army, Washington, DC	7548
7549-X, Stauffer Chemical Co., Westport, CT (See Footnote 8)	7549
7558-X, Union Carbide Corporation, Tarrytown, NY	7558
7576-X, Ugine Kuhlmann of America, Inc., Paramus, NJ	7576
7589-X, S.S.T. Corporation, Clinton, NJ	7589
7601-X, Atlantic Research Corporation, Gainesville, VA	7601
7607-X, Dow Chemical Co., Freeport, TX	7607
7701-X, Lowaco, S.A., Geneva, Switzerland	7701
7701-X, Orval Tank Containers, Paris, France	7701
7708-X, HTL Advanced Technology, Monrovia, CA	7708
7737-X, Parker Hannifin Corporation, Eastlake, OH (See Footnote 9)	7737
7788-X, Southern Chemical Products Co., Macon, GA	7788
7819-X, Societe Anonyme Pour L'Industrie Chimique, Mulhouse Cedex, France	7819
7887-X, Estes Industries, Inc., Penrose, CO	7887
7887-X, Centuri Engineering Co., Inc., Phoenix, AZ	7887
7887-X, Flight Systems, Inc., Burns Flat, OK	7887
7887-X, Flight Systems, Inc., Raytown, MO	7887
7887-X, Small Sounding Rocket Systems, Mountlake Terrace, WA	7887
7887-X, Composite Dynamics, North Las Vegas, NV	7887
7896-X, Monsanto Co., St. Louis, MO	7896
7897-X, Lowaco S.A., Geneva, Switzerland	7897
7897-X, CATU Containers S.A., Geneva, Switzerland	7897
7915-X, Olin Corporatrion, East Alton, IL	7915
7945-X, HTL Advanced Technology, Monrovia, CA	7945
7946-X, Westinghouse Electric Co., Horseheads, NY	7946
8123-X, Texas Instruments, Inc., Dallas, TX (See Footnote 10)	8123
8162-X, Structural Composites Industries, Inc., Azusa, CA (See Footnote 11)	8162
8168-X, Container Corporation of America, Wilmington, DE (See Footnote 12)	8186
8196-X, Eurotainer, Paris, France (See Footnote 13)	8196
8219-X, Hercules Inc., Wilmington, DE (See Footnote 14)	8219

Application No. and applicant	Renewal of exemptions
8232-X, Eurotainer, Paris, France (See Footnote 15)	8232

[1] To authorize use of an unlined DOT Specification MC-312 cargo tank.

[2] To authorize additional non-DOT Specification drums for shipment of various liquid explosives Class A and B.

[3] To provide for use of a modified DOT Specification 44D having a polyethelene/aluminum barrier laminated to the innermost ply.

[4] To renew and to include a slurry type blasting agent as an additional commodity.

[5] To renew and to include the latest revised drawings purporting quality improvement for subject pressure vessels.

[6] To renew and to delete restriction that cylinders are limited to aircraft use only.

[7] To renew and modify certain testing requirements.

[8] To authorize diethyl phosphorochloridothionate, classed as a corrosive liquid, n.o.s., as an additional commodity to be shipped in DOT Specification 51 portable tanks.

[9] Request those compressed gases authorized in DOT 3E cylinders which are compatible with 6061-T6 aluminum alloy to be included as additional commodities.

[10] To provide for shipments by contract carrier in addition to private carriage.

[11] To renew and modify certain testing and marking requirements.

[12] To authorize shipment of p-nitrobenzoyl chloride, classed as a corrosive material, as an additional commodity.

[13] To authorize shipment of alpha-butylene, classed as a flammable gas, as an additional commodity.

[14] To authorize an increase in net weight of Class B explosives in polyethylene-lined polypropylene bags up to 60 pounds each.

[15] To authorize shipment of alpha-butylene, classed as a flammable gas, as an additional commodity.

Application No. and applicant	Parties of exemption
2709-P, Hercules Inc, Wilmington, DE (See Footnote 1)	2709
5038-P, Airco, Inc., Murray Hill, NJ	5038
6007-P, Falcon Safety Products Inc., Mountainside, NJ	6007
6464-P, Transgas Inc., Lowell, MA	6464
6526-P, Asgrow Florida Company, Plant City, FL	6526
6543-P, Airco, Inc., Murray Hill, NJ	6543
6844-P, Mobay Chemical Corporation, Union, NJ	6844
6908-P, Department of the Army, Washington, DC	6908
7005-P, Itel Container Division, San Francisco, CA	7005
7025-P, Liquid Air Inc., San Francisco, CA	7025
7025-P, Bunker Ramo Corporation, Westlake Village, CA	7052
7060-P, Aero America, Inc., Danvers, MA	7060
8146-P, Canadian Industries Limited, Montreal, Quebec, Canada	8146

[1] Request party status and to amend exemption to authorize shipments of desensitized diethylene glycol dinitrate (DEGDN) in specially designed desiccators and to allow vehicles equipped with temperature control equipment.

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 CFR U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, D.C., on February 11, 1980.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 80-5068 Filed 2-15-80; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circular Public Debt Series No. 8-80]

Treasury Notes of February 28, 1982; Series P-1982

February 14, 1980.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately $4,000,000,000 of United States securities, designated Treasury Notes of February 28, 1982, Series P-1982 (CUSIP No. 912827 KL 5). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated February 29, 1980, and will bear interest from that date, payable on a semiannual basis on August 31, 1980, and each subsequent 6 months on February 28 and August 31, until the principal becomes payable. They will mature February 28, 1982, and will not be subject to call for redemption prior to maturity.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of $5,000, $10,000, $100,000, and $1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Standard time, Wednesday, February 20, 1980. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, February 19, 1980.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is $5,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed $1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3. 4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only permitted to submit tenders for their own account.

3. 5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by a deposit of 5% of the face amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a guarantee of such deposit by a commercial bank or a primary dealer.

3. 6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a ⅛ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.500. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3. 7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4. 1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5. 1. Settlement for allotted securities must be made or completed on or before Friday, February 29, 1980, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than:

(a) Wednesday, February 27, 1980, if the check is drawn on a bank in the Federal Reserve District of the institution to which the check is submitted (the Fifth Federal Reserve District in case of the Bureau of the Public Debt), or

(b) Tuesday, February 26, 1980, if the check is drawn on a bank in another Federal Reserve District.

Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at the applicable Federal Reserve Bank. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5. 2. In every case where full payment is not completed on time, the deposit submitted with the tender, up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5. 3. Registered securities tendered as deposits and in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5. 4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must be returned at the risk and expense of the holder.

5. 5 Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary,

to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery of the definitive securities.

6. 2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

Paul H. Taylor,

Fiscal Assistant Secretary.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulations.

[FR Doc. 80-5231 Filed 2-15-80; 8:45 am]

BILLING CODE 4810-40-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 34
Tuesday, February 19, 1980

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

FEDERAL COMMUNICATIONS COMMISSION.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 11 a.m., Wednesday, February 13, 1980.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Open Commission meeting.

CHANGES IN THE MEETING: Delete the following items:

Agenda, Item Number, and Subject

Renewal—1—Title: Talton Broadcasting Company's application for renewal of license for station WHBB-AM, Selma, Alabama.
Summary: Station WHBB was granted a short-term renewal which expired on October 1, 1979.
The Agenda Item considers logging information submitted by licensee in support of its request for a full term renewal as well as the station's current EEO program.

Private Radio—3—Eligibility of OAS for licensing in the General Mobile Radio.

Additional information concerning this meeting may be obtained from Edward Dooley, FCC Public Affairs Office, telephone number (202) 632-7260.

Issued: February 12, 1980.

[FR Doc. S-315-80 Filed 2-14-80; 2:26 pm]

BILLING CODE 6712-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 12:05 p.m. on Wednesday, February 13, 1980, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session by telephone conference call to consider the following matters:

Authorization of payment of the insured deposits in First National Bank of Carrington, Carrington, North Dakota, which was closed by the Comptroller of the Currency as of the close of business February 12, 1980, and appointment of a liquidator for the assets of the closed bank.
Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:
Case No. 44,214-NR (amended)—United States National Bank, San Diego, California.
Case No. 44,242-L—Franklin National Bank, New York, New York.
Memorandum re Hamilton Bank and Trust Company, Atlanta, Georgia.

In calling the meeting, the Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director William M. Isaac (Appointive), concurred in by Mr. Lewis G. Odom, Jr., acting in the place and stead of Director John G. Heimann (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

Dated: February 13, 1980.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-313-M Filed 2-14-80; 12:00 pm]

BILLING CODE 6414-01-M

3

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 9:30 a.m., February 21, 1980.

PLACE: 1700 G Street, NW., sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6677).

MATTERS TO BE CONSIDERED:

Application for Branch Office—Century Federal Savings and Loan Association, Pittsburgh, Pennyslvania
Application for Branch Office—Home Federal Savings and Loan Association of Cincinnati, Cincinnati, Ohio
Application for Limited Facility—First Federal Savings and Loan Association of Fort Pierce, Fort Pierce, Florida
Request for Commitment to Insure Accounts—Sunrise Savings and Loan Association, Palm Beach County, Florida
Insurance of Accounts—Sun Country Savings and Loan Association of New Mexico, Las Cruces, New Mexico
Extension of Time Application—United First Federal Savings and Loan Association, Sarasota, Florida
Application for Authority to Acquire Control of—Killeen Savings and Loan Association, Killeen, Texas BY GC Services Corporation, GC Financial Corporation, Houston, Texas.

No. 317, February 14, 1980.

[FR Doc. S-318-80 Filed 2-14-80; 3:13 pm]

BILLING CODE 6720-01-M

4

NATIONAL CREDIT UNION ADMINISTRATION.

TIME AND DATE: 9:30 a.m., Thursday, February 21, 1980.

PLACE: Board room, seventh floor, 1776 G Street, NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility Lending Rates.
2. Proposals for financing the paid-in Central Liquidity Facility stock subscription.
3. Technical changes to staff titles.
4. Progress report on setting up Office of Consumer Affairs.
5. Appointments to Executive Resources Board.
6. Report on actions taken under delegations of authority.
7. Applications for charters, amendments to charters, bylaw amendments, mergers as may be pending at that time.
8. Applications for Agent Membership in the Central Liquidity Facility.

RECESS: 10:30 a.m.

TIME AND DATE: 10:45 a.m., Thursday, February 21, 1980.

PLACE: Board room, seventh floor, 1776 G Street, NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Requests from federally insured credit unions for special assistance under Section

208 of the Federal Credit Union Act in order to prevent their closing. Closed pursuant to exemptions (8) and (9)(A)(ii).

2. Administrative Actions under Section 120 of the Federal Credit Union Act. Closed pursuant to exemptions (8), (9)(A)(ii) and (10).

3. Monthly review of the 1980 Budget. Closed pursuant to exemption (9)(B).

4. Mergers. Closed pursuant to exemptions (8) and (9)(A)(ii).

CONTACT PERSON FOR MORE INFORMATION: Rosemary Brady, Secretary of the Board, telephone (202) 357–1100.

[S–316–80 Filed 2–14–80; 3:01 pm]

BILLING CODE 7535–01–M

5

NUCLEAR REGULATORY COMMISSION.

DATES: February 19 and 20, 1980.

PLACE: Commissioners conference room, 1717 H Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Tuesday, February 19 (revised)

10 a.m.

Discussion of Commission's Decisionmaking Role in Emergency Response (as announced).

2 p.m.

Discussion of Siting Policy Issues (approximately 1½ hours, public meeting).

Wednesday, February 20

10 a.m.

Discussion of Reporting of Misadministrations of Byproduct Material (approximately 1½ hours, public meeting).

2 p.m.

1. Briefing on Interagency Radiological Assistance Program (approximately 1½ hours, public meeting).

2. Continuation of Briefing on Status of Sequoyah Licensing Review (approximately 1½ hours, public meeting). Rescheduled from February 19.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee, (202) 634–1410.

Dated: February 13, 1980.

Roger M. Tweed,

Office of the Secretary.

[S–314–80 Filed 2–14–80; 2:28 pm]

BILLING CODE 7590–01–M

6

SECURITIES AND EXCHANGE COMMISSION.

Notice is herby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of February 19, 1980, in Room 825, 500 North Capitol Street, Washington, D.C.

Closed meetings will be held on Tuesday, February 19, 1980, at 10:00 a.m. and on Thursday, February 21, 1980, immediately following the 2:30 p.m. open meeting. Open meetings will be held on Thrusday, February 21, 1980, at 10 a.m. and 2:30 p.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meetings. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meetings may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4)(8)(9)(A) and (10) and 17 CFR 200.402(a)(4)(8)(9)(i) and (10).

Chairman Williams and Commissioners Loomis and Evans determined to hold the aforesaid meetings in closed session.

The subject matter of the closed meeting scheduled for Tuesday, February 19, 1980, at 10 a.m., will be:

Access to investigative files by Federal, State, or Self-Regulatory Authorities.
Formal orders of investigation.
Litigation matters.
Regulatory matter regarding financial institutions.
Institution of injunctive action.
Institution and settlement of administrative proceedings of an enforcement nature.
Institution of administrative proceeding of an enforcement nature.
Freedom of Information Act appeals.
Personnel security matter.
Opinion.

The subject matter of the closed meeting scheduled for Thursday, February 21, 1980, immediately following the 2:30 p.m. open meeting, will be:

Post oral argument discussion.

The subject matter of the open meeting scheduled for Thursday, February 21, 1980, at 10 a.m., will be:

1. Consideration of whether to affirm action, taken by the duty officer, indicating that the Commission would not oppose the request for fees by the court-appointed professionals in connection with litigation involving Siamerican Securities, Ltd. For further information, please contact Deborah S. Hechinger at (202) 272–2935.

2. Consideration of whether to affirm action, taken by the duty officer, authorizing a waiver of imputation of disqualification to the law firm of Rogers & Wells pursuant to Rule 6(e) of the Commission's Conduct Regulation. For further information, please contact Myrna Siegel at (202) 272–2430.

3. Consideration of whether to adopt an amendment to Rule 17a–1 under the Securities Exchange Act of 1934, governing the record production obligations of national securities exchanges and associations, to conform the Rule to Section 17(a) of the Act, as amended by the Securities Acts Amendments of 1975. For further information, please contact William S. Muller at (202) 272–2415.

4. Consideration of a request for an exemption from Securities Exchange Act Rule 15b10–9, the SECO self-underwriting rule, by Educator and Professional Securities, Inc. to permit it to participate in a Regulation A offering involving the issuance of common stock by it parent affiliate, Educator and Professional, Investment Corporation. For further information, please contact H. Steven Holtzman at (202) 272–2842.

5. Consideration of whether to adopt amendments to registration statement Form S–8 and related new rules and amended rules under the Securities Act of 1933 to provide a means whereby all filings on Form S–8 (both pre-effective and post-effective) will become effective automatically. For futher information, please contact William H. Carter at (202) 272–2604.

6. Consideration of a supplemental petition for rulemaking submitted by the Natural Resources Defense Council and other parties to require disclosure of socially significant information related to environmental and employment conduct and policies of registrants. For futher information, please contact Gregory H. Mathews at (202) 272–2644.

The subject matter of the open meeting scheduled for Thursday, February 21, 1980, at 2:30 p.m., will be:

The Commission will hear oral argument in disciplinary proceedings against Collins Securities Corp., a registered broker-dealer and investment adviser, and Timothy Collins, its president, which were remanded to the Commission by the Court of Appeals for the District of Columbia Circuit. The Commission had originally revoked the firm's broker-dealer and investment adviser registrations, expelled it from NASD membership, and barred Timothy Collins from association with any broker or dealer with the proviso that, after two years, he could apply for permission to become so associated in a position that was not connected with the making of markets in securities. For further information, please contact William S. Stern at (202) 272–2450.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Paul Lowenstein at (202) 272–2092.

February 13, 1980.

[S–312–80 Filed 2–13–80; 4:43 pm]

BILLING CODE 8010–01–M

7

[Meeting No. 1236]

TENNESSEE VALLEY AUTHORITY.

TIME AND DATE: 7:30 p.m., c.s.t., Thursday, February 21, 1980.

PLACE: Auditorium of the Academic Building, Hopkinsville Community College, North Drive, Hopkinsville, Kentucky.

STATUS: Open.

MATTERS FOR ACTION:

Project Authorization

1. No. 3502—New home conservation demonstration project for the TVA service area.

* 1. Amendment to Contract No. 75C60–84840–2 with Combustion Engineering, Inc., for nuclear steam supply system for Yellow Creek Nuclear Plant.

* 2. Req. No. 165600—Indefinite quantity term contract for light distillate oil for Colbert, Johnsonville, Gallatin, and Allen Steam Plants.

3. Req. No. 825409—Requirements contract for 480-volt switchgear and transformers for Yellow Creek Nuclear Plant.

4. Req. No. 824853—600-volt control cable with insulated conductor for Hartsville and Phipps Bend Nuclear Plants.

5. Req. No. 163381—Labor for reclamation of approximately 300 acres of mined land at the Eads Mine located in Belle Rive, Illinois.

Power Items

1. Lease and amendatory agreement with West Kentucky Rural Electric Cooperative Corporation covering lease of TVA's Coldwater, East Murray, Gilbertsville, Hardin, Hickory Grove, and Milburn 69-kV Substations.

2. Lease and amendatory agreement with Russellville, Alabama, covering lease of major facilities at TVA's Russellville 161-kV Substation.

3. Lease and amendatory agreement with Oak Ridge, Tennessee, covering lease of TVA's Oak Ridge 161-kV Substation.

4. New Power contract with Fort Payne, Alabama.

5. Quarterly rate review. Review and consideration of power system conditions, including cost and revenue projections, and Board determination whether an adjustment in electric rates will be necessary for the quarter beginning April 1, 1980, under the quarterly review procedures.

Personnel Items

* 1. Change of status for Alan R. Griswold from Assistant to the Director of Property and Services to Assistant Director of Personnel, Office of Management Services, Knoxville, Tennessee.

* 2. Change of status for Arthur R. White from General Construction Superintendent, Sequoyah, to Assistant Manager, Division of Construction, Office of Engineering Design and Construction, Knoxville, Tennessee.

* 3. Change of status for David T. Shereda from Chief, Budget Staff, Office of Planning and Budget, to Assistant General Manager, Office of the General Manager, Knoxville, Tennessee.

4. Filling of critical-sensitive position of Personnel Security Officer by Joseph M. Gross, a TVA employee, pending completion and evaluation of a full field security investgation.

Real Property Transactions

1. Abandonment of a portion of Watts Bar-Alcoa Second Circuit Transmission Line right of way in Blount County, Tennessee—Tract 2WBA–171A.

2. Filing of condemnation suits.

Unclassified

1. Resolution authorizing payroll deduction of employee van pool fares.

2. Agreement with The University of Tennessee covering arrangements for transfer to UT of TVA's obligations to Department of Labor for development and operation of a computer-based labor information and forecast system known as the Construction Labor Demand System (CLDS).

DATED: February 14, 1980.

CONTACT PERSON FOR MORE INFORMATION: Craven H. Crowell, Jr., Director of Information, or a member of his staff can respond to requests for information about this meeting. Call (615) 632–3257, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 245–0101.

[S–317–80 Filed 2–14–80; 3:06 pm]

BILLING CODE 8120–01–M

* Items approved by individual Board members. This would give formal ratification to the Board's action.

federal register

Tuesday
February 19, 1980

Part II

Community Services Administration

Community Food and Nutrition Program; Proposed Rule

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1061

[CSA Instruction 6132-2c]

Community Food and Nutrition Program (CFNP)

AGENCY: Community Services Administration.

ACTION: Proposed rule.

SUMMARY: The Community Services Administration (CSA) is filing a proposed rule revising its policy statement for the Community Food and Nutrition Program (CFNP) funded under Section 222(a)(1) of the Economic Opportunity Act of 1964, as amended. This proposed rule is being published because CSA has determined that there is a need for certain policy and procedural changes from the previous year, and while these changes are not regarded as significant, CSA would like its grantees and the general public to have an opportunity to review and comment on the proposed changes. CSA is proposing, for example, the introduction of a new program category, multi-year programming, the establishment of funding ranges, based on the number of poor in the geographical area served by an applicant. These and other changes are discussed below in the section on "supplementary information" and in the main body of the rule.

DATE: CSA will consider all comments received on or before March 20, 1980.

ADDRESS: Please address comments and inquiries to: Community Services Administration, Office of Program Development, 1200 19th Street, N.W., Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: Harold L. Gore, Phone: (202) 632-6694, Teletypewriter: (202) 254-6218.

SUPPLEMENTARY INFORMATION: CSA is proposing to revise § 1061.50-1 through § 1061.50-15 (CSA Instruction 6132-2c). The changes that are being proposed are indicated by arrows at the beginning and end of each change and are incorporated in the text of the FY 80 rule so that they may be seen in the appropriate context. The changes may be summarized as follows:

In FY 80, CSA is introducing a new program category, Food Supply, which includes a range of activities aimed at stimulating greater involvement by the private sector in meeting the nutritional needs of the poor [See § 1061.50-7(e)]. While the order of priority among categories remains the same, for FY 80, CSA is placing a high priority upon activities in *all* program categories which promote the self-sufficiency of the poor [See § 1061.50-13(a)]. This means an increased emphasis upon self-help activities in particular, which promote self-sufficiency directly, and upon other activities in general, which promote self-sufficiency indirectly. This emphasis is in part a reflection of Congressional concern, as outlined in the Senate Appropriations Committee Report, that these activities be strengthened in FY 80. It is, also, in part a recognition and re-emphasis of the improtance of the self-sufficiency of the poor as a goal of all Title II programs. The new category of Food Supply contains a variety of activities that contribute to self-sufficiency and that involve the private sector in significant ways in the achievement of that goal. Also in keeping with this emphasis, CSA is encouraging grantees to provide maximum employment opportunities to the poor and to encourage other agencies and organizations to do likewise (see § 1061.50-6). (See also § 1061.50-7 for a listing of the program categories and activities and § 1061.50-13 for a discussion of priorities.)

CSA is proposing to approve two-year work programs for FY 80 CFNP applicants with one-half of the funds coming from FY 80 and the other half from FY 81 provided that Congress appropriates sufficient funds, there is no change in Agency priorities, and grantees' performance is satisfactory [See § 1061.50-13(b)]. However, approval of a two-year work program does not constitute a commitment to fund the second year. In addition, CSA is proposing to establish funding ranges for applicants, based upon the number of poor in the geographical area served by the applicant (See § 1061.50-11).

Community Action Agency (CAP) Associations will be permitted to apply for General Community funds to establish statewide antihunger coalitions where no such coalitions now exist [See § 1061.50-9 (a)(3)]. Special Support projects are being given a new program account number and funding preference will be given to Special Support applicants who propose to establish or maintain statewide anti-hunger coalitions [See § 1061.50-9 (b)(3)].

General Community applicants within geographically appropriate sub-state areas will be permitted to form consortiums and submit a single application [See § 1061.50-13(d)]. The general eligibility requirements for applicants for T&TA funds remains the same, but those applicants will be prohibited from serving as conduits for, or delegating parts of their work program to, profit-making organizations [See § 1061.50-9(c) (1)]. CSA will permit regional offices to fund research and demonstration projects and Regional Directors are authorized to set aside up to 5 percent of their General Community funds for this purpose [See § 1061.50-9(d) (2)].

Finally, several adjustments have been made in the rating criteria in keeping with recommendations of the regional offices:

(1) The number of points assigned to "participation of the poor" has been increased from 5 to 10;

(2) "Anticipated impact" has been reduced from 15 to 10;

(3) Institutional change under "catalytic effect of the project" has been reduced from 15 to 10;

(4) "Ability of applicant to perform" has been increased from 10 to 15 points [See Appendices B through E].

While the above summarizes the changes introduced in the FY 80 CFNP Rule, reviewers should examine the reference sections for a more complete understanding of the proposed changes.

Graciela (Grace) Olivarez,

Director.

PART 1061—CHARACTER AND SCOPE OF SPECIFIC PROGRAMS

45 CFR Subpart 1061-50 is revised as follows:

Subpart 1061. 50—Community Food and Nutrition Programs (CSA Instruction 6132-2a)

Sec.

1061.50-1 Applicability.
1061.50-2 Definitions.
1061.50-3 Purpose of the subpart.
1061.50-4 Introduction.
1061.50-5 Policy.
1061.50-6 Purposes of the program.
1061.50-7 Program categories.
1061.50-8 Eligible participants.
1061.50-9 Eligible applicants.
1061.50-10 Funding.
1061.50-11 Application procedures.
1061.50-12 Reporting requirements.
1061.50-13 Current fiscal year application and review information.
Appendix A.
Appendix B.
Appendix C.
Appendix D.
Appendix E.
Appendix F.
Appendix G.
Appendix H.

Authority: The provisions of this proposed subpart are issued under Sec. 602, 78 Stat. 530, 42 U.S.C. 2942.

Subpart 1061.50—Community Food and Nutrition Programs (CSA Instruction 6132-2a)

§ 1061.50-1 Applicability.

This subpart is applicable to all grants and contracts funded under section 222(a)(1) of the Economic Opportunity Act of 1964, as amended, when the assistance is administered by the Community Services Administration.

§ 1061.50-2 Definitions.

(a) *Program.* The provision of federal funds and administrative direction to accomplish a prescribed set of objectives through the conduct of specific activities. Example: CSA's Community Food and Nutrition Program.

(b) *Project.* The implementation level of a program where resources are used to produce an end product that directly contributes to the objectives of the program. Example: The School Break Expansion Campaign of the Milwaukee CAP.

(c) *Limited Purpose Agency.* An organization or agency funded under sections 221 or 222 of the Act to conduct a specific program or programs, rather than the broad spectrum of programs conducted by a CAA. Limited purpose agencies are not subject to the requirements for local government designation and comprehensive community representation applicable to CAA's.

(d) *"Un-capped Area".* An "un-capped" area is any geographical area not officially served by a community action agency. An area officially served by a CAA is that area designated by the local government as such and recognized by CSA.

(e) *Catalytic Activity.* According to the dictionary, a catalyst is "a person or thing acting as a stimulus in bringing about or hastening a result". In this rule, "catalytic activity means an activity which, through a modest investment of CFNP staff time and money, sets in motion a process or series of events which results, for low-income persons, in benefits that are far-reaching and whose value significantly exceeds the cost of the original investment [See Appendix A, for further clarification].

(f) *Direct Service Delivery.* One-on-one activity (for example, outreach activity) whose purpose is to provide goods or services directly to low-income individuals or families. The provision of services can be a catalytic or non-catalytic activity. It is catalytic if it triggers a process that is carried forward by the individual, either on his own or with the assistance of groups or agencies other than the CFNP project. (See Appendix A, for additional clarification)

(g) *Advocacy.* According to the dictionary, an *advocate* is "one who pleads the cause of another" or "defends or maintains a cause or proposal." In this rule, advocacy means a type of catalytic activity which is directed at institutions or at the general public on behalf of low-income individuals in order to insure that, in the area of food and nutrition, the views of such individuals are heard, their rights are observed, the benefits to which they are entitled are provided, and their needs are met (to the extent possible) by the institutions which have the ability or responsibility to meet those needs. Successful advocacy can bring about either *institutional change* (a change in a law, regulation, policy, procedure, behavior or atitude affecting the low-income population or a *mobilization of additional resources* (whether they be dollars or in-kind services) from public or private sources to support food and nutrition programs for the low-income population. (See Appendix A, for further clarification.)

(h) *Monitoring.* Monitoring is a variety of advocacy. To "monitor" is to "observe critically". To monitor a program operated by another federal or state agency means to *observe critically* that program; to gather relevant information about its operations in order to make sure that it is adhering to relevant statutes and regulations in its delivery of services to low-income families and individuals; and where there are problems, to bring them to the attention of the administering agency and to assist that agency in finding a solution. (See Appendix A, for further clarification)

§ 1061.50-3 Purpose of the subpart.

This subpart sets forth CSA's policy for the Community Food and Nutrition Program (CFNP) authorized under section 222(a)(1) of the Economic Opportunity Act of 1964, as amended. It discusses the purposes and categories of activities, participant and applicant eligibility criteria, application procedures and reporting requirements. The Appendices provide additional information relating to funding for the current fiscal year and the process for reviewing, rating and ranking applications.

§ 1061.50-4 Introduction.

(a) Section 201(a)(1) of the Economic Opportunity Act of 1964 as amended states that the basic purpose of all title II programs including the Community Food and Nutrition Program, is ". . . to *stimulate* a better focusing of all available local, State, private and Federal resources upon the goal of enabling low-income families and low-income individuals . . . *to become fully self-sufficient*" (emphasis added).

(b) This statement sums up CSA's historic mission which has been to serve as a *stimulater* or *catalyst* of activities conducted by other public and private institutions rather than as a provider of services in competition with these institutions. CSA's limited funds make it necessary, in any event, for CFNP projects to limit their involvement in non-catalytic direct service delivery and to function primarily as advocates and catalytic agents.

(c) A second important point made in the statement quoted above is that the catalytic activity of Title II programs, including the CFNP, should be directed to helping the poor escape the cycle of poverty. The relevance of the CFNP to this objective is underscored by a report entitled "Dietary Goals for the United States" (2nd Edition) issued in February 1978, by the U.S. Senate's Select Committee on Nutrition and Human Needs. According to the report, an inadequate diet is a principal cause of six of the leading killer diseases—the six being diabetes, strokes and hypertension, heart disease, some cancers, arteriosclerosis and cirrhosis of the liver. An inadequate diet leads to unemployability and chronic dependence on public assistance programs. Hence the importance of a concentrated attack on the problem of malnutrition among the poor.

§ 1061.50-5 Policy.

(a) Section 222(a)(1) of the Economic Opportunity Act authorizes: "A program to be known as Community Food and Nutrition designed to provide, on an emergency basis, directly or by delegation of authority pursuant to the provisions of Title VI of this Act, financial assistance for the provision of such supplies and services, nutritional food-stuffs, and related services as may be necessary to counteract conditions of starvation or malnutrition among the poor. Such assistance may be provided by way of supplement to such other assistance as may be used to extend and broaden such programs to serve economically disadvantaged individuals and families where such services are not now provided."

(b) In its effort to "supplement and extend and broaden" other Federal food programs, the CFNP must not lose sight of the essentially *catalytic* nature of CSA's mission referred to in § 1061.50-4. Funds should be used primarily as seed money or in ways that have a multiplier effect and not for duplicative or long-

term feeding programs. The emphasis on catalytic activity does not preclude the use of CFNP funds, in emergency situations, for the direct delivery of foodstuffs and related services to individual families within CSA poverty guidelines who are insufficiently served or not served at all by other programs (See § 1061.50–7(d)(4) below). Benefits received under the CFNP shall not be considered as income for purposes of determining eligibility for other Federal programs.

(c) Each CFNP project will be expected to include *advocacy* as an *essential* and *integral* element of both its design and implementation. While an applicant may select the program category (Access, Self-Help, Nutrition/Consumer Education, Crisis Relief, and Food Supply) which best meets the needs of the poor in the community served, the element of advocacy should always be a part of whatever category is selected. Advocacy efforts should focus upon articulating the views and needs of the poor to the public at large but, more particularly, to those institutions and organizations which have the ability or responsibility to serve the poor. Advocacy efforts should not only include speaking *on behalf of the poor*, but helping the poor to articulate their own needs and to participate in activities which are designed to assure that the benefits to which the poor are entitled are provided. Advocacy should be aimed at initiating new programs to benefit the poor as well as improving and expanding existing ones.

(d) All CFNP projects will be expected to conform to as many of the purposes of Title II programs as possible (listed below in § 1061.50–6). CSA Instruction 7850–1a (45 CFR 1067.4) requires that each contribute to the achievement of one or more purposes. CSA is requiring in FY 80 that CFNP grantees meet at least three general purposes and one specific purpose. Applicants are advised that the rating criteria (See Appendices B through F) include three of the six purposes.

§ 1061.50–6 Purpose of program.

(a) The following are the purposes of Title II programs, including the CFNP, listed in Sections 201(a) and 222 of the Economic Opportunity Act and reflected in CSA's general standards of effectiveness:

(1) *Planning and Coordination:* Strengthened community capabilities for planning and coordination so as to insure that available assistance related to the elimination of poverty can be more responsive to local needs and conditions;

(2) *Improvement of Service Delivery:* Better organization of services related to the needs of the poor;

(3) *Maximum Feasible Participation:* Maximum feasible participation of the poor in the development and implementation of all projects designed to serve the poor;

(4) *Mobilization of Resources:* Broadened resource base of programs directed to the elimination of poverty so as to include all elements of the community able to influence the quality and quantity of services to the poor;

(5) *Innovative Approaches:* Greater use of new types of services and innovative approaches in attacking causes of poverty, so as to develop increasingly effective methods of employing resources;

(6) *Maximum Employment Opportunities:* Employment of the poor, including opportunity for further occupational training and career development, in the programs and projects administered to the poor.

(b) The following are legislatively mandated purposes of the Community Food and Nutrition Program (Specific Standards of Effectiveness):

(1) *Improvement in the nutritional status of the target population;*

(2) *Reduction in hunger among the target population;*

§ 1061.50–7 Program categories.

The categories of projects eligible for funding under the Community Food and Nutrition Program are as follows:

(a) *Access:* To improve the opportunities for low-income people to gain access to, and participate in, federal and non-federal food and nutrition programs. Activities eligible for funding under the "access" category include but are not limited to:

(1) The monitoring of programs conducted by other agencies and in particular monitoring the implementation by USDA and state and local governments of the Food Stamp Act of 1977, in order to insure compliance with relevant federal and state statutes and regulations;

(2) Seeking changes in federal and state statutes and regulations to insure a more equitable distribution of food and nutrition benefits to the poor;

(3) Stimulating through consultation with parents, school administrators and other officials, the establishment or expansion of various federally funded food programs such as; the School Breakfast and School Lunch Programs, the WIC Program, the Summer Food Service Program for Children, the Nutrition Program for the Elderly, etc.

(4) Participating with a state in the development of state plans, certification manuals, etc., for food and nutrition programs;

(5) Building coalitions to make possible community input into the improvement and implementation of programs which improve the nutritional status of low-income persons;

(6) Designing and carrying out strategies for obtaining matching funds for new and existing projects supported from CFNP funds, and for spinning off such projects to other agencies (e.g., projects funded under HEW and USDA such as Title XX or food stamp outreach);

(7) Catalyzing an expanded and more effective outreach program on the part of other agencies:

(8) Initiating, or stimulating the formation of, community education programs aimed at apprising low-income persons of their entitlements under federal and non-federal food programs;

(9) Stimulating efforts to provide the poor with assistance in prescreening and application procedures and with adequate representation in administrative hearings, etc.;

(10) Initiating or stimulating the formation of feeding programs (e.g., Meals on Wheels) which are urgently needed and are not being provided in the community, on the condition that significant mobilization of other resources and early spin-off of the project to a more appropriate agency is included in the application;

(11) Organizing efforts in which the food produced by small local farmers is purchased and utilized in other federal feeding programs, e.g., School Breakfast, School Lunch, Day Care, WIC, Summer Feeding, etc.;

(12) Undertaking efforts to allow food co-ops and non-profit oranizations serving the poor to issue food stamps and to allow the poor to use food stamps to buy fresh fruits and vegetables from small farmers and co-ops serving the poor.

(b) *Self-Help.* To improve the ability of low-income people to produce, preserve and, where feasible, market their own foodstuffs as a supplement to foodstuffs provided under the federal food programs or by private sector institutions.

Note.—Applicants for Self-Help projects, which by design should ultimately become self-sustaining, e.g., food co-ops, buying clubs, and canneries, should include in their applications specific plans for the eventual phase-out of CFNP funding.

Activities eligible for funding under this category include but are not limited to:

(1) Conservation, distribution and utilization of foodstuffs, such as:

(i) Organizing family and community gardens;

(ii) Organizing food co-ops [1] and buying clubs;

(iii) Establishing greenhouses, canneries, etc.;

(iv) Organizing food gleaning campaigns.

Note.—A number of states have passed legislation providing a tax benefit for small unincorporated farmers who donate excess produce to organizations serving the low-income population, while similar legislation is being proposed in Congress.

(2) Activities which support self-help projects such as:

(i) Mobilizing the resources of state agriculture departments, land grant colleges, co-op extension services, USDA (e.g., the Agricultural Stabilization and Conservation Service), VISTA, CETA, etc., for obtaining seeds, plants, land, water and information;

(ii) Cooperating with land grant and other colleges to provide more assistance to small scale (even part-time) growers, etc.;

(iii) Promoting the utilization of unused federal, state, and local land for food production by the poor.)

(c) *Nutrition and Consumer Education:* To improve, through catalytic activity in the area of nutrition and consumer education, the ability of low-income individuals and families to understand the connection between diet and health, to obtain at the lowest prices nutritionally superior foods and to prepare and preserve these foods in ways that minimize the loss of nutrients. Activities eligible for funding under this category include but are not limited to:

(1) Developing and demonstrating new and more effective techniques for communicating nutritional information to the poor;

(2) Stimulating the establishment by other agencies or institutions of educational programs to acquaint the low-income public with the potential benefits of altering food preparation and eating habits in the light of the "Dietary Goals for the United States" recommended by the U.S. Senate's Committee on Nutrition and Human Needs;

(3) Stimulating the establishment of educational programs to improve the ability of low-income individuals and families to understand written guidance on food selection and to make comparisons between foods based on nutrition labeling and price:

(4) Engaging in avocacy efforts to induce federal agencies such as USDA and HEW to design new (and redesign existing) nutrition and consumer education programs so they are more responsive to the needs of low-income consumers;

(5) Devising and carrying out strategies to insure that state nutrition education plans address the needs of children, teachers, and food service workers in schools and low-income communities and that advisory councils set up to oversee state nutritional education programs include representatives of the poor;

(6) Engaging in advocacy efforts to induce such private organizations as the American Dietetic Association, American Heart Association and American Diabetes Association etc., to direct more of their nutrition education to the poor, and to coordinate such activities with CSA's CFNP network;

(7) Engaging in research to determine the status and quality of nutrition efforts aimed at the poor, identify gaps in those efforts, and recommend ways in which CSA, CAA's and CFNP grantees should be involved in nutrition education.

(d) *Crisis Relief:* To improve community crisis relief mechanisms. Activities eligible for funding under this category include but are not limited to:

(1) Organizing food banks and food salvage operations;

(2) Negotiating for improvement in public welfare systems for distributing, in natural disasters and widespread emergency circumstances, Emergency Food Stamps, WIC packages or vouchers, USDA commodities, local food bank resources etc. Among federal agencies the U.S. Department of Agriculture, in conjunction with the Federal Disaster Assistance Administration, is responsible for the delivery of food stuffs to needy households in disasters and other widespread emergencies.

(3) Assisting communities to improve their crisis relief programs so that those most in need will receive swift relief;

(4) Providing foodstuffs directly and/or issuing food vouchers, but only if at least one of the following conditions is satisfied:

(i) There is a temporary individual or family emergency and timely help is not forthcoming from other agencies or,

(ii) The provision of relief is a catalytic effort which includes a plan to establish a community-based entity which will provide such services in the future, or a plan to transfer the activities, within a specified period of time, to an agency which already has an assigned responsibility for providing food stuffs, vouchers, etc. to the poor. A commitment from such an agency to take over the project should be included in the application, if possible.

(e) *Food Supply:* To improve the food distribution system so as to involve the poor more directly in the food distribution process and encourage private industry to be more responsive to the needs of the poor in such a way as to foster the self-sufficiency of the poor and to make more nutritious food available at lower prices. Activities eligible for funding under this category include but are not limited to:

(1) Developing and seeking to get adopted innovative proposals to increase the amount of food available to the poor;

(2) Seeking changes in laws and regulations that impede the involvement of the poor in food production, processing, distribution etc.

(3) Organizing consumer action relating to public and private sector food policies and food sales, e.g., mobilizing public and private (i.e., food industry) support for the elimination of food sales taxes;

(4) Establishing food banks which serve as clearinghouses for food donated by private industry for redistribution to the poor and encouraging food producers, processors, wholesalers and retailers to contribute food to such banks;

(5) Initiating "farmer to market" projects in which the food produced by small farmers is made available to the poor at lower prices;

(6) Encouraging food retailers to join with city governments and community-based groups to bring supermarkets back to the inner-city through mutual development ventures, special tax and/or other municipal incentives;

(7) Enlisting food retailers in conducting training programs to sensitize food store employees to the needs and problems of food stamp shoppers so as to reduce the intimidation and inconvenience often caused such persons;

(8) Encouraging food wholesalers and retailers to hire the poor;

(9) Encouraging industry to adopt more responsible packaging and advertising practices to help limit the unnecessary costs to consumers, such as:

(i) Making available a variety of inexpensive, quality foods in order to promote optimum nutrition among the poor;

(ii) Making available food in smaller packages at more reasonable prices for the elderly, single and single parent households;

(10) Getting retailers to adopt and support innovative approaches to marketing such as mobile markets, transportation to existing outlets for those who need it, stocking locally-produced foods, etc.;

[1] See Note at end of Appendix H.

(11) Enlisting the support of retailers for consumer monitoring and advisory panels which reflect the needs and opinions of all sectors of the community.

§ 1061.50–8 Eligible participants.

(a) All activities supported from CFNP funds must be targeted on low-income individuals and families as defined in CSA Income Poverty Guidelines (§ 1061.2 or CSA Instruction 6004–lk and changes thereto). It is important to stress this since in the case of some programs, such as the Food Stamp Program and the National School Lunch Program, the persons eligible for benefits form a larger group than those who fall within CSA poverty guidelines. In such cases, the rule of thumb should be that a *majority* of the individuals or families served are within CSA guidelines.

(b) Individuals are eligible to participate upon a self-declaration of need without the delay of a "means test" or income investigation. Self-declaration of need makes possible immediate assistance for those suffering from hunger and in danger of malnutrition.

§ 1061.50–9 Eligible applicants.

(a) *General Community Projects.* (1) Section 222(a) of the Economic Opportunity Act states that the Director shall provide financial assistance ". . . in a manner that will encourage, wherever feasible, *the inclusion of assisted projects in community action programs . . .*" (emphasis added). In addition, Section 222(a)(1) of the Act requires that the Director carry out the CFNP ". . . in manner that will insure the availability of . . . supplies and services, nutritional foodstuffs and related services *through a community action agency where feasible,* or other agencies and organizations if no such (community action) agency exists or is able to administer the program) . . ." (emphasis and parentheses added).

(2) Therefore Community Action Agencies (CAA's) will be regarded as *prime sponsors* of projects utilizing general community funds. Any other organization desiring to operate a project in a geographical area served by a CAA must do so as a delegate agency of the CAA. If such organizations are unable to work out a delegate agency agreement with the CAA, then they may apply *directly* to the appropriate Regional Office of CSA. However, such applications will be considered *only if* the CAA does not submit a proposal, or submits a proposal which is not funded. (The deadline for submission of applications by prospective delegate agencies outlined in paragraph 2 of the CSA Instruction 6441–1 do not apply to this program.)

(3) Other public and private, non-private organizations, including SEOO's and CAP Associations, which meet CSA's general eligibility criteria may apply directly to the appropriate CSA Regional office for general community finds to operate projects in geographical areas not served by CAA's ("un-capped areas"). Note: CAA's are not precluded from operating projects outside their officially designated boundaries where they are otherwise legally permitted to do so. Where no statewide anti-hunger coalition exists, a CAP Association may apply for General Community Funds to initiate and establish such a coalition. The CAP Association must, however, assure substantive participation by the poor and anti-hunger groups/organizations in the planning, implementation and evaluation of the project. This may be done by (i) establishing a delegate agency to administer the project whose governing board includes one-third representatives of the poor, and one-third representatives of community action agencies, one-third representatives of anti-hunger organizations, or (ii) establishing an advisory committee which is made up of at least 51% representatives of the poor and at least 33% representatives of anti-hunger organizations.

(4) SEEO's and CAP Associations may not apply as conduits for other applicants when the purpose or effect of such an arrangement is to allow those applicants to avoid the competitive process.

Note.—As an exception to CSA's general policy, SEOO's and CAP Associations may apply as a conduit for other applicants within a state where the following conditions are met: (i) The applicant has CSA's written advance approval, (ii) The low income residents of the area to be served were involved in the planning of the project, and (iii) Two or more of the following activities are carried out on a statewide basis: (A) Advocacy, (B) Improved planning and coordination, and (C) Mobilization of a broader range of resources. In such a case the complete work programs and budgets of the delegate applicants must be submitted to CSA along with the conduit application. These applications will then be reviewed, rated and ranked on a competitive basis like any other application, and they must receive a minimum score of 65 points in order to be considered eligible for funding. Likewise the work program and budget of the conduit will be rated and must receive a minimum score of 65 points.

(5) CAA's and anti/hunger groups are strongly encouraged to work together where possible. This can take the form of a CAA's delegating part or all of its work program to an anti-hunger group, or vice versa; close and systematic coordination on the part of both groups in the planning, implementation and evaluation of CFNP projects; and close collaboration in the development of state anti-hunger strategies. The formation of such alliances contributes to at least one of the general standards of effectiveness (planning and coordination) and in most cases will contribute to more.

Note.—CAA's must indicate in their applications the efforts which have been undertaken to involve various community groups and organizations—including anti-hunger organizations—in the planning and implementation of their proposed activities. In the rating and ranking of applicants points will be given to applicants who furnish evidence that such coordination has taken or will take place.

(b) *Special Support Projects.* (1) Public and private non-profit organizations which meet CSA's eligibility criteria—other than CAA's, SEOO's, and CAP Association—may apply for special support funds.

(2) Special support projects must be designed to have a broad impact on the problems of hunger and malnutrition among the poor, i.e., an impact that extends beyond the boundaries of particular communities. The objective of special support projects is to assist in the development, coordination and expansion of good and nutrition programs for the poor and/or engage in advocacy efforts to improve those programs on a statewide or multi-state basis.

(3) Special support projects must relate to one or more of the four program categories outlined in § 1061.50–7. Special support activities may include but are not limited to:

(i) Developing or strengthening statewide or multi-state anti-hunger coalitions and task forces;

(ii) Monitoring and interpreting changes in relevant federal and state laws, regulations, and procedures;

(iii) Developing or improving statewide food and nutrition information centers or clearinghouses;

(iv) Initiating and/or stimulating the provision by others (i.e., grantees of the National Legal Services Corporation) of legal services aimed at improving the delivery of food and nutrition services to the poor.

(v) Providing assistance to low-income individuals or their representatives to attend meetings and conferences on food and nutrition issues, etc.

Note.—In FY 80, it will be the policy of CSA to encourage the establishment of a statewide anti-hunger coalition in every state

which will address a broad range of hunger problems and issues. Therefore, in making funding decisions on applications for special support funds, CSA will give preference to such coalitions over other types of special support projects. Special support applicants are reminded that they must meet the eligibility requirements regarding participation of the poor (See CSA Instructions 6400–01a and 6005–1). In addition they must substantively involve Community Action Agencies in the planning, implementation and evaluation of the project. For statewide coalitions this means that one-third of the governing board must be made up of representatives of CAP's. For other special support projects one-third of the governing board or a minimum of one-third of a policy advisory committee (which includes at least 51% poor representatives) must be made up of representatives of CAP's.

(4) Applicants must show evidence of successful experience and competence in carrying out the kinds of activities described above. In addition, applicants must indicate on their applications how CAA's have been involved in the planning of their projects and how they intend to coordinate their proposed activities with CAA's in or adjust to the areas they propose to serve, other CFNP grantees and the SEOO in the state(s) to be served.

(c) *Regional Training and Technical Assistance (T&TA) Projects.* (1) Public and private non-profit organizations and agencies which meet CSA's general eligibility criteria may apply for Regional T&TA funds. Regional T&TA providers may operate on either a regionwide or subregional basis.

Note.—Applicants for T&TA funds may not serve as a conduit for, nor delegate portions of their work program to profit-making firms.

(2) Applicants for Regional T&TA projects must present in their applications a detailed statement of the following:

(i) The kinds of T&TA they propose to deliver;

(ii) How they intend to go about it;

(iii) A timetable for the delivery of such;

(iv) The results they expect to achieve; and

(v) How they plan to evaluate results.

(3) T&TA applicants must indicate how they will assist CFNP grantees to achieve or carry out the major policy initiatives of the CFNP, such as:

(i) Shifting the emphasis from service delivery to catalytic activity;

(ii) Undertaking advocacy as a major component of each CFNP project;

(iii) Effective techniques of mobilizing public and private resources, and

(iv) Coordinating activities with other institutions and organizations involved in anti-hunger efforts.

(4) In the area of program planning and management, T&TA applicants must indicate how they will assist CFNP grantees in more precisely determining the nutritional problems and needs of low-income individuals, how to set priorities, establish realistic goals, design project strategies, and evaluate results.

(5) T&TA applicants must indicate in their proposals an understanding of the four program categories described in § 1061.50–7 and an ability to assist CFNP grantees in carrying out the activities listed there. This presupposes that the applicant has an expert knowledge of the various federal feeding programs (such as Food Stamps, School Breakfast, School Lunch, WIC, Day Care Food, Nutrition Program for the Elderly, etc.) and the ability to communicate such knowledge to CFNP grantees. It also presupposes on the part of the applicant successful experience in such activities as:

(i) How to organize coalitions and effectively conduct campaigns or other activities to initiate or expand the various federal feeding programs listed above;

(ii) How to stimulate the establishment of more effective outreach efforts by the agencies which administer these programs;

(iii) How to "monitor" such programs to assure their compliance with relevant statutes and regulations;

(iv) How to organize family and community gardens, food co-ops and buying clubs, etc. and assist them to become self-sustaining;

(v) How to train low-income residents to seek and obtain assistance from agencies which have a responsibility to serve them (such as agricultural extension services) or to speak on their own behalf in seeking benefits from agencies (e.g. Food Stamp "fair hearings");

(vi) How to help CFNP grantees engage in advocacy efforts to induce federal and state agencies to design new and redesign existing nutrition education programs so they are more responsive to the needs of low-income consumers; and

(vii) How to organize community food banks supported and sustained by a variety or resources in the community at large to meet the emergency needs of low-income individuals and families.

Note.—this list is *illustrative* and not exhaustive of the fields of expertise which may be required of the T&TA provider.

(6) T&TA applicants must not only show evidence of successful experience and competence in carrying out the kinds of activities described above, they must indicate how they will coordinate their activities with the CSA Regional office, the SEOO's special support projects and national T&TA providers. In addition they must, as soon as possible after funding decisions are reached, review the proposals of the FY 80 CFNP grantees (within their areas of coverage) and revise their work programs, in consultation with the Regional Offices, so as to more precisely meet the needs of CFNP grantees in FY 80.

(d) *Regional R&D Applicants:* (1) Public and private non-profit organizations which meet CSA's general eligibility criteria may apply for Regional R&D projects.

(2) Regions may fund on a limited basis, using General Community Funds, local or region-wide projects that are particularly innovative, that seek to demonstrate new approaches and techniques to alleviating hunger and malnutrition among the poor, or that significantly improve the effectiveness and efficiency of existing approaches in dealing with the hunger problems of the poor. Regions are authorized to set aside an amount not to exceed 5% from General Community funds for this purpose and may award such grants on a non-competitive basis.

(3) Applicants for such funds must have prior written approval of the appropriate Regional Director and should contact the Regional Office regarding application and funding procedures.

(e) *Headquarters Training and Technical Assistance (T&TA) Projects and Research and Demonstration (R&D) Projects.*

(1) Public and private non-profit organizations or agencies which meet CSA's general eligibility criteria may apply for headquarters T&TA and R&D funds.

(2) As distinct from regional T&TA projects, headquarters T&TA projects will focus on grantee needs that are common to a number of regions or require a national strategy. In addition headquarters T&TA projects may be required to address the needs of other projects administered directly from headquarters, e.g., migrant conduits.

(3) The objective of R&D projects is to develop new knowledge or demonstrate new hypotheses relevant to the solution of the problems of hunger and malnutrition among the poor. Activities proposed in applications for R&D funds should relate to activities described under the five program categories defined earlier in this subpart but should emphasize new and untried approaches to solving problems of hunger and malnutrition and potential solutions so

as to have maximum impact on these problems nationwide.

(f) *Migrant Projects.* Farmworker-governed organizations which meet CSA's eligibility requirements may apply for funding under this category. Migrant conduits and other applicants proposing activities of a national or multi-regional scope will apply directly to CSA headquarters and will be exempt from the competitive process. Applicants proposing to operate local projects, and which meet CSA's eligibility criteria (preferably farmworker-governed organizations), may apply as sub-contractors to the appropriate migrant conduit. Applicants applying as sub-contractors of the migrant conduits will follow the procedures outlined in § 1061.50–11 and § 1061.50–13. Their applications will be reviewed, rated and ranked by the migrant conduits on the basis of the criteria listed in Appendix D. The funding process will be competitive, with applicants with the highest scores being given funding preference. (Note: Applicants for local migrant projects will be required to achieve the minimum score of 65 points in order to be considered eligible for funding. However, CSA may waive this requirement in unusual circumstances where such is necessary in order to serve the most needy migrant populations.)

(g) *Indian Projects.* Indian groups whose governance is controlled by the populations to be served are eligible to apply for Indian project funds. This includes Indian nations tribes, bands, pueblos, or other organized groups or communities, including Alaskan Native villages as defined in the Alaskan Claims Settlement Act who are either indigenous to the United States or who otherwise have a special relationship to the United States, or a state, through treaty agreement, executive order, law, court order, or administrative action of the Department of Interior, except as otherwise provided by federal law. Urban Indian groups are eligible to apply for funds under this category. Applicants for Indian projects should submit their applications to the appropriate CSA regional office and should follow the application procedures outlined in § 1061.50–11 and § 1061.50–13. Their applications will be reviewed, rated and ranked according to the criteria in Appendix C and the funding process will be competitive, with funding preference being given to applicants with the highest scores. Note: The CSA review panels for Indian projects with include Indians and Indian applicants will be required to achieve the minimum score of 65 points in order to be considered eligible for funding. However, CSA may waive this requirement where such is necessary in order to serve the most needy Indian populations.

§ 1061.50–10 Funding.

(a) *Non-Federal Share.* The non-Federal share is waived for CFNP projects (see § 1068.20 or CSA Instruction 6802–3a). However, grantees are expected to mobilize local and state resources throughout the life of a project.

(b) *Federal Share.* Federal share as matching funds granted under Section 222(a)(1) may be used to match USDA funds to support food stamp outreach projects, as well as nutrition projects for the elderly funded under Title XX of the Social Security Act as amended.

(c) *One-time Funding.* Applicants should note that funds awarded for CFNP projects are provided on a one-time only basis. Therefore applicants should apply for projects which can be successfully completed within the proposed funding period or which will be continued beyond the funding period with funds from other sources. There is no stated or implied obligation or commitment on the part of CSA to refund any project. Consequently, applicants should inform employees, beneficiaries and the local community that this funding is on a one-time basis in order that they may prepare for the possibility that an application for funding under CFNP in a subsequent year may not prevail in the competitive process.

§ 1061.50–11 Application procedures.

(a) *Required forms and documents.*

(1) *SF–424:* Federal Assistance (See CSA Instruction 6710–3a). This form serves two purposes: (i) It is used as a "notification of intent" to notify the A–95 Clearinghouses, sixty days in advance, of the applicant's intent to apply for a grant; (ii) It is the transmittal document used to convey the application to the clearinghouses and CSA.

(2) *OEO Form 395*: Eligibility Documents (See CSA Instruction 6710–1 Ch. 11. Note: All applicants are required to have on the file with the CSA the following documents in order to establish eligibility to receive CSA funds. Current grantees should check to make certain these documents are up-to-date, making changes and resubmitting where necessary. New applicants should submit them either prior to or along with the submission of their formal applications.)

(i) Articles of Incorporation (See CSA Instruction 6710–1 CH 11)

(ii) By-laws or Rules of Organization (See CSA Instruction 6710–1 CH 11)

(iii) Personnel Policies and Procedures (See 6900 series of CSA Instructions)

(iv) Biographic Data on Key Staff (See Instruction 6710–1 CH 11)

(v) Statement of Accounting System (CSA Form 380—See OEO Instruction 6801–1)

(vi) Current Bond (See CSA Instruction 6800–3)

(vii) Participation of the Poor (See OEO Instruction 6005–1)

(A) List of current Board Members (CAA's only—See OEO Instruction 6400–01, 02)

(B) List of Policy Advisory Committee Members (LPA's Only—See OEO Instruction 6005–1)

(viii) Applicant Certifications (CSA Form 301—New applicants only)

(ix) Certification of Applicant's Attorney (OEO Form 393—New applicant's only—See CSA Instruction 6710–1 CH 11)

(3) Project Narrative [See § 1061.50–13(h), (i)]

(4) *OEO Form 419:* Summary of Work Program and Budget (See CSA Instruction 6710–1 CH 11)

(5) *CAP Form 325 and 325a:* Program Account Budget and Support Sheet (See OEO Instruction 6710–1)

(6) *CAP Form 84:* Participant Characteristics Plan (See OEO Instruction 6710–1. Note: Applicants are to list only those participants to be served by the proposed project and are reminded specifically that they are to list the number of elderly poor to be served.

(7) *OEO Form 394:* Checkpoint Procedure for Coordination (*Optional.* Applicants are encouraged to use this form to indicate coordination linkages and agreements with local agencies. However, if the question of coordination is adequately addressed in the project narrative, the applicant need not include this form. See Instruction 6710–1 CH 11.)

(8) *CSA Form 440:* Program Progress Review Report (See CSA Instruction 6800–9. Note: Although this form is not an application document, and not normally required with an application, CSA is requiring an up-dated Form 440 from applicants currently operating CFNP projects.)

When Delegating Projects

(9) *CAP Form 85:* Administering Agency Funding Estimate (See OEO Instruction 6710–1)

(10) *CAP Form 87:* Delegate Agency Basic Information (See OEO Instruction 6710–1)

(11) *CAP Form 11:* Assurance of Compliance with Civil Rights (See OEO Instruction 6710–1)

(12) *OEO Form 280:* Agreement for Delegation of Activities (Self-explanatory)

(b) *Clearinghouse Review:* (A–95). Applicants are reminded that they must comply with the requirements of OMB circular A–95 (See 45 CFR § 1067.10 and/or CSA Instruction 6710–3a), including the following:

(1) Applicants must, at least 60 days prior to the actual submission of their applications to CSA, notify the appropriate clearinghouses of their intent to apply. This is accomplished through the SF–424 which is synonymous with "notification of intent." In order to expedite clearinghouse review, applicants are encouraged to attach to the SF–424 a summary, not to exceed three pages, of the proposed project which includes a brief description of: (i) The planning process and who is or will be involved; (ii) The problem to be addressed and the number of poor and age groups the project will serve; (iii) The goals and major activities to be carried out; (iv) How the project will be coordinated with other organizations involved in anti-hunger efforts; and (v) Resources the project expects to mobilize. In order to give clearinghouses an opportunity to comment during the planning phase, applicants are urged to submit their notifications of intent not later than March 1, 1980.

(2) Where the clearinghouse, in response to the notification of intent to apply, indicates that it wishes to review and comment on the application, applicants should forward applications to the clearinghouses as soon as possible. Applicants are required to submit the comments of the clearinghouse along with their applications to CSA.

(3) Applicants proposing statewide projects need only submit their notification of intent to the State clearinghouse for review. Such applicants should indicate in writing to the State clearinghouse that their proposed project is statewide and will not be submitted to area clearinghouses. Applicants serving as conduits (other than migrant conduits) must submit the applications of their delegates or sub-grantees to the appropriate area or State clearinghouses if those applications will be part of such conduits' application to CSA. Indian applicants who are part of a federally recognized tribal government or local sub-unit of such tribal governments are not required to submit their notifications of intent to area or State clearinghouses but are encouraged to coordinate with the appropriate clearinghouses. Migrant conduits must submit notifications of intent to their State or areawide clearinghouses. Local migrant organizations submitting applications to conduits as subcontractors or delegate agencies must submit their notifications of intent to appropriate State and areawide clearinghouses. Applicants may obtain clearinghouse addresses from the appropriate CSA Regional office or, in the case of applicants for projects of national scope, CSA headquarters.

(4) Applicants proposing projects of a nationwide or multi-State scope need only submit their proposal to the State clearinghouse in the State where they are located if the activities proposed will not result in a significant impact. If a significant impact is anticipated in a given State, then a notification of intent, plus the application, if desired by the clearinghouse, must be submitted to the appropriate State clearinghouse. Applicants proposing activities of a national scope and which have targeted specific States for on-going or intensive efforts should assume that such activities will have a significant impact and therefore must notify the appropriate State clearinghouse of their intent to apply.

(c) *Where to Apply.* According to category of project send applications to:

General Community: Appropriate CSA Regional Office.
Special Support: Appropriate CSA Regional Office.
Regional T & TA: Appropriate CSA Regional Office.
Regional R & D: Appropriate CSA Regional Office.
Headquarters T & TA: CSA Headquarters.
Headquarters R & D: CSA Headquarters.
Migrants: Migrant conduits and applications with a multi-State or national scope, CSA Headquarters. Applicants proposing projects of a local nature apply to appropriate migrant conduit (See Appendix H).
Indians: Appropriate CSA Regional Office.

§ 1061.50–12 Reporting requirements.

Grantees will follow the financial and project reporting requirements outlined in CSA Instructions 6800–8 and 6800–9 respectively with the following exception: CSA is waiving the requirement as provided in CSA Instructions 6800–9 that CAA's submit progress reports to CFNP projects along with the 440 submitted for Program Account 01. For this program 440s will be submitted semi-annually based on the effective date of the CFNP grant, with one copy being sent to the appropriate regional office (see Appendix G) and one copy to CSA Headquarters, 1200 19th Street, N.W., Washington, D.C. 20506, ATTN: Marshall Boarman. Note: CSA is required by statute to report on the number of elderly poor being served by CSA funded projects. Grantees are, therefore, directed to indicate in their Program Progress Reports (440) the number of elderly poor being served by the project.

§ 1061.50–13 Current fiscal year application and review information.

(a) *Timetable for accepting applications.* Applications will be accepted from the effective date of the final rule through May 31, 1980. Applications postmarked later than May 31 will not be accepted.

(b) *Two-year Programming.* For FY 80, applicants will be permitted to submit applications for projects up to two years in duration. CSA will fund the first twelve months of such projects with FY 80 funds. In FY 81 CSA will consider funding the second half of such projects from FY 81 funds on the condition that (1) Congress appropriates sufficient funds in FY 81, (2) there is no change in Agency priorities, and (3) the grantee's performance during the first twelve months has been satisfactory. In preparing their proposals for two-year programming applicants should prepare them in two phases, clearly delineating the goals and activities to be accomplished during the first year and those to be accomplished during the second year. The purpose in instituting two-year programming is (1) to reduce the amount of time and work spent by both the applicant and CSA in the grant application and review process, (2) to allow both the grantee and CSA to focus more attention upon the substantive work to be accomplished during the grant period, and (3) to assure at least a two-year period of continuity for projects that cannot be accomplished within a twelve-month period. Approval by CSA of a two-year work program, as described above, should not be construed as a commitment to fund the second year, nor beyond the second year. Nor should it be construed as a requirement that all grants be two-year grants if a particular proposed set of activities can be accomplished in a shorter period of time.

(c) *Funding Ranges.* Because of the limited funds available and in order to distribute the funds more equitably according to need, GSA is proposing in FY 80 to establish funding ranges according to the number of poor within the geographical area served by an applicant. If this policy is adopted in the final rule, an applicant could apply for any amount within the range, but not for

an amount to exceed the range. The proposed ranges *vis-a-vis* the number of poor are listed below:

Number of poor	*Funding range*
0 to 24,999	$10,000 to 50,000.
25,000 to 49,999	$15,000 to 75,000.
50,000 to 74,999	$20,000 to 100,000.
75,000 to 99,999	$20,000 to 125,000.
100,000 to 499,999	$25,000 to 150,000.
500,000 plus	$25,000 to 200,000.

(d) *Consortium Applications.* In order to foster cooperation among grantees and to permit the maximum use of limited funds, CSA will permit applicants for FY 80, where it is geographically appropriate within a sub-state area, to submit a single application through a local Community Action Agency. The applicant would then serve as the coordinator of CFNP activities within that geographical area. The permitting of consortiums among CFNP applicants merely formalizes a practice that already exists in some regions where such arrangements are known as "clusters".

(e) *Program Priorities.* The program priorities listed in § 1061.50–7 are listed in priority order: (1) Access, (2) Self-Help, (3) Nutrition/Consumer Education, (4) Crisis Relief and (5) Food Supply. In continuing access as the number one priority, CSA recognizes both accomplishments and continued need. The primary emphasis of the CFNP over the past two years, under the head of Access activities, has been to increase the participation of the poor in the various public feeding programs at the federal, state and local level. Partly as a result of that emphasis, a substantial momentum has developed among anti-hunger advocates and the various administering agencies which has, in fact, resulted in sizeable increases in the number of poor participating in those programs and in significant improvements in program administration. Funding levels for the federally-funded programs have been increased and the statutes and regulations governing them have been considerably improved. Much has been done, yet much remains to be done. Forty percent (40%) of the nation's poor and near-poor who are eligible still do not participate in the Food Stamp Program; seventy-five percent (75%) do not participate in the School Breakfast Program; and eighty-five percent (85%) are still not reached by the WIC Program. These statistics are unacceptably high, and the unmet need is great with respect to some of the other federally-funded programs, e.g. the Summer Feeding Program. Therefore, unrelenting efforts must continue to assure that all of the poor who are eligible and who wish to participate in these programs are given an opportunity to do so. CFNP grantees need to advocate for the establishment of new and the expansion of existing child nutrition programs where the need exists (e.g., School Breakfast and WIC), and they need to advocate for greater participation by the elderly poor in programs that are designed to meet the nutritional needs of the elderly, such as congregate feeding programs sponsored by the Administration on Aging. In addition, grantees must continue to monitor these programs at the state and local level to assure that the new statutes and regulations are adhered to, that effective outreach efforts are undertaken, and that the programs are administered effectively, efficiently and fairly. In FY 80, CSA wishes not only to encourage applicants to design proposals that include Self-Help activities where such activities are appropriate and feasible, but to stress the importance for CFNP grantees to utilize every means in whatever activities they undertake, *in all program categories*, to achieve the goal of self-sufficiency of the poor, whether they contribute directly or indirectly to that goal. In the category of Access, for example, buying food from poor farmers for the School Breakfast and School Lunch programs contributes directly to self-sufficiency. So does an arrangement which permits food stamp recipients to buy food directly from poor farmers with their food stamps, or having a non-profit organization run by and for the poor distribute food stamps. Also, in Access, expanding the School Breakfast and WIC programs contributes indirectly to self-sufficiency since, to the extent that one enables a child to get off to a healthy start in life and to acquire a solid education, he has helped to provide that child with the equipment necessary to become a self-sufficient adult. In working to expand and increase participation in the School Breakfast and WIC programs, grantees are also, happily, focusing on two of the federal programs where there is the greatest unmet need. Under Nutrition Education, activities which improve "the ability of low-income individuals and families to understand the connection between diet and health, to obtain at the lowest prices nutritionally superior foods and to prepare and preserve these foods in ways that minimize the loss of nutrients" obviously contribute to self-sufficiency. In FY 80, the CFNP grantees are urged to monitor existing nutrition/consumer education programs to make sure: (1) that they are targeted to meet the specific needs of the poor, (2) that the poor are involved in the planning of new efforts, and (3) that to the extent possible the poor are hired to conduct outreach and assist in conducting nutrition and consumer education activities. With respect to Crisis Relief, the provision of emergency food assistance often is necessary "to tide over" a family or individual while they are between jobs. To the extent that such assistance helps to keep a person going until the new job or paycheck comes in, it is contributing directly to the achievement of the self-sufficiency of that individual. Further, there are opportunities for the poor to become directly involved in the provision of emergency food assistance either as paid workers or as volunteers until other work is available. In considering options for the provision of emergency food assistance, communities are urged to give consideration to the establishment of food banks patterned after those developed by St. Mary's and Second Harvest of Phoenix, Arizona. It has been demonstrated that food banks such as these provide a high return on the dollar invested and draw upon a variety of community resources, including substantial contributions of food from the private food industry. Because of the extremely adverse impact upon the poor of continued high inflation and high energy costs, CSA recognizes the increased need for emergency food assistance, has given this category of activities a higher priority, and urges local communities to create mechanisms for the provision of such assistance. Under the new category, Food Supply, whose aim is to stimulate the private sector, there are a variety of activities which contribute directly and indirectly to self-sufficiency. Hiring the poor to work in wholesale and retail outlets and in the manufacturing and distribution aspects of the industry obviously contributes directly. Initiatives by the food industry to make more nutritious food available to the poor at more reasonable prices contributes indirectly, as does advertising and educational programs sponsored by private industry to make the poor more nutritionally aware. All CFNP grantees should seek to hire the poor wherever possible in the conduct of project activities, and they should advocate the hiring of the poor in all publicly-funded food programs and by the private sector in the manufacture, distribution and sale of food stuffs. A suitable job is, after all, the primary and ultimate means of achieving self-sufficiency in our society. While applicants may, without penalty, select activities in the program categories that best meet the needs of the poor served by them, all projects, in addition to containing activities that promote the

self-sufficiency of the poor, will be expected to continue the priority of emphases established by last year's rule, i.e., to be *catalytic,* to contain a *strong advocacy thrust,* and to mobilize significant *other resources.* Failure to include the latter three elements may result in severe point penalties and in an applicant's proposal not being funded.

(f) *Review Process.* The review process for applications except Headquarters applicants will be competitive, i.e., each application will be reviewed, rated, and ranked according to the criteria published in Appendices B through F, with funding preference being given those with the highest scores. Each applicant must score a minimum of 65 points in order to be funded. An applicant who scores the minimum points *may* be funded, if funds are available, but funding is not guaranteed. The review process for all applications will be undertaken by the office to which applications are submitted as indicated in § 1061.50–11 of this subpart. Regional Offices and Migrant conduit's ratings, rankings and favorable or unfavorable funding decisions will be reviewed by CSA Headquarters before decisions become final. Applications from conduit organizations must include copies of the applications from the sub-contractors or delegate agencies to which the conduit is redistributing CFNP funds.

(g) *Notification and Appeals.* Each Regional Office will establish an appeals panel of not less than three members. Regional Offices will complete their funding decisions and mail notifications of results to all applicants by July 15, 1980. The letter of notification will indicate whether the applicant was selected for funding and will give the applicant's score and rank standing. If an applicant believes that the score assigned was unfair or that an incorrect decision regarding eligibility was made, the applicant may request additional information about the decision and may file a written appeal to the CSA Regional Director and may also request a hearing before the Regional Appeals Panel. All appeals and requests for a hearing must be presented in writing to the Appropriate Regional Director on or before July 31, 1980. The appeal should state succinctly why the applicant believes the decision of CSA to be incorrect or unfair. Where a meeting with the Appeals Panel is requested, the panel will promptly schedule such a meeting, hear the applicant's complaint, and provide any additional pertinent information as to why the applicant was not funded. The Appeals Panel will consider the arguments and evidence presented by the applicant and present its findings and recommendations to the Regional Director. The Regional Director will notify the applicant in writing of his decision on or before August 30, 1980. The decisions of the Regional Directors will be final. Migrant subcontractors or delegated agencies will follow the same procedure outlined above except that their appeals will be made to the appropriate Migrant Conduit's Executive Director, whose decision will be final. There will be no appeals process for CSA Headquarters applicants since they are not funded on a competitive basis.

(h) *CSA Form 419 and Project Narrative.* All applicants for CFNP funds are required to submit a CSA Form 419 (Summary of Work Program and Budget). Since funds for most applicants will be awarded on a competitive basis, it is absolutely essential that applicants provide, through the Form 419 and project narrative, as complete and specific a picture as possible of *what they* propose to do and *how* they intend doing it. In preparing the narrative, applicants should refer to the discussions in the rating criteria in the following section.

Note.—The requirement to conform both to the General Standards of Effectiveness and the Specific Standards of Effectiveness described in § 1061.50–6 must be met in order for an applicant to be considered eligible for funding. Therefore, applicants must not only list in Item 11 of CSA Form 419 the standards which are being met in each program category, they must describe in the project narrative exactly how the standards will be addressed. In other words, in addressing the General Standards of Effectiveness, the applicant must show how the project will (1) strengthen the community's planning and coordination capabilities, and/or (2) improve service delivery systems, and/or (3) make use of innovative approaches, and/or (4) involve maximum feasible participation by the poor in the planning and implementation of the project, and/or (5) mobilize a broad range of resources, and/or (6) hire the poor in carrying out the project's activities.

In addressing the specific standards of effectiveness applicants must list on the Form 419 the particular standard which is being met and describe in the project narrative the extent to which the project will result in (1) improvement in the nutritional status of the target population or (2) reduction in hunger among the target population. Projects that do not meet a minimum of three of the general standards of effectiveness and one of the specific standards will not be considered eligible for funding. Applicants must identify in the project narrative their discussion of the standards of effectiveness with the heading: Standards of Effectiveness Addressed. Failure to comply with this requirement will result in the application's being rejected as ineligible.

(i) *Rating Criteria.* In preparing the Form 419 and project narrative, applicants should keep in mind the seven criteria (discussed below) which will be used by CSA reviewing teams in rating and ranking applications.

(1) *Participation of the Poor.* Fundamental to all CSA-funded programs, including the CFNP Program, is the requirement that low-income residents be substantively involved in the planning, conduct, and evaluation of projects at the community level. The minimum requirements for the participation of the poor are spelled out in OEO Instruction 6005–1 and all applicants are advised to review it carefully.

Note.—Limited Purpose Agencies are reminded that they must have either a governing body made up of one-third representatives of the poor or a policy advisory committee composed of a majority of democratically selected representatives of the poor served by the project.

Although participation of the poor is an eligibility requirement, it is included in the rating criteria for FY 80 in order to highlight the added emphasis that is being placed on participation of the poor in the CFNP and to enable CSA to make a judgment about the quality of an applicant's efforts to secure such participation. Thus, applicants will be rated on (a) the extent to which they have involved the low-income residents of the areas to be served in the planning of the project, including the selection of goals and priorities; (b) the ways in which the poor will be involved in the implementation of the project; and (c) the ways in which the poor will be involved in the evaluation of the project.

(2) *Needs analysis.* The second criterion—the analysis of needs—refers to the initial step in the planning process which lies behind the project described in the Form 419 and project narrative. CSA Instruction 6710–1, change 11, requires Title II grantees to develop and maintain planning documents which contain, among other things, an analysis of the particular needs the project is addressing. The needs analysis must describe the nature and extent of the problems of hunger and malnutrition among the poor in the community the project will serve. The analysis should indicate what efforts are currently being undertaken to meet those needs, what gaps or shortfalls there are in these efforts and the extent to which the needs or problems remain unmet or unsolved. The applicant should clearly identify, among the range of needs

listed, the precise need(s) the proposed project will address. Appropriate statistics to document the need(s) should be supplied, for example: The number of persons participating in the food stamp program as compared with the number of eligible persons not participating, or the number of children in need of but not receiving school breakfasts, or the number of families which could benefit from a gardening project, or the number of persons in need of emergency food assistance. The needs analysis must indicate which of the problems described will be addressed and why these particular problems (priorities) were selected. If the appicant is addressing other problems and needs of low-income persons, the needs analysis should indicate the order of priority which the problem of hunger and malnutrition has among those needs and should include a description of the types and level of resources already committed to solving that problem. (Community Action Agencies should indicate the amount of local initiative funds as well as other resources which are currently being applied to anti-hunger activities.)

(3) *Adequacy of work program and budget.* The third cirterion—the adequacy of the work program and budget—refers to the project goals, activities, and budget described in the Form 419 and project narrative. The project goals (item 11 of Form 419) should be stated in specific and measurable terms and they should be appropriately related to the needs described in the needs analysis. They should reflect the changes or results which the project activities are expected to bring about. The activities should be listed in summary form on the Form 419 (item 13) and described in detail in the project narrative. The description should indicate not only what will be done but how it will be done, i.e., the strategy that will be pursued in achieving goals. The activities should be appropriately related to the goals. If an applicant is proposing to carry out activities in more than one program category, the categories should be listed on the Form 419 in priority order, and the goals, activities and budgets for each category should be clearly delineated. While the application will be reviewed, rated and ranked in its entirety (rather than by program category), the above information is needed in order for CSA to know the kinds of activities that are being funded and the funding level of each program category.

(4) *Anticipated Impact.* The statement of project goals should include a description of what the applicant intends to accomplish, i.e., what results or changes the applicant intends to bring about in relation to the problem to be solved. Thus the statement of goals is a statement of anticipated impact. The anticipated impact of the project should be stated in specific and measurable terms and should include the number of persons to be served the extent to which their nutritional needs will be met and the extent to which unmet needs will remain after the project is completed. The applicant should also include a statement indicating the per/person cost of serving those for whom the project is intended and the dollar value of services or benefits derived.

(5) *Coordination.* Each applicant must indicate to what extent other organizations conducting anti-hunger activities were involved in the planning of the project, and the ways in which the project will be coordinated in the implementation phase with the activities of these organizations. CAA's must indicate how they intend to coordinate their activities with anti-hunger groups and anti-hunger groups must indicate how they intend to coordinate their activities with CAA's.

(6) *Catalytic Effect of Project on Institutions.* Catalytic activity which is aimed at institutions should attempt to bring about two results: institutional change and mobilization of resources. The means of achieving these is advocacy. The applicant, therefore, should describe in detail how the project staff will, through advocacy for low-income persons seek to change interpretations of laws, regulations, policies procedures, and attitudes in order to insure that low-income persons receive the benefits to which they are entitled. Advocacy of this sort may and should include enlisting the poor to speak on their own behalf in order to insure that their views are heard, their rights are observed, the benefits to which they are entitled are provided, and their needs are met. The applicant should also state how the project staff will, through advocacy for low-income persons, leverage dollars or in-kind contributions from other elements in the community in support of the project and what the overall end effect of the project itself will be in terms of leveraging dollars or services for low-income individuals.

(7) *Ability of Applicant to Perform.* CSA Instruction 6800–9 requires Title II grantees to submit a semi-annual and annual project progress review report (CSA Form 440). This report provides an analysis of the accomplishments in relation to each goal in the grantee's currently approved work program, and includes an assessment of grantee status with respect to general and/or specific standards of effectiveness applicable to each goal. Since the ability of applicants to successfully carry out their proposed work program is one of the important criteria, applicants who are currently operating (or have operated in the past) a CFNP project must attach to the application a copy of the CFNP portion of the most recent Form 440, updating it where necessary. CSA grantees who have never operated a CFNP project must attach to the application that portion of their most recent Form 440 which relates to a project they have operated that is similar to CFNP projects. Applicants not previously funded by CSA should attach to the application a third-party or self evaluation of a project they have been operating that is similar to CFNP projects, along with a brief statement summarizing their overall administrative ability and general performance record. All applicants currently operating CFNP projects are encouraged to conduct a third-party evaluation of their current CFNP project (or in the absence of such, a self-evaluation) and attach copies of these evaluations to their applications.

(j) *Training and Technical Assistance.* The applicant's need for training and technical assistance in carrying out the project should be carefully described in item 15 of the Form 419. It is presumed that most, if not all, projects will need some form of technical assistance. The training and technical assistance plans proposed by the regional T&TA providers will be revised, as necessary, in light of the statement of goals, activities, and T&TA needs expressed by applicants on their Form 419s. It is important, therefore, that applicants be precise and specific in defining and articulating their T&TA needs.

(k) *Allocation of FY 80 Funds.* The regional allocations of FY 80 CFNP funds will be determined at a later date and will be published as part of the final CFNP Rule. They will be based on the three-factor formula used last year, i.e. the number of poor, the number of infant deaths, and the number eligible but not participating in the Food Stamp Program. The distribution of funds by type of project (e.g., General Community, Special Support, etc.) will be announced at the same time.

(l) *Program Accounts.* For the purposes of the Fiscal Year 1980 funding process, the following program account numbers for the national program categories should be entered in item 16 of Form 419:

12—Access.
13—Self-Help.
14—Food Supply.
15—Nutrition education.
16—Crisis relief.
17—Special Support.
29—Research.
39—Demonstration.
42—T&TA.
48—Evaluation.

If the applicant proposes to address more than one national program category in the same project, only one Foem 419 is needed for the project but the goals and activities falling in separate program categories (program accounts) must be clearly separated from each other on the Form 419 and a separate budget (Forms 325 and 325a) should be attached for each program account.

Appendix A—Further Clarification of the Key Terms: Catalytic Activity, Advocacy, Direct Service Delivery and Monitoring (See [6] 1061.50–2)

Contrary to the interpretation of some, the intent of the fiscal year 1978 CFNP rule was not to completely eliminate direct service delivery from the CFNP, in favor of catalytic activity and advocacy. The intent was rather to shift the emphasis from non-catalytic to catalytic activity in general and from direct service delivery to advocacy in particular.

Part of the confusion arose from the failure of the rule to make clear that direct service delivery can, under some circumstances, be truly catalytic. Consistent with the intent of last year's rule, the CFNP rule for 1980 makes explicit two assumptions: (1) That not all catalytic activity is advocacy and (2) That some forms of direct service delivery can be catalytic. These assumptions can be diagrammed as follows:

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	Activity Aimed at Individuals	Activity Aimed at Institutions
	DIRECT SERVICE	ADVOCACY
CATALYTIC	One-on-one activity (for example, some types of out-reach activity) whose purpose is to deliver goods or services to low-income individuals and families in such a manner as to trigger a process that is carried forward by the recipient, either on his own or with the assistance of groups and agencies other than the CFNP project.	Activity whose purpose is to insure that the views of low-income individuals and families are heard, their rights observed, the benefits to which they are entitled are actually provided and their needs met to the extent possible, whether this is achieved by a change in a law, regulation, policy, procedure or attitude or by leveraging additional public or private resources.
	DIRECT SERVICE	
NON-CATALYTIC	One-on-one activity (for example, some types of outreach activity) whose sole effect is the delivery by a CFNP worker of goods or services to low-income individuals and families.	Activity which results in CFNP staff being co-opted into performing, without reimbursement, services which are properly the responsibility of another group or agency.

BILLING CODE 6315-01-C

Direct Service as a Catalytic Activity

Although providing one-on-one service makes little sense in the context of advocacy and coalition-building at the state level and even less at the level of the national anti-hunger groups and T&TA providers, such service is important at the level at which community action agencies operate. A local CFNP project which completely severs the service link between its staff and low-income individuals, not only risks a loss of credibility in the community but is depriving itself of one of its richest resources, first-hand knowledge of the nutritional problems of those the CFNP is ultimately intended to benefit. In addition, the one-on-one relationship created through out-reach activity at the local level has two other consequences which are vital for the success of the CFNP: (1) by enhancing the opportunity to involve recipients of services in the planning and implementation of programs set up to serve them, it contributes to the achievement of the overall goal of Title II programs—self-sufficiency—and (2) it makes possible the kind of grass-roots support needed for really effective advocacy at the state and national levels.

However, as indicated earlier (§ 1061.50–4 (a) and (b) above), the same passage of the EOA which establishes the goal of self-sufficiency, points to catalytic activity as the principal means of achieving this goal. This should not be construed as ruling out one-on-one service. If the delivery of a direct service by a CFNP worker to a low-income individual produces a benefit which has a continuing and expanding effect on that individual and others, even after the reduction or termination of direct CFNP support, then the delivery of that service qualifies as a catalytic activity. Non-catalytic service delivery, on the other hand, should be kept to a minimum, be provided on a temporary or emergency basis only and be supported wherever possible from local initiative funds. The intent of the EOA is reinforced by a practical consideration: The very limited funding of the CFNP. The fact that the CFNP budget is only 3/10ths of 1% of the total federal food outlay suggests not only that most of the direct service provided should be of the catalytic variety, but that there should be a very strong emphasis on that type of catalytic activity known as advocacy.

Advocacy as a Catalytic Activity

It can be inferred from the statement of the five purposes of Title II programs (see § 1061.50–6) that the two most important objectives of the CFNP are the mobilization of resources and institutional change. The techiques used to bring about these two results are what is meant in this rule by the term "advocacy". Because advocacy, unlike catalytic activity of the direct service variety, is aimed at institutions and the general public, it obviously has the potential for producing far greater dividends for the low-income population than direct service.

The intent of the rule is that an advocacy component be built into each project but not necessarily into each project activity. For example, a self-help project may include as one of its activities the provision of seeds and technical assistance to low-income gardeners. The catalytic potential of this one-on-one service could be greatly increased if the project were to include a specific plan to induce other public or private institutions to make land available and assume at least part of the burden of providing seeds and technical assistance.

It may be difficult and sometimes impossible to score successes in local advocacy activity. But the rule calls on all local project operators to make a bona fide effort in this direction. It is especially important, in this era of dwindling public funds, to engage in vigorous private sector advocacy. Grantees inexperienced in advocacy techniques should seek help from the CFNP's regional and national T&TA providers.

The following examples may help to further clarify what is meant by catalytic direct service, advocacy, etc., and how these different activities can be combined in one project:

1. Under Access.

a. *Direct Service.* Any one-on-one direct service activity in Access category can be considered, for the purposes of this rule, to be catalytic. For example, an activity which is catalytic and therefore quite acceptable is searching out low-income persons eligible for food stamps, alerting them to their entitlements and referring them to the local certification office for additional counseling and enrollment in the Food Stamp program. Another example is representing an applicant for food stamps at a local or state-level hearing.

Some activities, however, are more catalytic than others, that is, they produce an even greater return for the dollars invested. For example, a CFNP project, instead of directly representing individuals at Food Stamp hearings, may help low-income individuals learn the techniques needed to enable them to speak for themselves at Food Stamp hearings and to organize and train others to do the same. The most catalytic of all is the advocacy approach.

Advocacy. Examples of advocacy in the Access category are: (1) Working out arrangements with a grantee of the national Legal Services Corporation to provide one-on-one legal counseling and representation for food stamp recipients experiencing difficulties with welfare offices; (2) Monitoring of local welfare offices to insure that they comply with USDA regulations so that clients obtain the benefits to which they are entitled; (3) Organizing a corps of county volunteers to provide elderly food stamp recipients with support services, such as transportation to food stamp outlets and grocery stores; (4) Disseminating information locally on the national School Breakfast Program and seeking to persuade local officials and school board members to institute breakfast programs in schools serving low-income communities.

2. Under Self-Help.

a. *Direct Service.* Any one-on-one direct service in the Self-Help category is catalytic. For example, the provision of seeds and T&TA to low-income gardeners not only stimulates them to pursue an activity which promotes self-sufficiency (the goal of all Title II programs), but the gardeners, by investing their own labor at no cost to the project are able to produce and preserve food whose value far exceeds the cost of the seeds and T&TA. Nonetheless, a gardening project becomes catalytic in the full sense if, in addition to providing seeds and T&TA, it includes a strong advocacy component.

b. *Advocacy.* Examples of advocacy in the Self-Help category are: (1) Negotiating with USDA's Extension Service or other public or private agencies to provide seeds and on-going T&TA for low-income gardeners; (2) Persuading a local government to change its regulations governing the use of vacant land so as to make it available for family and community gardens; (3) Negotiating with local governments to remove barriers, resulting from local ordinances or regulations, to the establishment of farmers' markets and food co-ops.

3. Under Nutrition/Consumer Education.

a. *Direct Service.* As in the case of "Access" and "Self-help" activities, it is hard to think of a direct service activity in the "Nutrition Education" category which does not have some catalytic effect. For example, there is surely some multiplier effect in the activity of teaching a group of low-income individuals how to compare foods and shop wisely, in terms of nutritional content or price or both. But given the fact that other agencies have been furnished federal monies to carry out nutrition education activities, a more cost-effective expenditure of limited CFNP funds would be on advocacy activities relating to nutrition education.

b. *Advocacy.* Examples of advocacy in the Nutrition Education category are: (1) Working with USDA's Extension Service or with other appropriate state agencies to insure that federally-financed nutrition education programs are, to the extent provided for under the law, designed for and directed at the low-income population; (2) Organizing groups in the low-income community to monitor in local retail food outlets price increases that exceed Administration inflation guidelines.

4. Under Crisis Relief.

a. *Direct Service.* Most direct service activity in the Crisis Relief category is non-catalytic, for example, issuing emergency food vouchers, paid for by CFNP funds, to a family in need.

b. *Advocacy.* Examples of advocacy in the Crisis Relief category are: (1) Spinning off a currently CAA operated food voucher program to a community coalition that raises funds to carry on the program independently of CAA subsidy; (2) Negotiating with USDA, the Federal Disaster Assistance Administration, church and civic groups and local government entities to establish a mechanism in the community that will insure prompt distribution of foodstuffs to low-income individuals in emergency situations; (3) Monitoring the operation of a local food stamp program to insure that the new USDA regulation is followed which cuts food stamp issuance time for a destitute individual or family to the same day the application is filed (the so-called "same-day service").

Monitoring

The statutory authority for CSA's and CSA grantees' monitoring of other federally-administered programs is found in Title IX of the Economic Opportunity Act which states: "The Director shall, directly through grants or contracts, measure and evaluate the impact of all programs authorized by this Act and of poverty-related programs authorized by other Acts, in order to determine their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services . . .".

Since the USDA is the principal operator of federal food programs, the bulk of CFNP monitoring activities will be aimed at programs operated by USDA at the state and local level. Carol Tucker Foreman, Assistant Secretary for Food and Consumer Services, USDA, in commenting upon last year's proposed CFNP regulations, recognized and supported this critically important role of CSA's CFNP grantees. Having stated her commitment to improve the operation of USDA's food program she said:

"We need support and, I am not afraid to admit, pressure. . . . we need the help and expertise of CFNP grantees. We can write the rules and publish guidelines, but we cannot peer into every community in this land to see how our programs reach people. We need to see how the programs function and receive guidance as to how they can be improved. *CFNP must see this function as its major responsibility.* There must be informed and aggressive actions state-wide and in communities across the country to *monitor* program implementation, to help governmental agencies do their jobs and, where necessary, insure that the law is enforced. Certainly we intend to improve our capacity to aid in this process, but most of this work must be undertaken locally where only CFNP, and the volunteer work of other civic organizations, can truly be effective." (emphases added)

Thus the monitoring role of CFNP grantees has not only been recognized by USDA, it has been strongly encouraged, and the letter of Ms. Foreman underscores once again its importance.

It should be emphasized that the type of monitoring described above is not the same as the monitoring and oversight functions that USDA and other federal agencies, by law, must themselves carry out to insure that programs they administer comply with relevant statutes and regulations, are managed soundly, and achieve the purposes for which they were instituted. Therefore, in carrying out this function, CFNP grantees should carefully avoid conveying the impression that they are supplanting or usurping the monitoring functions proper to these other agencies.

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APPENDIX B	
RATING CRITERIA - GENERAL COMMUNITY PROJECTS	POINTS
1. Participation of the Poor(10 pts) -Substantive participation by the poor is ensured in the planning, conduct, and evaluation of the project.	
2. Analysis of Needs/Priorities(0-15 pts) -Nature and extent of problem is adequately described and documented(0-8 pts) -Priorities selected represent the most serious needs(0-7 pts)	
3. Adequacy of Work Program and Budget(0-20 pts) -Goals are appropriately related to need and are specific and measurable (0-5 pts) -Activities are adequately described and appropriately related to goals (0-10 pts) -Budget is appropriately related to activities and adequately documented (0-5 pts)	
4. Anticipated Impact(0-10 pts) In relation to the problem to be solved and the resources committed to the project, the -Impact is minimal(0-3 pts) -Impact is moderate(4-6 pts) -Impact is substantial(7-10 pts)	
5. Coordination(0-10 pts) -Applicant has involved other institutions and organizations, where appropriate, in the planning of the project(0-5 pts) -Other institutions/organziations will be involved in the implementation of the project(0-5 pts)	
6. Catalytic Effect of Project on Institutions (ADVOCACY)(0-20 pts) A. Institutional Change(0-10 pts) Grantee, through advocacy for low-income persons, seeks to change interpretations of laws, regulations, policies, procedures, and attitudes in order to insure that low-income persons receive that to which they are entitled. B. Mobilization of Community Resources(0-10 pts) Grantee, through advocacy for low-income persons leverages dollars or in-kind contributions from other elements in the community. - 0-25% of total budget(0-3 pts) - 25-50% of total budget(4-6 pts) - 50% and up(7-10 pts)	
7. Ability of Applicant to Perform(0-15 pts) -Assessment of past CFNP or other relevant projects (including written self- or third-party evaluations, progress reports, or CSA on-site assessments) (0-10 pts) -Assessment of appplicant's overall administrative ability and general track record.(0-5 pts)	
TOTAL POINTS POSSIBLE: 100	

APPENDIX C	
RATING CRITERIA - INDIAN PROJECTS	POINTS
1. Participation of the Poor(10 pts) -Substantive participation by the poor is ensured in the planning, conduct, and evaluation of the project.	
2. Analysis of Needs/Priorities(0-15 pts) -Nature and extent of problem is adequately described and documented(0-8 pts) -Priorities selected represent the most serious needs(0-7 pts)	
3. Adequacy of Work Program and Budget(0-20 pts) -Goals are appropriately related to need and are specific and measurable (0-5 pts) -Activities are adequately described and appropriately related to goals (0-10 pts) -Budget is appropriately related to activities and adequately documented (0-5 pts)	
4. Anticipated Impact(0-10 pts) In relation to the problem to be solved and the resources committed to the project, the -Impact is minimal(0-3 pts) -Impact is moderate(4-6 pts) -Impact is substantial(7-10 pts)	
5. Coordination(0-10 pts) -Applicant has involved other institutions and organizations, where appropriate, in the planning of the project(0-5 pts) -Other institutions/organizations will be involved in the implementation of the project(0-5 pts)	
6. Catalytic Effect of Project on Institutions (ADVOCACY)(0-20 pts) A. Institutional Change(0-10 pts) Grantee, through advocacy for low-income persons seeks to change interpretations of laws, regulations, policies, procedures, and attitudes in order to insure that low-income persons receive that to which they are entitled. B. Mobilization of Community Resources(0-10 pts) Grantee, through advocacy for low-income persons leverages dollars or in-kind contributions from other elements in the community. - 0-25% of total budget(0-5 pts) - 25% and up(6-10 pts)	
7. Ability of Applicant to Perform(0-15 pts) -Assessment of past CFNP or other relevant projects (including written self or third party evaluations, progress reports, or CSA on-site assessments.) (0-10 pts) -Assessment of appplicant's overall administrative ability and general track record(0-5 pts)	
TOTAL POINTS POSSIBLE: 100	

APPENDIX D	
RATING CRITERIA - MIGRANT PROJECTS	POINTS
1. Participation of the Poor(10 pts) -Substantive participation by the poor is ensured in the planning, conduct, and evaluation of the project.	
2. Analysis of Needs/Priorities(0-15 pts) -Nature and extent of problem is adequately described and documented(0-8 pts) -Priorities selected represent the most serious needs(0-7 pts)	
3. Adequacy of Work Program and Budget(0-20 pts) -Goals are appropriately related to need and are specific and measurable (0-5 pts) -Activities are adequately described and appropriately related to goals (0-10 pts) -Budget is appropriately related to activities and adequately documented (0-5 pts)	
4. Anticipated Impact(0-10 pts) In relation to the problem to be solved and the resources committed to the project, the -Impact is minimal(0-3 pts) -Impact is moderate(4-6 pts) -Impact is substantial(7-10 pts)	
5. Coordination(0-10 pts) -Applicant has involved other institutions and organizations, where appropriate, in the planning of the project(0-5 pts) -Other institutions/organizations will be involved in the implementation of the project(0-5 pts)	
6. Catalytic Effect of Project on Institutions (ADVOCACY)(0-20 pts) A. Institutional Change(0-15 pts) Grantee, through advocacy for low-income persons seeks to change interpretations of laws, regulations, policies, procedures, and attitudes in order to insure that low-income persons receive that to which they are entitled. B. Mobilization of Community Resources(0-5 pts) Grantee, through advocacy for low-income persons leverages dollars or in-kind contributions from other elements in the community. - 0-25% of total budget(1-2 pts) - 25% and up(3-5 pts)	
7. Ability of Applicant to Perform(0-15 pts) -Assessment of past CFNP or other relevant projects (including written self or third party evaluations, progress reports, or CSA on-site assessments.) (0-10 pts) -Assessment of appplicant's overall administrative ability and general track record.(0-5 pts)	
TOTAL POINTS POSSIBLE: 100	

APPENDIX E	
RATING CRITERIA - SPECIAL SUPPORT PROJECTS	POINTS
1. Participation of the Poor(10 pts) -Substantive participation by the poor is ensured in the planning, conduct, and evaluation of the project.	
2. Analysis of Needs/Priorities(0-15 pts) -Nature and extent of problem is adequately described and documented(0-8 pts) -Priorities selected represent the most serious needs(0-7 pts)	
3. Adequacy of Work Program and Budget(0-20 pts) -Goals are appropriately related to need and are specific and measurable (0-5 pts) -Activities are adequately described and appropriately related to goals (0-10 pts) -Budget is appropriately related to activities and adequately documented (0-5 pts)	
4. Anticipated Impact(0-10 pts) In relation to the problem to be solved and the resources committed to the project, the -Impact is minimal(0-3 pts) -Impact is moderate(4-6 pts) -Impact is substantial(7-10 pts)	
5. Coordination(0-10 pts) -Applicant has involved other institutions and organizations, where appropriate, in the planning of the project(0-5 pts) -Other institutions/organizations will be involved in the implementation of the project(0-5 pts)	
6. Catalytic Effect of Project on Institutions (ADVOCACY)(0-20 pts) A. Institutional Change(0-10 pts) Grantee, through advocacy for low-income persons seeks to change interpretations of laws, regulations, policies, procedures, and attitudes in order to insure that low-income persons receive that to which they are entitled. B. Mobilization of Community Resources(0-10 pts) Grantee, through advocacy for low-income persons leverages dollars or in-kind contributions from other elements in the community. - 0-25% of total budget(0-5 pts) - 25% and up(6-10 pts)	
7. Ability of Applicant to Perform(0-15 pts) -Assessment of past CFNP or other relevant projects (including written self or third party evaluations, progress reports, or CSA on-site assessments.) (0-10 pts) -Assessment of appplicant's overall administrative ability and general track record.(0-5 pts)	
TOTAL POINTS POSSIBLE: 100	

APPENDIX F	
RATING CRITERIA - REGIONAL T & TA PROJECTS	POINTS
1. Applicant has Skills/Abilities to Perform Adequately(0-30 pts) -Applicant's past experience (0-10 pts) -Quality of staff: -Knowledge of Food and Nutrition Field (including other federal food programs)(0-10 pts) -Knowledge/skills in four program categories(0-10 pts)	
2. Proposal is Responsive to CSA Policy Priorities(0-25 pts) Applicant demonstrates an understanding of an adequate plan to assist CFNP grantees in moving from a service delivery to a catalytic role by engaging in advocacy to effect: -Institutional change(0-15 pts) -Mobilization of resources(0-10 pts)	
3. Proposal is Responsive to CFNP Grantee Needs for T&TA in Five Program Categories(0-25 pts) -Plan is adequate to meet grantee needs(0-15 pts) -Plan is appropriately related to the activities in the five categories (0-10 pts)	
4. Proposal is Responsive to CFNP Grantee Needs for T&TA in Program Management (0-10 pts) Applicant proposes an appropriate and adequate plan to assist grantees to improve their ability to: -Assess needs -Set goals and priorities -Evaluate results	
5. Proposal Includes a Plan to Coordinate T&TA Activities with Other Appropriate Entities (0-5 pts)	
6. Proposal Includes a Plan to Evaluate Results of Applicant's Efforts(0-5 pts)	
TOTAL POINTS POSSIBLE: 100	

APPENDIX G

REGIONAL OFFICES

REGION I (Serving: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont) Community Services Administration John F. Kennedy Federal Building Room 432 Boston, Massachusetts 02203 CFNP Coordinator: Mr. Franklin B. Jackson, Jr. Phone: (617)223-0975	REGION II (Serving: New Jersey, New York, Puerto Rico, Virgin Islands) Community Services Administration 26 Federal Plaza, 32nd Floor New York, New York 10007 CFNP Coordinator: Ms. Saundra Hamilton Phone (212)264-1946
REGION III (Serving: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia) Community Services Administration Old U.S. Court House 9th and Market Streets Philadelphia, Pennsylvania 19104 CFNP Coordinator: Ms. Norma Clarkson Phone: (215)597-1149	REGION IV (Serving: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee Community Services Administration 101 Marietta Street, N.W. Atlanta, Georgia 30303 CFNP Coordinator: Mr. Sylvester Lindsey, Jr. Phone: (404)221-2758
REGION V (Serving: Illinois, Michigan, Minnesota, Ohio, Wisconsin) Community Services Administration 300 South Wacker Drive, 24th Floor Chicago, Illinois 60606 CFNP Coordinator: Ms. Elizabeth Newsome Phone: (312)353-6021	REGION VI (Serving: Arkansas, Louisiana, New Mexico, Oklahoma, Texas) Community Services Administration 1200 Main Street Dallas, Texas 75202 CFNP Coordinator: Mr. Hamah King Phone: (214)767-6146

APPENDIX G (continued)

REGIONAL OFFICES

REGION VII (Serving: Iowa, Kansas, Missouri, Nebraska) Community Services Administration 911 Walnut Street Kansas City, Missouri 64106 CFNP Coordinator: Ms. Grace Ledwidge Phone: (816)374-3561	REGION VIII (Serving: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) Community Services Administration 333 West Colfax Avenue Tremont Center Building Denver, Colorado 80204 CFNP Coordinator: Mr. Willard O'Berry Phone: (303)837-3211
REGION IX (Serving: Arizona, California, Hawaii, Nevada, Trust Territories) Community Services Administration 450 Golden Gate Avenue San Francisco, California 94102 CFNP Coordinator: Mr. Darnell E. White Phone: (415)556-7617	REGION X (Serving: Alaska, Idaho, Oregon, Washington) Community Services Administration 1321 Second Avenue Seattle, Washington 98101 CFNP Coordinator: Ms. Alberta Adams Phone: (206)442-7194

APPENDIX H
MIGRANT CONDUITS

Minnesota Migrant Council (Serving: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota) Post Office Box 1231 St. Cloud, Minnesota 56301 CFNP Coordinator: Mr. Rick Echola Phone: (612)253-7010	Florida Farmworker's Council (Serving: Florida) 1975 East Sunrise Boulevard Suite 850 Fort Lauderdale, Florida 33304 CFNP Coordinator: Ms. Anita McGruder Phone: (305)763-5252
Migrant and Seasonal Farmworkers Association (Serving: Alabama, Mississippi, Georgia, Louisiana, West Virginia, Tennessee, South Carolina, Maryland, Virginia, North Carolina) Post Office Box 33315 3929 Western Boulevard Raleigh, North Carolina 27606 CFNP Coordinator: Ms. Marian Tucker Phone: (919)851-7611	Rural New York (Serving: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, New Jersey, New York, Delaware, Pennsylvania) 339 East Avenue Suite 305 Rochester, New York 14604 CFNP Coordinator: Mr. Jefferey Lewis Phone: (305)763-5252
Campesinos Unidos (Serving: New Mexico, Arizona, California, Nevada) Post Office Box 203 Brawley, California 92227 CFNP Coordinator: Mr. Jose Lopez Phone: (714)344-4500	Colonias del Valle (Serving: Oklahoma, Arkansas, Texas) Post Office Box 907 San Juan, Texas 78759 CFNP Coordinator: Mr. Hector de Leon Phone: (512)787-9901
Idaho Migrant Council (Serving: Colorado, Washington, Wyoming, Montana, Utah, Idaho) 7155 Capitol Boulevard Suite 406 Boise, Idaho 83706 CFNP Coordinator: Mr. Sam Byrd	

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Note.—The National Consumer Cooperative Bank authorized by Congress in 1978 is required by law to make its "best efforts" to provide 35% of its loan money for low-income organizations including food coops. The Bank will publish its final rule at the end of March or in early April 1980 and will begin accepting loan applications at that time. Applications will be processed on a *first come first-served basis.* CFNP grantees and prospective applicants for food coop projects are therefore urged to submit their applications to the Bank promptly. All CAA's are supposed to be on the Bank's mailing list. CAA's which are not yet on the list and other interested CFNP grantees or prospective applicants for CFNP funds for food coop projects should contact the Bank at the following address for further information: National Consumer Cooperative Bank, Attn: Mr. Robert Sawyer, 2001 S Street N.W., Washington, D.C. 20009.

In addition, applicants may wish to contact the Cooperative Bank Monitoring Project whose principal purpose is to ensure full participation by eligible low-income organizations. The address of the Project is: Conference on Alternatives, State and Local Policies, Attn: Mr. Norman Davis, Coop Bank Monitoring Project, 2000 Florida Avenue, N.W., Washington, D.C. 20009, Telephone: (202) 387–6030.

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federal register

Tuesday
February 19, 1980

Part III

Department of Transportation

Coast Guard

Safety Orientation of Passengers

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 26, 78 and 185

[CGD 78-009]

Safety Orientation of Passengers

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: These regulations require the operators of small passenger carrying vessels to conduct a safety orientation for all passengers before getting the vessel underway. These regulations afford all passengers the opportunity to be acquainted with procedures to follow in the event of an emergency and the stowage locations for and proper use of lifesaving equipment.

EFFECTIVE DATE: 1 April 1980.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Kenneth A. Rock, Office of Merchant Marine Safety, Room 2612, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593, 202–426–2183.

SUPPLEMENTARY INFORMATION: On 29 June 1978 the Coast Guard published a proposed rule (43 FR 28426) concerning these amendments. Interested persons were given until 14 August 1978 to submit comments. A total of 39 persons submitted written comments. A significant amount of duplication was noted. Comments were submitted by private individuals, small passenger vessel owners and operators, industry associations, Federal and State Government agencies. Each member of the National Boating Safety Advisory Council (NBSAC) was individually invited to comment on these regulations to the extent applicable to vessels carrying 6 or fewer passengers for hire by letter dated 28 June 1978. All comments received from NBSAC members were incorporated into the docket and considered in development of the final rule.

The final rule has been evaluated in accordance with DOT "Regulatory Policies and Procedures," 44 FR 11033 (February 26, 1979). A copy of the final evaluation may be obtained from the Commandant (G–CMC/TP24), U.S. Coast Guard, Washington, D.C. 20593, 202–426–1477.

Drafting Information

The principal persons involved in drafting this rule are LCDR Kenneth A. Rock, Project Manager, Office of Merchant Marine Safety and Michael N. Mervin, Project Attorney, Office of the Chief Counsel.

Discussion of Comments

All changes to the proposed regulations have been made to improve clarity without changing the substance of the regulations. The changes reflect and are a direct result of comments received and subsequent Coast Goard review of the proposal.

General Comments

Nine comments favored the proposal as written while four comments objected to the proposal offhand without substantive comment.

Nine comments requested that ferry vessels be excluded from compliance. These comments were based on an apparent misunderstanding that the only safety orientation format acceptable to the Coast Guard would be to muster all passengers for an announcement and demonstration conducted by a crewmember. Although the "airline flight attendant" method of safety orientation can be used to meet the intent of this regulation, a suitable recorded announcement supplemented with adequate notice and placards and in some cases notice and placards only will suffice. Each operator may determine the method of safety orientation which best fits the operation.

Four comments suggested that the wording of the proposal subjected the vessel operator to unnecessary liability by making the operator responsible for ensuring that each passenger is fully informed regarding every aspect covered in the safety orientation. The Coast Guard agrees that such liability was inadvertently inferred and the regulation has been reworded. The intent of this rule is to require each operator to provide a thorough orientation which accords each passenger an opportunity to become familiar with that vessel's safety equipment and layout. However, if a passenger ignores the orientation, the operator should not be held accountable.

Five comments alleged that a safety orientation would create fear and panic among passenges. Additionally, one comment questioned the need on the premise that every passenger "automatically accepts a risk" just by taking a ride as a passenger. The Coast Guard disagrees on both counts. Although a certain amount of risk may exist for every passenger aboard a vessel the Coast Guard is committed to reducing that risk and ensuring the highest practicable level of safety of life and property at sea. The Coast Guard therefore, desires to minimize as many identifiable hazards to vessels, crews, and passengers as practicable. The Coast Guard is convinced that is is vital that each passenger be provided with basic information regarding emergency procedures, as well as the location of lifesaving devices and how to don and adjust them, in advance of an emergency. Fear and panic are more logically a result of lack of information about, familiarity with, and understanding of vessel operation and available equipment.

Five comments recommended that various types of vessel operations be excluded from compliance with the safety orientation requirements. Specifically, exclusions were requested for charter vessels operating two or more times daily, all river and harbor operations under 100 GT, rental boat livery operations, yacht brokers during vessel demonstrations and yacht club launch operations. The Coast Guard agrees that the limited scope of tender service at yacht clubs and marinas coupled with the small size of vessels employed to carry six or less passengers makes compliance with these rules impracticable and unnecessary. Therefore, wording has been added to exclude yacht club tender service operations carrying six or fewer passengers. Similarly, a passenger on a vessel being demonstrated by a yacht broker is normally on the vessel to become totally familiar with that vessel's equipment and characteristics. The Coast Guard therefore agrees that providing an emergency checkoff list and conducting a safety orientation is unnecessary and wording has been added to the rule to exclude yacht broker operations conducted concomitant to the sale of a vessel.

However, the objection that such an orientation would result in an unreasonable burden for vessels operating two or more times daily is unfounded. Numerous orientation options allow sufficient variety to provide compatability with all small passenger vessel operations. Likewise, the request that all vessels of under 100 GT operating on rivers and harbors be excluded is not concurred with. Often the increased vessel traffic encountered on these routes and the frequency of trips (i.e. ferryboats and sightseeing vessels) make a safety orientation and posting of an emergency checkoff list most important. Therefore, no exclusions are granted for these operations.

The request that rental boat livery operations be excluded from compliance with these regulations is ordinarily not germane. Rental boat livery operations normally constitute a bareboat charter agreement and there is no identifiable

"licensed operator" nor are there any "passengers for hire" relationships present. These regulations are therefore not applicable. In the event that a licensed operator is furnished and the renters are "passengers for hire" the rule is properly applicable since the passengers are likely to be unfamiliar with the vessel, its operation, and its equipment.

In the case of small, multi-stop sightseeing or cruise boats and round-trip ferry operations, the safety orientation is required only subsequent to the initial point of passenger embarkation for each trip.

One comment requested that all whitewater rafts be excluded from the emergency checkoff list posting requirements. The Coast Guard disagrees that a blanket exclusion would serve the best interests of safety in view of the numerous types of vessels and operational practices in use in the river running industry. However, § 26.03–2(c) and § 185.25(c) provide for an exclusion from the checkoff list requirements whenever it is determined that the operation of any vessel does not present the hazards listed on the checkoff list or when a vessel has no suitable mounting surface in a conspicuous, continuously accessible place. Additionally, it is intended that every commercial river running operation comply with the regulations requiring a thorough safety orientation prior to each trip. OCMI's will review each river running operation and ensure that the safety orientation provided satisfies the intent of these regulations and is compatible with vessel construction, configuration and operation.

Three comments requested that the Coast Guard provide standardized placards to all operators. The Coast Guard rejects this idea. Placards, when used, must reflect each vessel's unique design, stowage locations, and specific safety equipment instructions. Some acceptable placards are currently available from safety equipment manufacturers.

One comment suggested that some uninspected small passenger vessels subject to 46 CFR 26.03–2 may not be radiotelephone equipped. Therefore, the phrase "if radiotelephone equipped" has been added.

Eight comments requested that ferry operations be excluded from these requirements because of insufficient time to conduct such an orientation. The availability of a passive orientation procedure which affords the passenger the opportunity to be informed while not delaying passenger embarkation and debarkation makes such an exclusion unwarrented.

Finally, one comment recognized that the proposal is sound but requested that the rule be published as an "industry advisory" in lieu of a regulation. The Coast Guard disagrees. A regulation is considered desirable to ensure uniform industry wide implementation.

Accordingly, Chapter I of Title 46 of the Code of Federal Regulations is amended as follows:

PART 26—OPERATIONS

1. By adding new §§ 26.03–1 and 26.03–2 to Part 26 to read as follows:

§ 26.03–1 Safety orientation.

(a) Before getting underway in any vessel carrying 6 or fewer passengers for hire, the operator in charge shall ensure that suitable public announcements, instructive placards or both are provided in a manner which affords all passengers the opportunity to become acquainted with:

(1) Stowage locations of life preservers;

(2) Proper method of donning and adjusting life preservers of the type(s) carried on the vessel;

(3) The type and location of all lifesaving devices carried on the vessel; and

(4) The location and contents of the "Emergency Checkoff List" required by § 26.03–2.

(b) Vessels subject to this subpart engaged in tender service at yacht clubs and marinas, and vessels being demonstrated for a potential purchaser by a yacht broker, are excluded from the requirements of § 26.03–1 and § 26.03–2.

§ 26.03–2 Emergency instructions.

(a) The operator in charge of each vessel carrying 6 or fewer passengers for hire shall ensure than an emergency checkoff list is posted in a conspicuous, continuously accessible place to serve as a notice to the passengers and a reminder to the crew of precautionary measures which may be necessary in the event of an emergency situation.

(b) Except where any part of the emergency instructions are deemed unnecessary by the Officer in Charge, Marine Inspection, the emergency checkoff list must contain not less than the applicable portions of the sample emergency checkoff list which follows:

Sample Emergency Checkoff List

Measures to be considered in the event of:

(a) *Rough weather at sea or crossing hazardous bars.*

- ☐ All weathertight and watertight doors, hatches and airports closed to prevent taking water aboard.
- ☐ Bilges kept dry to prevent loss of stability.
- ☐ Passengers seated and evenly distributed.
- ☐ All passengers wearing life preservers in conditions of very rough seas or if about to cross a bar under hazardous conditions.
- ☐ An international distress call and a call to the Coast Guard over radiotelephone made if assistance is needed (if radiotelephone equipped).

(b) *Man overboard.*

- ☐ Ring buoy thrown overboard as close to the victim as possible.
- ☐ Lookout posted to keep the victim in sight.
- ☐ Crewmember, wearing a life preserver and lifeline, standing by ready to jump into the water to assist the victim back aboard.
- ☐ Coast Guard and all vessels in the vicinity notified by radiotelephone (if radiotelephone equipped).
- ☐ Search continued until after radiotelephone consultation with the Coast Guard, if at all possible.

(c) *Fire at Sea.*

- ☐ Air supply to the fire cut off by closing hatches, ports, doors, and ventilators, etc.
- ☐ Portable extinguishers discharged at the base of the flames of flammable liquid or grease fires or water applied to fires in combustible solids.
- ☐ If fire is in machinery spaces, fuel supply and ventilation shut off and any installed fixed firefighting system discharged.
- ☐ Vessel maneuvered to minimize the effect of wind on the fire.
- ☐ Coast Guard and all vessels in the vicinity notified by radiotelephone of the fire and vessel location (if radiotelephone equipped).
- ☐ Passengers moved away from fire and wearing life preservers.

(c) When in the judgment of the cognizant Officer in Charge, Marine Inspection, the operation of any vessel subject to this section does not present the hazards listed on the emergency checkoff list or when any vessel has no suitable mounting surface, an exclusion from the requirements of § 26.03–2(a) and (b) is granted by letter.

2. By adding the following entries in numerical sequence to the Part 26—*Operations* Table of Contents:

Sec.
26.03–1 Safety orientation.
26.03–2 Emergency instructions.

3. By adding the following references in alphabetical sequence to the index for 46 CFR Subchapter "C"—Uninspected Vessels:

Emergency checkoff list 26.03–2
Safety orientation 26.03–1

(46 USC 1454, 49 CFR 1.46(n)(1))

PART 78—OPERATIONS

4. By amending § 78.17–50(b)(5) of Part 78 to read as follows:

§ 78.17–50 Fire and boat drills.

* * * * *

(b)* * *

(5) The passengers must be encouraged to fully participate in these drills and must be instructed in the proper method of donning and adjusting life preservers of the type carried on the vessel and informed of the life preserver stowage locations.

(46 USC 481, 49 CFR 1.45(a)(2))

PART 185—OPERATIONS

5. By adding new paragraphs (c) and (d) to § 185.25–1 of Part 185 as follows:

§ 185.25–1 Emergency instructions.

* * * * *

(c) When in the judgment of the cognizant Officer in Charge, Marine Inspection, the operation of any vessel subject to this section does not present the hazards listed on the emergency checkoff list or when any vessel has no suitable mounting surface, an exclusion from the requirements of § 185.25–1(a) and (b) is granted by letter.

(b) *Safety orientation.* Before getting underway, the operator in charge of each vessel subject to this subpart shall ensure that suitable public announcements, instructive placards or both are provided in a manner which affords all passengers the opportunity to become acquainted with:

(1) Stowage locations of life preservers;

(2) Proper method of donning and adjusting life preservers of the type(s) carried on the vessel;

(3) The type and location of all lifesaving devices carried on the vessel; and

(4) The location and contents of the "Emergency Checkoff List" required by § 185.25–5.

6. By adding the following reference in alphabetical sequence to the index for 46 CFR Subchapter "T"—Small Passenger Vessels:

Safety orientation ..... 185.25–1(c)

(46 USC 390b, 49 USC 1655(b)(1), 49 CFR 1.46(b))

Dated: February 12, 1980.

J. B. Hayes,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 80–5168 Filed 2–15–80; 8:45 am]

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Federal Register

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
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DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
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DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

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

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

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

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3257 1–17–80 / Commission records and information; petitions for confidential treatment*

ENERGY DEPARTMENT

3538 1–17–80 / Loans for small hydroelectric power project feasibility studies and related licensing

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

3574 1–18–80 / Recognition of new sources of ingredient names for cosmetic labeling

TREASURY DEPARTMENT

Customs Service—

3573 1–18–80 / Establishment of port of entry at Owensboro, Ky.

3570 1–18–80 / Fees for vessels in foreign and domestic trades

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing February 14, 1980